

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 12 DECEMBER 2013
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2013/0888/P (GRID REF: SD 368309 431205)
 PROPOSED CHANGE OF USE OF FOUR AGRICULTURAL BUILDINGS AND PART OF A
 FARMYARD FOR THE STORAGE OF CARAVANS (UP TO 70 CARAVANS IN TOTAL) AT
 BROADHEAD FARM, RAMSGREAVE

PARISH COUNCIL: No representations had been received at the time of report preparation.

ENVIRONMENT
 DIRECTORATE
 (COUNTY SURVEYOR): Originally expressed concerns that the farm access from Pleckgate Road is single track with no opportunity for opposing vehicles to pass each other along the length of the access track or at the junction of the track with Pleckgate Road. He therefore required that conditions should be imposed requiring the submission for approval and subsequent implementation of the scheme of alterations to the junction of the access track with Pleckgate Road and for the provision of passing places capable of accommodating vehicles towing caravans. Details of such a scheme have been shown on an amended plan (drawing no WOR/024/1635/03A) received by the Local Planning Authority on 18 November 2013. Subject to compliance with that amended plan, the County Surveyor has no objections to this application on highway safety grounds.

ADJOINING AUTHORITY: Blackburn with Darwen Borough Council has made the following comments on the application.

1. The Council considers the visual appearance of the land and the impact of the proposed development upon it to be 'important and intrinsic' to the special character of the greenbelt, and would want to ensure the preservation and enhancement of this quality.
2. NPPF supports the reuse of redundant or disused agricultural buildings that would lead to the enhancement of the immediate setting. It is noted that the proposal is within an adjacent group of existing buildings; and such development would therefore be acceptable if it avoided having an impact on the openness of the landscape.
3. Ribble Valley Borough Council should be satisfied that 70 caravans stored on the site would not generate an intrusive

level of noise through movement and manoeuvring of vehicles that would be detrimental to the amenities of nearby residents.

4. The potential impact on the surrounding highway network is a concern. The accesses to the site using the track from Whalley New Road near to the car shown room and the narrow turning into the north eastern end of Pleckgate Road close to the Brownhill roundabout are not suitable for use by caravans. The application, however, proposes Pleckgate Road from Ramsgreave Drive (A6119) as the sole access route; and it is considered that the A6119 can accommodate an increase in traffic.
5. In conclusion, Blackburn with Darwen Borough Council does not object to the proposal provided that the effects of the development on the openness of the greenbelt and on the local highway network have been properly taken into account.

LANCASHIRE
CONSTABULARY:

Has commented that a lockable barrier (with authorised persons having the means to unlock the barrier) and the installation of external lighting would be beneficial with regards to the matter of crime prevention.

ADDITIONAL
REPRESENTATIONS:

A petition has been received that is signed by 23 people from 18 local addresses. It is stated in its heading that those people are “against” the application, but no detailed reasons are given.

Individual letters/emails have been received from 13 local households. The objections and observations made in the letters are summarised as follows:

1. Highway Safety – the farm access track is not wide enough for 2 vehicles towing caravans to pass each other. The local roads leading to the access track are narrow and in a poor state of repair. Residents cars parked on the road where there are no double yellow lines would prevent vehicles towing caravans from either entering or exiting the farm track. There are two routes to the access track but one (from the Brownhills roundabout) can only be used as an access (but not as an exit) as it is one way. Danger to pedestrians including elderly people and children.
2. Nuisance of car headlights shining into local resident’s windows including bedroom windows.
3. Harm to visual amenity by caravans stored outside especially if they spread onto surrounding fields.

4. There is an existing touring caravan storage facility in the locality. This additional facility is therefore not needed.
5. Will the storing of caravans inside existing buildings mean that new buildings would have to be built for housing livestock in winter?
6. A permission will set a precedent for further farm diversification including the erection of new buildings to the detriment of rural areas.
7. What security measures are to be put in place?
8. Noise disturbance due to increased vehicles – exacerbated by the poor condition of the road surfaces in the locality.

Proposal

Full planning permission is sought for the change of use of four buildings and a yard area from agricultural use to use for the storage of touring caravans. In the submitted Planning Statement, it is estimated that about 50 caravans would be stored within the buildings with approximately a further 20 to be stored in the former silage clamp and adjoining yard area.

The application does not involve any external alterations to the buildings, but the outside storage area would be screened where necessary by 2m high closed board fencing.

To address conditions required by the County Highway Authority (and to comply with the details shown on a submitted amended plan) the proposed development also involves alterations to the farm access track that will be used as the access/egress for caravans in the event that this application is approved. These alterations include improvements to the junction of the track with Pleckgate Road and the provision of 2 passing places of appropriate dimensions to allow 2 vehicles each towing caravans to pass each other.

Site Location

The application site (as defined in red on the submitted plan) comprises a range of former agricultural buildings, part of the farmyard and a farm track at Broadhurst Farm, Ramsgreave. The farm extends to about 35 hectares of land which surrounds the farmstead but which does not form part of the application site.

The site is within the green belt just outside the settlement boundary of Wilpshire. The adjoining land within the settlement boundary to the north east of the site is a residential development whilst to the south west the adjoining land is within a mixture of residential and commercial use.

There are two existing access tracks to the farmstead. The original track runs from Whalley New Road to the north of a car sales garage and passes over the railway and then crosses a field before entering the farmstead at its north eastern corner. This original track is not included in the defined application site, and will not be used in association with the proposed use of the farmstead.

In 2000, Prior Notification Permission was granted for an approximately 250m long agricultural access track that runs from Pleckgate Road and crosses fields before entering the south side of the farmstead (3/2000/024N). This track has been formed and is included within the defined application site. It is therefore this track that will be used in association with the proposed new use of part of the farmstead.

Relevant History

3/2000/024N – Prior Notification Permission without conditions for an approximately 250m long agricultural access track.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV4 - Green Belt.

Policy EMP9 - Conversions for Employment Uses.

Policy EMP12 - Agricultural Diversification.

Core Strategy Regulation 22 Submission Draft – Post Submission Version (including proposed main changes)

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMB1 – Supporting Business Growth and the Local Economy.

Policy EN1 – Green Belt.

Policy EC1 – Business and Economic Development.

National Planning Policy Framework.

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in relation to this application are the principle of the development and the effects of the proposed touring caravan storage on highway safety, visual amenity, and the amenities of nearby residents.

With regards to the principle of the proposal, the relevant saved policies of the Local Plan are G1 (General Development Control Criteria), G5 (Development Outside Main Settlement Boundaries), ENV4 (Green Belt), ENV9 (Conversion of Rural Buildings for Employment Uses) and EMP12 (Agricultural Diversification).

The general requirements of Policy G1 relating to highway safety, visual amenity and the amenities of nearby residents will be discussed later in this report.

In open countryside locations, Policy G5 allows small-scale developments that are essential to the local economy or the social wellbeing of the area or other small-scale developments appropriate to a rural area and which conforms to other policies in the Plan. I consider this proposal to represent a small-scale development that is therefore acceptable in principle in relation to Policy G5. Compliance or otherwise with other relevant policies will be discussed below.

Policy ENV4 states that planning permission will be granted within the Green Belt for use as a land which preserve the openness of the green belt and which do not conflict with the purposes of the designation. Proposals for the change of use of existing buildings are also acceptable subject to compliance with other relevant policies.

In this proposal, the majority of the caravans are to be stored within existing buildings. Those that are to be stored outside will be well screened by the existing buildings with further screening to be provided where necessary by 2m high fences. In my opinion, the proposal would not detract from the openness of the Green Belt.

Policy EMP9 states that: *“planning permission will be granted for employment-generating uses in barns and other rural buildings subject to compliance with a number of criteria.”* As the proposal does not involve any alterations to the buildings, it does not conflict with the requirements that the building has a genuine history of agricultural use; that it is structurally sound and capable of conversion without the need for major alterations; that the appearance of function of the area should not be harmed; and that any conversion works should be to a high standard of design. The requirement to provide a safe access and to not cause unacceptable disturbance to neighbours will be discussed below.

Policy ENV12 states that: *“proposals for agricultural diversification will be approved subject to other policies within the Local Plan provided that they are appropriate in both scale and character to the rural areas of Ribble Valley and do not compromise its natural beauty”.*

I consider this proposal to be appropriate in terms of scale and character to the locality.

The requirements of the saved Local Plan Policies described above are effectively carried forward by Policies DMG1, DMG2, DMB1, EN1 and EC1 of the emerging Core Strategy. I consider the proposed development to be acceptable in principle when considered in relation to all relevant policies. The proposal also, in my opinion, is in accordance with the general intentions of NPPF to support a prosperous rural economy.

Highway safety is the main issue referred to in the letters of objection that have been received from nearby residents. One of the points made by local residents was that they could legitimately park their cars on Pleckgate Road in positions that would impede vehicle movement associated with this proposed development. In response to this particular point, the County Surveyor made two early morning visits to Pleckgate Road (06.34am on 20.11.13 and 10.00am on 15.11.13). As a result of these visits, the County Surveyor has confirmed that he is satisfied “that the level of parking taking place on Pleckgate Road would not impede vehicle movements to and from the proposed development”. The County Surveyor has also commented that, as a dairy farm, this access would historically have been used on a daily basis by tractor and trailer combinations and possibly by milk tankers.

Following discussions between the County Surveyor and the applicant’s agent, an amended plan has been submitted that shows proposed alterations to the farm track. Subject to compliance with that plan and a number of conditions, the County Surveyor has no objections to the proposal on highway safety grounds. In my opinion, the proposed development is therefore acceptable in relation to this particular consideration.

As the caravans will be either stored within existing buildings or in locations that will be screened by those existing buildings and by proposed screen fencing, I do not consider that the

proposed development would have any seriously detrimental effects upon the visual amenities of the locality.

With regards to the matter of the amenities of nearby residents, letters of objection have been received from persons living in the residential areas to the north east and to the south of Broadhead Farm.

The nearest residential property to the north east (No 3 Moorfield Mews) is approximately 130m away from the nearest of the buildings to which the application relates. I do not consider that this property, or any of the other dwellings to the north east would be in any way materially affected by the actual storage of the caravans. As no access exists or is proposed from the north east of the site, the dwellings in that location would not be affected by any vehicle movements associated with the proposed development.

To the south, the nearest residential properties in Pleckgate Road are in excess of approximately 200m away from the buildings and yard area within which the caravans would be stored. I do not consider that any properties to the south of the application site would be in any way materially affected by the actual storage of the caravans. As access and egress in association with the proposed development is to be from Pleckgate Road, the properties in this area would, of course, be affected by vehicle movements associated with the proposed development.

However, it must be borne in mind that until a few years ago, this was a working dairy farm and would have generated significant vehicle movement associated with that use. With caravan storage, many caravan owners only take out their vans once or twice a year. Overall, I consider that the vehicle movements associated with the proposed use would be less than that which could be generated by a fully operational dairy farm. This application also offers the opportunity to impose a condition restricting the hours within which caravans can be brought to or taken away from the site, Subject to such a condition, I do not consider that the proposed development would result in any seriously detrimental effects upon the amenities of any nearby residents.

The Lancashire Constabulary have recommended that a lockable gate/barrier be erected and external lighting be installed for security purposes. As the proposed development is acceptable in relation to legitimate planning considerations without those security measures, it would not be appropriate to require their provision through a planning condition. In the event that planning permission is granted, the matter will therefore be the subject of an advisory note. The note will also advise that, prior to the erection of any barriers or gates or the installation of any external lighting, precise details shall have first been submitted to and approved in writing by the Local Planning Authority.

In conclusion, I consider that the proposal represents an appropriate agricultural diversification that would benefit the local economy and which, subject to appropriate conditions, would not have any seriously detrimental effects upon highway safety, visual amenity or the amenities of any nearby residents.

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 development as shown on drawing numbers WOR/024/1635/02 and WOR/024/1635/03 Rev.A (amended plan received by the Local Planning Authority on 18 November 2013).

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

3. The number of caravans stored on the site at any one time shall not exceed 70, and the caravans shall only be stored within the buildings and yard areas as shown on drawing no WOR/024/1635/02.

REASON: To comply with the terms of the application and to prevent caravans from being stored on other parts of the farm which could be detrimental to visual amenity contrary to Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

4. Prior to the first outside storage of any caravans, screen fencing shall have been erected in accordance with precise details of its position, height and “design” that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved fencing shall be permanently retained to the satisfaction of the Local Planning Authority.

REASON: In the interests of visual amenity and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

5. All vehicular access and egress in association with the caravan storage use hereby permitted, shall be via the existing farm track between Pleckgate Road and the farm buildings and yard area to which the application relates. The existing access between the application site and Whalley New Road shall not at any time be used in association with the development hereby permitted.

REASON: For the avoidance of doubt and in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

6. Prior to the first use of the site for the storage of caravans as hereby permitted, the farm access track to the site shall have been improved in the form of widening at its junction with Pleckgate Road and the provision of 2 passing places in accordance with the details shown on drawing no WOR/024/1635/03 Rev.A. Thereafter the widened junction and passing places shall be permanently retained to the satisfaction of the Local Planning Authority.

REASON: For the avoidance of doubt and in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

7. Prior to the first use of the site for the storage of caravans as hereby permitted, that part of the access track extending from the highway boundary of Pleckgate Road for a minimum distance of 20m into the site shall be appropriately paved in tarmacadam, concrete, block pavements or other approved materials.

REASON: To prevent loose material from being carried onto the public highway in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

8. All vehicle and caravan combinations shall enter the site by means of a left turn from Pleckgate Road and shall exit the site by means of a right turn onto Pleckgate Road. Prior to the first use of the site for the storage of caravans as hereby permitted, appropriate signs shall be displayed (in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority) to inform drivers that they must enter and exit the site in accordance with these directions. Thereafter the approved signs shall be permanently retained to the satisfaction of the Local Planning Authority.

REASON: In the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

9. Caravans shall not be brought to the site or taken away from the site outside the hours of 8.00am to 6.00pm on any day.

REASON: In the interests of the amenities of nearby residents and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

NOTE(S):

1. The applicant is informed that Lancashire Constabulary has recommended that a lockable gate or barrier be erected and external lighting be installed for security purposes. The applicant is, however, further advised that no such barriers or gates shall be erected, nor shall any external lighting be installed, unless precise details thereof have first been submitted to and approved in writing by the Local Planning Authority. This is necessary to establish whether the proposed security measures require a separate planning permission and to ensure that any external lighting, in particular, it does not cause inappropriate and unacceptable light pollution.

APPLICATION NO: 3/2013/0915/P (GRID REF: SD 375867 445456)
INSTALLATION OF SOLAR PANEL TO THE SOUTH EAST (FRONT) ROOF PITCH
3 PENDLE VIEW GRINDLETON BB7 4QU

GRINDLETON PARISH COUNCIL: Objection. Solar panel would be visible from the road on approach from the direction of Chatburn. The Parish may be supportive of the installation for a period of 12 months in order to gather comments and subsequently remove the panel if there is substantial adverse opinion.

ADDITIONAL
REPRESENTATIONS:

3 letters have been received from neighbouring properties, one of which has also been signed by 14 other residents of Grindleton. The main points of concern have been taken from these letters and simplified as follows:

- Would be highly visible and prominent from the road
- Offers marginal cost benefit against highly visual impact in conservation area
- Inappropriate and out of keeping, contrary to conservation area status of village
- Would be visible from communal gardens to front of properties on Pendle View
- Cost effective alternatives including appropriate energy tariffs
- The location is not ideal for solar – the area is 5th worst out of 6 categories on the PVGIS UK solar map
- Eric Pickles recently issued guidance to local authorities:

“The views of local people must be listened to when making planning decisions. Meeting Britain's energy needs should not be used to justify the wrong development in the wrong location”

- Approval would set a precedent
- Applicant states commitment to protecting the heritage of the cottages and village – but has installed Upvc windows and doors. Upvc production process emits 6 out of 15 of the most hazardous chemicals
- No objection to panels on the rear elevation
- Panels to the rear would be visible from Millennium Wood at the rear and in the foreground of views from here to Pendle Hill
- General support of the 'Cosy Home' initiative, but property should have been chosen that is not in a conservation area.

Proposal

Planning permission is sought for the installation of a solar panel on the south east facing (front) roof slope for a temporary period of 12 months. The panel is proposed to measure 1072mm in width and 2119mm in height, with a depth of 90mm. A 30mm gap is required to be maintained between the roof slope and the panel to allow condensate to run off, hence the panel would protrude 120mm from the slope of the roof.

Since the application was received, the applicant has revised the proposal with the effect that planning permission is sought for a temporary period of 12 months. During this time, the property will remain vacant and the general public will be allowed access to the property in what it is envisaged would be an educational 'demonstrator project for what is termed 'hard to treat properties'. These include those properties that are not served by mains gas supply.

Site

The application property is a two storey mid-terrace dwelling in a terrace of 5 properties known as 1-5 Pendle View within Grindleton Conservation Area and the Forest of Bowland Area of

Outstanding Natural Beauty. The front elevations of the properties are south east facing and the rear elevations back onto Buck Street to the north.

Relevant Policies

Ribble Valley Districtwide Local Plan (RVDLP)

Policy G1 - Development Control

Policy ENV1 – Area of Outstanding Natural Beauty

Policy ENV16 - Conservation Areas

Policy ENV24 – Renewable Energy

Policy ENV25 – Renewable Energy

Ribble Valley Core Strategy (Regulation 22 Submission Draft Post Submission Version Including Proposed Main Changes)

Key Statement EN2: Landscape

Key Statement EN3: Sustainable Development and Climate Change

Key Statement EN5: Heritage

Key Statement DS2: Sustainable Development

Key Statement DMG1: General Considerations

Key Statement DMG2: Strategic Considerations

Key Statement DME2: Landscape and Townscape Protection

Key Statement DME4: Protecting Heritage Assets

Key Statement DME5: Renewable Energy

Planning (Listed Buildings and Conservation Areas) Act 1990

Planning Policy Statement (PPS) 5 Planning for the Historic Environment Practice Guide

Planning Practice Guidance for Renewable and Low Carbon Energy

Environmental, AONB, Human Rights and Other Issues

PRINCIPLE

Planning permission is not required for the installation of solar panels on the roof slopes of dwellings in conservation areas subject to certain conditions. These conditions include that the panels shall be sited, so far as practicable, to minimise the effect on the external appearance of the building and the amenity of the area. The proposed siting of the panel does not comply with the applicable condition on siting and the proposal does not therefore comprise permitted development.

Planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving or enhancing the character or appearance of conservation areas. Policies in the local plan are consistent with the requirements of this Act. The development plan therefore remains the starting point for assessment in the determination of planning applications.

In this case, as the local plan is out of date, the NPPF is also a significant material consideration, as it prescribes that in such cases, planning permission should be granted unless: *'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework'* including those that indicate development should be restricted.

Whilst the NPPF promotes the use of renewable resources, it also requires decisions to recognise the intrinsic character and beauty of the countryside and to conserve heritage assets (paragraph 17 – core planning principles). Adverse impacts are required to be addressed, including cumulative and visual impacts (paragraph 97) and applications should only be approved if the impacts are, or can be made, acceptable.

In particular, paragraph 134 states that:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

A further material consideration is the Government's 'Planning Practice Guidance', which will once adopted sit alongside the NPPF. Although the guidance is currently in draft form and can therefore be afforded limited weight, with regards to renewable energy and heritage assets it contains advice of relevance to this application referred to as necessary in the report.

The main issues in this case are:

1. The visual impact of the solar panel in this particular location within Grindleton Conservation Area and the Forest of Bowland Area of Outstanding Natural Beauty;
2. The impact on the amenity of the occupants of nearby residential properties; and
3. The weighing of any harm against the public benefits of the proposal.

AMENITY

The solar panel would be sited on the front roof slope and the area to the front of the row of properties at Pendle View forms a communal garden area. I have viewed the proposal from this communal area and whilst the panel would be visible from parts of this garden, I consider that it would not be visually intrusive or harmful to the amenity of the occupants of these properties. As such, I consider that the impact of the proposal on the amenity of neighbouring occupants to be acceptable.

IMPACT ON GRINDLETON CONSERVATION AREA

Grindleton Conservation Area was designated on 3 October 1974. The special interest that justifies the designation of the Grindleton Conservation Area derives from its historic and architectural interest. Grindleton Conservation Area Appraisal identifies features that justify its conservation designation and these include its highly visible position within the Forest of Bowland Area of Outstanding Natural Beauty, located on a terrace above the River Ribble, where it can be seen from the river and from neighbouring villages and also the close proximity of relatively wild moorland and open fields, which provide a rural setting to the village and the panoramic views to Chatburn, on the opposite side of the River Ribble and to the shoulder and scarp of Pendle Hill.

The terrace of properties within the row known as 'Pendle View' are sited in a prominent elevated position above Grindleton Brow and the roof scape of these properties is noted within the Grindleton Conservation Area Appraisal as a local architectural feature. Whilst the Grindleton Conservation Area Townscape Appraisal Map does not identify the approach to into the village from Grindleton Brow as a key view, the application property in particular is the first

property visible on approach to the village when traveling north along Grindleton Brow. It is highly prominent in this view, a prominence which is demonstrated by the applicant in the photographic information accompanying the application. The application property is effectively 'framed' in views on approach into Grindleton until reaching the bend in the road, when other properties in the row become visible and views of the roof less so.

The roof of the terraces in the row is punctuated by the chimneys but no other features interrupt the linearity and uniformity of the roof scape. It is clear to me that the permanent installation of the proposed solar panel (for the standard period of 25 years) would fail to preserve or enhance the character and appearance of the conservation area, by reason of its prominent siting and long range of visibility, contrary to Policy ENV16 of the Ribble Valley Districtwide Local Plan and the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF. To my mind, the permanent provision of a solar panel in this location would lead to substantial harm to the significance of the conservation area given its highly visible position within the Forest of Bowland Area of Outstanding Natural Beauty, located on a terrace above the River Ribble, where it can be seen from the river and from neighbouring villages. It would appear as an incongruous and alien feature within this prominent historic village setting.

In view of this, planning permission is sought for the installation of the solar panel for a temporary period of 12 months. Whilst the visual impact of the proposal remains identical, the harm that would arise from the grant of a temporary permission when compared to a permanent permission is materially different. I consider that a temporary impact, particularly one for a short duration of 12 months, would result in less than substantial harm to the conservation area and this would require the proposal to be assessed in relation to paragraph 134 of the NPPF, which states:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

RENEWABLE ENERGY, SUSTAINABILITY AND PUBLIC BENEFITS

Local plan policies ENV24 and ENV25 support the provision of renewable energy, but require a balance to be struck between the benefits of the scheme and the visual impact of the proposal, which is in line with the approach taken by the NPPF. The applicant, St Vincent's Housing Association, are a partner in the implementation of the Warm Homes Healthy People initiative. St Vincent's currently have a 'Cosy Home' in Farnworth, Bolton - the 'Cosy Home' demonstrates how fuel bills and fuel poverty can be tackled. St Vincent's purchased and fitted out the Bolton Cosy Home with energy saving measures including a mechanical ventilation heat recovery system, a voltage optimisation panel, a 98% efficient boiler, LED lighting, 'A' rated argon filled windows, PV panels on the roof and thermal insulation. The property is available for the general public, landlords and developers and other housing providers to view to see how the installed technologies work and how energy savings can be made.

St Vincent's proposed to extend the 'Cosy Home' initiative with the purchase of a rural property in the Ribble Valley to be used as a demonstrator protect for 'hard to treat' properties (those that do not benefit from mains gas) to allow other householders and any interested parties with hard to treat properties in the Borough to view the many energy efficient initiatives available and to see the impact they can make. There are a significant number of hard to treat properties in the Borough and I consider that there are public benefits associated with the proposal that should be afforded significant weight in the planning balance.

PLANNING BALANCE

Planning permission is sought for the solar panel for a temporary period of 12 months. On balance, having regard to paragraph 134 of the NPPF, I consider that the harm that would arise to the significance of Grindleton Conservation area would be less than substantial given it would be for a temporary and relatively short period, after which the harm would be reversed and the roof reinstated to its former condition. To my mind, the public benefits of the proposal, in respect of the educational element of the Cosy Home initiative, are sufficient to outweigh the harm that would arise to the conservation area during the temporary period for which consent is sought, given the harm would be reversible following the 12 month period.

Whilst the property is currently in the ownership of St Vincent's Housing Association, I am mindful that St Vincent's intention is to sell the property once the demonstrator project ends. If the ownership is transferred or the property sold whilst the solar panel is in situ, the responsibility of its removal would lie with the owner and occupant of the property on expiry of the temporary permission. Whilst I have considered the imposition of a condition to allow the solar panel to remain in situ for a 12 month period from installation, I am mindful of the responsibility of its removal being passed to a prospective occupant or owner. As such, I consider it to be appropriate that the consent is time limited to expire 12 months from the date of the permission, should committee be minded to approve the application.

I consider that a condition to secure the public benefits offered by the scheme would be reasonable and necessary to ensure that the reasons for allowing the harm to the significance of the heritage asset for the temporary period can be monitored and controlled by the local planning authority.

RECOMMENDATION: That planning permission is granted for a limited period expiring 12 months from the date of the decision, subject to the following conditions:

1. This planning permission is granted for a limited period expiring 12 months from the date of the decision. On or before the expiry of this permission, the solar panel shall be removed from the site and the roof shall be reinstated to its former condition in accordance with a scheme that shall first be submitted to and approved in writing by the Local Planning Authority.

REASON: There are public benefits arising from the proposal that would justify the harm that would arise to the significance of the conservation area for a temporary period of 12 months, having regard to the National Planning Policy Framework and Policies ENV1, ENV16, ENV24 and ENV25 of the Ribble Valley Districtwide Local Plan. The retention of the proposal beyond this period would result in significant harm to the conservation area at would not be in the public interest once the property is no longer used for the purpose of providing the public benefit.

2. The development hereby permitted shall be carried out in complete accordance with the details shown on the submitted plans entitled 'Front Elevation' and 'Roof Detail'.

REASON: To clarify the permission.

3. Prior to the commencement of the development, a management scheme for the public to access the property shall be submitted to and approved in writing by the local planning authority. The management scheme shall be implemented in accordance with the approved

details for the duration of the temporary consent unless otherwise agreed in writing by the Local planning authority.

REASON: To enable the local planning authority to control public access to the property to protect the amenity of the occupants of neighbouring residential properties and to ensure the public benefits of the proposal are maintained for the duration of the consent in accordance with the National Planning Policy Framework.

APPLICATION NO: 3/2013/0916/P (GRID REF: SD 375867 445456)
AIR SOURCE HEAT PUMP TO REAR ELEVATION AT 3 PENDLE VIEW GRINDLETON BB7
4QU

GRINDLETON PARISH COUNCIL: No objection.

ADDITIONAL REPRESENTATIONS: 2 letters have been received from neighbouring properties, one of which is an objection and one which states the neighbour has no strong objection but requests clarification on four issues. The main points of concern have been taken from these letters and simplified as follows:

- Would be too close to neighbouring properties boundaries and in close proximity to rear door and window of neighbouring property No.4
- The unit has water and electrical connections in close proximity to the highway, it may be damaged from large vehicles using Grindleton self storage units/waste vehicles
- Potential noise nuisance and appearance could be addressed with acoustic enclosure
- Potential public safety issue with unit supplied by mains electricity being so close to the highway. Could risk be mitigated and would residents be liable as Buck Street is not adopted, being the collective responsibility of residents
- Applicant implies petition resulted in need for planning permission. Is this the case?

Site

The application property is a two storey mid-terrace dwelling in a terrace of 5 properties known as 1-5 Pendle View within Grindleton Conservation Area and the Forest of Bowland Area of Outstanding Natural Beauty. The front elevations of the properties are south east facing and the rear elevations back onto Buck Street to the north.

Proposal

Planning permission is sought for the installation of an air source heat pump (5kW Mitsubishi Ecodan) affixed to the rear elevation of the property. The unit would measure 740mm in height, with a width of 950mm and a depth of 330mm. A 30mm gap is required to be maintained

between the rear wall and the unit to allow condensate to run off, hence the unit would project 360mm from the rear wall.

Relevant Policies

Ribble Valley Districtwide Local Plan (RVDLP)

Policy G1 - Development Control

Policy ENV1 – Area of Outstanding Natural Beauty

Policy ENV16 - Conservation Areas

Policy ENV24 – Renewable Energy

Policy ENV25 – Renewable Energy

Ribble Valley Core Strategy (Regulation 22 Submission Draft Post Submission Version Including Proposed Main Changes)

Key Statement EN2: Landscape

Key Statement EN3: Sustainable Development and Climate Change

Key Statement EN5: Heritage

Key Statement DS2: Sustainable Development

Key Statement DMG1: General Considerations

Key Statement DMG2: Strategic Considerations

Key Statement DME2: Landscape and Townscape Protection

Key Statement DME4: Protecting Heritage Assets

Key Statement DME5: Renewable Energy

Planning (Listed Buildings and Conservation Areas) Act 1990

Planning Policy Statement (PPS) 5 Planning for the Historic Environment Practice Guide

Planning Practice Guidance for Renewable and Low Carbon Energy

Environmental, AONB, Human Rights and Other Issues

PRINCIPLE

Planning permission is not required for the installation of air source heat pumps subject to certain conditions. Given the proposed siting of the unit, it does not comprise permitted development.

Planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving or enhancing the character or appearance of conservation areas. Policies in the local plan are consistent with the requirements of this Act. The development plan therefore remains the starting point for assessment in the determination of planning applications.

In this case, as the local plan is out of date, the NPPF is also a significant material consideration, as it prescribes that in such cases, planning permission should be granted unless: *'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework'* including those that indicate development should be restricted.

Whilst the NPPF promotes the use of renewable resources, it also requires decisions to recognise the intrinsic character and beauty of the countryside and to conserve heritage assets (paragraph 17 – core planning principles). Adverse impacts are required to be addressed,

including cumulative and visual impacts (paragraph 97) and applications should only be approved if the impacts are, or can be made, acceptable. Local plan policies ENV24 and ENV25 support the provision of renewable energy, but require a balance to be struck between the benefits of the scheme and the visual impact of the proposal, which is in line with the approach taken by the NPPF.

DESIGN AND IMPACT ON GRINDLETON CONSERVATION AREA

Grindleton Conservation Area was designated on 3 October 1974. The special interest that justifies the designation of the Grindleton Conservation Area derives from its historic and architectural interest. The terrace of properties within the row known as 'Pendle View' are sited in a prominent elevated position above Grindleton Brow and the roof scape of these properties is noted within the Grindleton Conservation Area Appraisal as a local architectural feature.

The rear elevations of 1-5 Pendle View back onto Buck Street, a single width unadopted road. The applicant states that the area to the rear of the property where the unit would be sited forms part of its land ownership boundary. The area of land immediately to the rear of the properties is used for the storage of bins, with domestic paraphernalia such as pot plants also sited on this area of land. The air source heat pump is proposed to be affixed to the rear wall of the property close to ground level. I also note that No.5 in the row has a service box mounted on the rear wall, which is likely to house utilities. Given the nature of the use of the area to the rear of the properties, I consider that the installation of the air source heat pump would be acceptable in principle given it is to the rear elevation of the property. However, in the interests of the visual amenities of the area, I consider it necessary that the unit is appropriately enclosed to provide screening, given the site is located in Grindleton Conservation Area where development is required to preserve and enhance its character. A condition is recommended to this effect.

AMENITY

The proposed air source heat pump would function in a similar manner to a refrigerator. The technical specification of the proposed air source heat pump indicates it has a noise level rating of 45dB. Given the proximity of the unit to the boundary with the adjoining neighbour No.4, this has the potential to cause undue noise disturbance and I am also concerned about potential vibration.

Following discussions with Environmental Health, I am advised that there are measures that can be employed to prevent vibration and to limit noise to an acceptable level. These measures include rubber fixings to prevent vibration and an acoustic enclosure to contain noise to acceptable levels at the property boundary. Noise levels should not exceed 5dB above background noise levels at the nearest sensitive receptor. Conditions are therefore recommended accordingly.

MATTERS OF CONCERN RAISED BY OBJECTORS

Issues of concern relate to the potential for the unit to be damaged by vehicles using Buck Street, a potential public safety issue with the unit supplied by mains electricity being close to the highway and liability given Buck Street is not adopted. The applicant states that the land to the rear of the property is within their ownership. Lancashire County Council provide the following advice on unadopted roads and liability:

An unadopted road may be owned by a person or an organisation, but it is more common for ownership to be unrecorded or impossible to trace. In the absence of any other ownership information, there is a legal presumption that a road is owned up to the midway point by the owner of the adjoining land (commonly referred to as “the frontagers”). The Highways Act 1980 requires that, whenever the Highway Authority undertakes Private Street Works, the frontagers shall normally be responsible for meeting the costs of repair and improvement works to an unadopted road. Neither the owners of the unadopted road, nor the owners of land having a right of access along it, are under any automatic obligation to maintain the street. Such an obligation may exist in certain circumstances, for example, where a maintenance obligation has been conferred upon a person to whom a right of access has been granted or where maintenance obligations exist by virtue of management agreements. However, the owners may, in certain circumstances, have some liability for damage or injury caused to users of the road.

As the road is unadopted, the issues relating to damage by vehicles and liability are private civil matters between the land owner and other parties. The owner of the property would be responsible for ensuring the unit is installed and maintained in a manner that does not contravene health and safety legislation. The owner would also need to ensure that all other necessary consents are obtained before the unit is installed, including the consent of interested parties as well as other consents such as building regulations approval if this is required.

CONCLUSION

The air source heat pump is proposed to be sited to the rear of the property and I consider that this would minimise its effect on external appearance and the amenities of the area. The impacts of the proposal in terms of visual impact in the context of the conservation area and impact on the amenity of the occupants of neighbouring residential properties can be made acceptable with appropriate pre-commencement conditions in accordance with the NPPF. Subject to these conditions, I consider that the proposal would preserve and enhance the character and appearance of the conservation area, would contribute to renewable energy objectives and would have an acceptable impact on the amenity of the occupants of neighbouring residential properties in accordance with Policies G1, ENV16, ENV24 and ENV25 of the Ribble Valley Districtwide Local Plan and Key Statements EN3, EN5, DS2, DMG1, DME4 and DME5 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft Including Proposed Main Changes).

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 development hereby permitted shall be carried out in complete accordance with the details shown on the submitted plans entitled 'rear elevation' and 'cross section'.

REASON: To clarify the permission.

3. Prior to the commencement of the development, a scheme for the provision of an acoustic enclosure for the air source heat pump shall be submitted to and approved in writing by the Local Planning Authority. The enclosure shall be installed in accordance with the approved scheme prior to the first use of the air source heat pump and shall be thereafter retained and

maintained at all times whilst the unit is in situ unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the visual amenities of Grindleton Conservation Area and the amenity of the occupants of neighbouring residential properties in accordance with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan, the National Planning Policy Framework and Key Statements EN3, EN5, DS2, DMG1, DME4 and DME5 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft Including Proposed Main Changes).

4. Prior to the commencement of the development, a scheme for the control of noise and vibration shall be submitted to and approved in writing by the local planning authority. The noise level at the property boundary shall not exceed 5dB above the existing background noise level.

REASON: To protect the amenity of the occupants of neighbouring residential properties in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan, the National Planning Policy Framework and Key Statements DMG1 and DME5 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft Including Proposed Main Changes).

5. Within 6 months of the air source heat pump ceasing to be used for heating, the air source heat pump and any ancillary equipment shall be permanently removed from the site and the site made good in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to these works being carried out.

REASON: To protect the visual amenities of Grindleton Conservation Area in accordance with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan, the National Planning Policy Framework and Key Statements EN3, EN5, DS2, DMG1, DME4 and DME5 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft Including Proposed main Changes).

C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL

APPLICATION NO: 3/2013/0691/P (GRID REF: SD 359596 440551)
PROPOSED CONVERSION OF THREE BARNs TO FOUR DWELLINGS, ERECTION OF AGRICULTURAL BUILDING FOLLOWING DEMOLITION OF EXISTING STRUCTURES AND CREATION OF AGRICULTURAL ACCESS ROAD. (RESUBMISSION OF APPLICATION 3/2013/0100) AT ELMRIDGE FARM, ELMRIDGE LANE, CHIPPING

PARISH COUNCIL: No representations received at time of writing this report.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): 3/2013/0100 – I raised concerns regarding the site access into Elmrige Lane, following a site meeting with the applicant and his agent, the current application has resolved these issues satisfactorily. At the meeting I also raised concerns regarding the visibility at the access on to Heights Lane, whilst not raised in my previous comments, I think there is an opportunity to improve the visibility at this junction which would be necessary as there are likely to be increased movements at this junction. Subject to conditions being attached to any permission that may be granted I would raise no objection to the proposal on highway grounds.

LANCASHIRE COUNTY COUNCIL (RURAL ESTATES) Comments made during original application (3/2013/0100) remain relevant:

- The farm is typical of many farms, in that there are both traditional and modern buildings.
- Traditional farm buildings do have limited use due to their design and the fact that farming practices have changed.
- Some of the traditional buildings were being utilised more than others but any use that did exist was limited to modest storage and were not essential.
- Whilst some of the existing cattle housing could be improved, in my mind the site of the existing buildings could be used to provide new facilities as opposed to a completely new site.
- In my opinion, the driving force behind the proposed development is financial, ie the desire to obtain planning consent for four new dwellings, as opposed to any agricultural requirement in creating farm buildings.
- The proposed size and design of the proposed building is on balance acceptable.
- The proposed midden and yard would appear to be larger than required.

November 2013, in response to the additional financial information submitted:

- The figures put forward propose a significant increase to the level of income and profitability compared to recent accounts.
- The livestock housing area put forward I understand will not be too dissimilar to the existing space and the area of land remains unchanged.
- Insufficient information has been put forward to support this substantial increase. The financial projection put forward is also extremely brief.
- I will seek further information from the applicant's agent, but my initial thought is that insufficient evidence has been put forward to support the financial viability.

ENVIRONMENT AGENCY:

No objections in principle but wish to make the following comments:

- Any discharge of sewage or trade effluent made to either surface water or ground water will need to be registered as an exempt discharge activity and hold an environmental permit issued by the Environment Agency.
- Domestic effluent discharge from a treatment plant/septic tank at 2m³ or less to ground or 5m³ or less to surface water in any 24 hour period may be registered as an exempt activity providing that no public foul sewer is available to serve the development and that the site is not within an inner ground water source protection zone.
- A soakaway used to serve a non mains drainage system must be sited no less than 10m from the nearest watercourse, not less than 10m from any other foul soakaway and not less than 50m from the nearest potable water supply.
- Where the proposed development involves the connection of foul drainage to an existing non mains drainage system, the applicant should ensure that this is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.
- The proposed development must fully comply with the terms of the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010 and the Code of Good Agricultural Practice (COGAP) for the Protection of Water, Soil and Air (produced by DEFRA).
- The Environment Agency must be informed of a new, reconstructed or enlarged slurry store, silage clamp or fuel stores at least 14 days before the structure is brought into use. Further guidance is available on our website and the applicant will need to complete WQE3: New or Improved Agricultural Structures form which can be obtained from the Environment Agency.

COUNTY ARCHAEOLOGY: No objections subject to the use of a condition relating to building recording.

ADDITIONAL REPRESENTATIONS: Two letters have been received from two nearby addresses, the comments can be summarised as follows:

- The submitted details are not consistent with one another.
- The existing reversing bay is essential to cars and light industrial vehicles to turn around and depart up Gib Hey Lane.
- The submitted details state the proposed access route to the new site will enhance footpath 42 so it can be used by disabled persons but an existing stile is erroneously marked as a gate, thus making disabled access impossible.
- There is an agreement at present that the cost of maintaining Gib Hey Lane is allocated at a third each between the applicant and the occupiers of Gib Hey Cottage and Gib Hey No 2, which equates roughly to the volume/weight of vehicles used by each subscriber. I trust the applicant will accept a new sharing of maintenance cost once construction of the new farmstead gets underway since it will have many more delivery vehicles than the two dwellings.
- I would hope that the applicant and/or developer advises would ascertain whether the present water supply will be adequate to furnish the increased number of dwellings demands.
- The proposed slurry pond is significantly larger than the existing pond adjacent to the agricultural building. Just as an issue to minimise any nuisance from smells that may occur would it not be wiser to stipulate that the slurry should be contained in a covered tank.
- There are already water pressure issues at three properties, seven will make these worse, and the supply pipe should be upgraded.

Proposal

The proposed development consists of the conversion of three barns to four dwellings and the erection of a new agricultural building and formation of new farmyard with the formation of a new agricultural access road.

The buildings on site which are included in the proposed development have been identified as buildings 1, 2, 3, 4, 5, 6 and 7. For purposes of clarity I will use the same identifiers.

Building No 1:

This building is a traditional stone built agricultural building finished with slate roofs located 17m to the east of the main farmhouse. This building has, at some point, been subjected to a series

of extensions and alterations. One of which is a single storey brick built structure to the side whilst extensions to the rear are constructed from timber and metal sheeting.

The main body of the stone built building and the attached brick built element to the side are to be retained and converted. The other extensions to the rear constructed from metal sheeting and timber are to be demolished.

An existing blockwork mono pitched structure attached to the rear of this building is to be retained but refurbished to reflect the remainder of the building.

The number of new openings proposed in this building is limited by virtue of the fact that the existing structure benefits from already having a range of openings.

Building No 2:

This is the largest building on the site. Constructed predominantly from stone under slate roofs it has also been subjected to some extensions and alterations with the addition of timber wrap around structures to the north east elevation. This building is approximately 20m away from the existing farmhouse. The south west elevation of this building forms the focal point of the existing farmyard when accessed from Elmridge Lane.

This building is to be converted into two residential dwellings. The main alterations proposed to this building are the demolition of the existing timber wrap around extensions.

Three new openings are proposed in the east elevation, the north elevation (rear) consists of a large catslide roof. This roof will have two roof lights and two flue vents inserted. One of each feature for each proposed dwelling. The existing large opening on the south elevation is to be retained and glazed.

Buildings 3, 4, 5 and 6:

These buildings are constructed to more modern standards utilising steel clad portal framed structures. These buildings are of no particular architectural merit or historic significance. They currently provide storage and livestock housing facilities for the existing farm. It is proposed that they are to be all demolished.

Building No 7:

This building is a traditional field barn constructed from stone under slate roofs. It is not part of the main group of buildings. It is located 170m to the north east of the existing farmhouse. The existing building contains an extremely limited number of openings.

It is proposed that this building will be retained and converted to residential use. This barn will form the new farmhouse being sited immediately to the south of the proposed agricultural building and farmyard.

The main exterior alterations to this building are the formation of five new openings and the insertion of a flue vent pipe on the rear roof slope. The existing large opening on the east elevation is to be retained and heavily glazed.

Development ancillary to residential conversions:

The proposed development includes provision for three double garages. One is to be sited on land between building 2 and the existing farmhouse. Whilst the other two garage units are to be constructed as a group of four and sited on land to the eastern corner of the residential enclave. The proposed garages are to be constructed from stone under dual pitched slate roofs with timber vehicles doors.

Proposed new agricultural building and associated farmyard and slurry lagoon:

This is perhaps the most significant part of the development. Following the conversion of the existing farm into a residential enclave, it is proposed to relocate the farm on to previously undeveloped land to the north east of the existing farmstead.

This aspect of the development will involve the formation of a farmstead of approximately 0.63 hectares on land immediately to the north west of building No 7.

Within the proposed new farmstead it is proposed to erect a steel portal framed agricultural building and a manure store. The proposed agricultural building is to measure 37.3m x 34m occupying a footprint of 1268m². This building is to be constructed to a ridge height of 7.9m and be constructed from concrete blockwork, Yorkshire boarding and fibre cement sheeting. The building is to be divided into three sections internally, a workshop area of 190m², straw/hay storage/additional livestock handling area of 550m² and a cattle section of 459m².

In addition to the agricultural building a manure store is also proposed to the north west corner of the new farmyard. This would cover an area of approximately 400m².

Site Location

Elmridge Farm is located to the east of Elmridge Lane approximately 3 miles to the south-east of Chipping and 3 miles north of Longridge. The existing farm itself is set in excess of 100m back from Elmridge Lane and accessed via a single width track. The development site is located within the Forest of Bowland Area of Outstanding Natural Beauty.

Chipping and Longridge are both equidistant from the site and would form the service centre for amenities and services situated 3 miles away. The nearest points of access to public transport are the bus stop on Longridge Road, near the Derby Arms Public House 1.2 miles to the south east of the site. Any future occupants of the proposed dwellings would therefore be reliant on private transport to access amenities and services.

The existing site consists of a detached farmhouse adjacent to the north-east and south-east are two traditional stone built agricultural buildings. Both of these buildings have been extended or altered through the addition of extensions constructed from timber and corrugated metal work. Beyond the largest of the traditional buildings on site there are three steel portal framed type buildings currently used to house livestock.

The final building on site is a traditional stone built field barn. This is situated in excess of 90m to the north east of the main group of buildings and is accessed via the existing agricultural tracks that follow the route of public right of way (FP42).

Relevant History

3/2013/0100/P – Proposed conversion of three barns to four dwellings, erection of agricultural building following demolition of existing structures and agricultural access road. Refused 19 March 2013.

Relevant Policies

Ribble Valley Districtwide Local Plan (DWLP)

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy H2 - Dwellings in the Open Countryside.

Policy H15 - Building Conversions - Location.

Policy H16 - Building Conversions - Building to be Converted.

Policy H17 - Building Conversions - Design Matters.

Ribble Valley Core Strategy Regulation 22 Submission Draft

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DME2 – Landscape and Townscape Protection.

Policy DMH3 – Dwellings in the Open Countryside and AONB.

Policy DMH4 – The Conversion of Barns and other Buildings to Dwellings.

Policy DMH5 – Residential and Curtilage Extensions.

National Planning Policy Framework (NPPF).

Policy SPG - Agricultural Buildings and Roads.

English Heritage – The Conservation of Farm Buildings: A Good Practice Guide.

Environmental, AONB, Human Rights and Other Issues

The previous application (3/2013/0100) was refused for the following reasons:

- The design of the proposed conversions and the impact this would have upon the character of the traditional buildings was considered unacceptable.
- The formation of the new farmstead and agricultural building would be detrimental to the character, setting and visual amenities of the AONB.
- The location and scale of the proposed farmstead does not represent sustainable development and is therefore unjustified.
- The development would lead to intensification in the use of a substandard junction which would be prejudicial to highway safety.

The resubmitted scheme under construction in this application needs to address the previous reasons for refusal in order to be considered appropriate. I am satisfied that the general design of the proposed conversions is acceptable. The number of new openings required has been significantly reduced, the level of extensions and general alterations have been kept to an absolute minimum. In addition to this the extent of the proposed curtilages of the development is acceptable.

As I have outlined above the County Surveyor has raised no objections to the scheme on the grounds of highway safety; subject to the imposition of a series of conditions. I am therefore satisfied the previous highways reason for refusal has been addressed.

This however does leave to other extant reasons for refusal.

Principle of Development:

The conversion of traditional agricultural buildings is a common development undertaken across the Borough. They can, when executed well safeguard the long term future and integrity of a traditional landscape feature. Buildings of this nature contribute to the general character and amenity of the countryside and in this particular instance the Forest of Bowland AONB.

However in this particular instance there is one unique feature to the proposals under consideration in this application. That is the conversion of the existing farm to a residential development and the wholesale relocation of the existing farmstead to previously undeveloped land.

The National Planning Policy Framework advocates sustainable development and identifies three mutually dependent strands that define sustainability and states there should be a presumption in favour of sustainable development. They are:

- An economic role – contributing to building a strong, responsive and competitive economy.
- A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet needs of present and future generations.
- An environmental role – contributing to protecting and enhancing our natural, built and historic environment.

With regards to the principle of converting the barns to a residential property, the creation of a new dwelling in the borough's open countryside would not normally be allowed unless it was needed for the purposes of agriculture or forestry or met an identified local need thereby contributing to the social well being of the area.

Notwithstanding this, Policy H2 of the Local Plan and DMH3 of the emerging Core Strategy are both an 'exception policy' relating to the formation of dwellings in the open countryside. Both policies allows for *'the appropriate conversion of buildings to dwellings provided they are suitably located and their form, bulk and general design are in keeping with their surroundings'*. However, in light of the National Planning Policy Framework and that settlement strategy policies in the Districtwide Local Plan are considered to be out-of-date, this national document must be the first consideration. This document promotes sustainable development and this therefore requires the location of the barns needs to be considered.

The NPPF seeks to ensure that, amongst other things, development takes place where it will enhance and maintain the vitality of rural communities. The Framework also notes that new isolated homes in the countryside should be avoided unless there are special circumstances such as:

- *the essential need for a rural worker to live permanently at or near their place of work in the countryside; or*

- *where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
- *where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or*
- *the exceptional quality or innovative nature of the design of the dwelling. Such a design should:*
 - *be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;*
 - *reflect the highest standards in architecture;*
 - *significantly enhance its immediate setting; and*
 - *be sensitive to the defining characteristics of the local area.*

(Paragraph 55, NPPF)

Elmridge Farm is an existing operational farm. The proposals would result in a farmhouse being retained albeit in a different location. The proposed development would accord with the first bullet point of Paragraph 55.

In terms of whether the development would represent the optimal viable use of a heritage asset; the barns in question are depicted on the 1st Edition Ordnance Survey, surveyed in 1844. The buildings are therefore considered to be of some historic interest and therefore regarded as non-designated heritage assets. At the time of my site visit, the barns were in agricultural use principally as storage the more modern portal frame structures were used to house livestock. No evidence has been submitted to suggest that its conversion to a dwelling would represent the optimum viable use for the retention of the barn in the future.

The buildings in question are not redundant or disused, but their current use is modest and limited to general storage.

With regards the final bullet point, the proposal is again not considered to be truly outstanding or innovative and whilst the proposal would involve the removal of modern lean to additions, their removal is not considered to *significantly enhance its immediate setting*.

In addition, the proposal does not accord with one of the Core Planning Principles within the NPPF which seeks to support the transition to a low carbon future in a changing climate. The proposed re-use of an existing building would not involve the creation of a carbon intensive new build, however, the site occupies a remote location in relation to any settlement, as discussed earlier in this report, therefore travel by occupiers of the barns to any shops, services and facilities would be heavily reliant on the private car. This would be inconsistent with the underlying sustainability objectives of national guidance.

Within the information submitted reference has been made to the lack of a 5 year land supply in the borough. As members will be well aware this is a figure that at present can change frequently; as of October 2013 the current housing land supply figure stands at 4.34 years. Notwithstanding this I am of the opinion that in this particular instance there are other material considerations that should be given greater weight such as the wider sustainability of development.

Precedent:

The development proposed within this application raises significant concerns with regard to the precedent of the wholesale relocation of farmsteads to allow for residential conversions. Approval for such proposals would signal that the LPA are content with the concept of relocating farms to new modern facilities whilst allowing the historic farmstead to be given over to residential uses, once existing facilities are considered to be outdated. Similarly in a generation's time when the new farmstead is deemed not to meet modern standards do we simply relocate again? Whilst only one agricultural building is proposed within the current application farmyards grow and adapt over time; as has been demonstrated by the existing farmstead. Therefore in establishing a new farmstead it could conceivably require additional agricultural buildings on the site in the future, leading to the site growing in a piecemeal fashion.

Justification of the new farmstead:

The existing built extent of the existing farmstead covers approximately 0.5 hectares that would in the main part be given up to the residential development.

It is contended by the applicants agent that;

'It is my opinion that the viability of my clients' farming business is a material consideration of weight. The income that will be generated as a result if the barn conversions and sale of the farmhouse will allow the business to continue. Without that income it is highly likely that the business will fail and agricultural use of the site will cease.'

Subsequently information has been provided by the applicants relating to the viability and profitability of the existing agricultural business and the projected profitability of the proposed new farmstead.

The period covered by the submitted accounts ranges from January 2008 – April 2009, and accounts for 2010 to April 2011. The submitted details demonstrate that there is a degree of profitability within the business, but they also demonstrate a downward trend in the business over this period. The profits peaked at just in excess £14,000 in April 2009. These have since diminished to less than £7,500 as of April 2011. Details of the profitability beyond April 2011 have not been provided, however if the previous trends were sustained then I would anticipate that any current profitability could be minimal.

In contrast it has been projected that the proposed development could generate profits in excess of £87,000.

These details have been forwarded to the Land Agent at Lancashire County Council for further consideration and analysis. At the time of drafting this report the County Council Land Agent had raised questions over the projected profitability. The increase in profitability would be significant but the livestock housing area and land holding would remain broadly unchanged from that which exists at present. As such the Land Agent was of the opinion that insufficient evidence had been put forward to support the financial viability; however these discussions were on going at the time of drafting this report.

During the previously refused application Land Agents at Lancashire County Council did question the extent of the proposed agricultural development. It was considered that the extent of the proposed yard was larger than required, as was the proposed manure store. It was also

stated that the proposed building was higher than would be necessary for its intended use. The proposed building is to be built to a height of 7.9m; it was however considered on balance, that the scale of the building was appropriate. Given that this element of the development remains unchanged in terms of scale and design I expect the previous comments to still have merit.

It should also be noted that whilst the Land Agent acknowledged that farming practices have changed over time meaning that some of the traditional buildings on site are therefore no longer suitable; he did state that the existing more modern structures were suitable for continued use.

NPPF looks to support a prosperous rural economy by promoting the development of rural business through:

- Sustainable growth and expansion of all types of business and enterprise.
- Promote the development and diversification of agricultural and other land based rural business.
- Support sustainable rural tourism and leisure development.
- Promote the retention and development of local services and community facilities.

It is however important to note that this does not simply mean that any proposal which would potentially benefit a rural enterprise should be allowed. The policies within NPPF have to be taken as a whole rather than in isolation. As such I would argue that other policies, specifically those relating to rural housing and general sustainability issues are of greater weight in this particular instance, given the nature of wholly relocating the business and its current viability. Certainly a more sustainable approach in this case would be to develop and modernise the agricultural enterprise within the existing site.

Therefore to conclude; the proposed development would represent an unsustainable development by virtue of its scale and location. In addition to which if approved the principle of wholly relocating farmsteads when they are deemed no longer to be suitable could set a dangerous precedent that could be used elsewhere in the Borough. The conversion of the farmstead would arguably safeguard the traditional farm buildings and return them to a more substantive use than at present. However the proposal of an entirely new farmstead, increasing the extent of the built form on the site would be harmful to the character and setting of the AONB. I therefore recommend accordingly.

RECOMMENDATION: That planning permission be REFUSED for the following reasons:

1. The proposed formation of a new farmstead including the erection of an agricultural building and associated yard area would be detrimental to the character, setting and visual amenities of the AONB, contrary to Policies ENV1 of the Ribble Valley Districtwide Local Plan and Policy DME2 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft).
2. The proposed farmstead by virtue of its location and scale does not represent sustainable development as defined in the National Planning Policy Framework (NPPF) and would therefore form an unjustified development within the open countryside to the detriment of the appearance, character and setting of the Forest of Bowland AONB. It is therefore considered contrary to Policies ENV1, G5, and H2 of the Ribble Valley Districtwide Local Plan, Policies DME2, DMG2 and DMH3 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft) and Section 6 of the National Planning Policy Framework.

D APPLICATIONS ON WHICH COMMITTEE 'DEFER' THEIR APPROVAL SUBJECT TO WORK 'DELEGATED' TO THE DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED

APPLICATION NO: 3/2012/0942/P (GRID REF: SD 374918 440647)
PROPOSED 1040 RESIDENTIAL DWELLINGS COMPRISING: 728 MARKET HOMES; 312 AFFORDABLE HOMES; 156 OF THE TOTAL (1040) WOULD BE FOR ELDERLY PEOPLE (IE OVER 55 YEARS OF AGE) OF WHICH 78 WOULD BE AFFORDABLE; 0.8 HECTARE TO BE RESERVED FOR RETIREMENT LIVING WITHIN THE TOTAL OF 1040 HOMES; 0.5 HECTARE FOR LOCAL RETAIL, SERVICE AND COMMUNITY FACILITIES (CLASSES A1 – A4, B1 AND D1); 2.25 HECTARE FOR EMPLOYMENT (CLASS B1) ACCOMMODATING UP TO A MAXIMUM GROSS OF FLOOR SPACE OF 5,575M²; 2.1 HECTARE OF LAND FOR A PRIMARY SCHOOL; PUBLIC OPEN SPACE INCLUDING GREEN CORRIDORS AND AREAS FOR TREE PLANTING AND LANDSCAPING; AN IMPROVED (ROUNDAABOUT) JUNCTION BETWEEN PENDLE ROAD AND THE A59; NEW VEHICULAR, PEDESTRIAN AND CYCLE ACCESSES ONTO PENDLE ROAD AND LITTLEMOOR; NEW PEDESTRIAN AND CYCLE ACCESSES ONTO WORSTON OLD ROAD; NEW PEDESTRIAN AND CYCLE ACCESS FROM THE END OF SHAYS DRIVE; ROADS, SEWERS, FOOTPATHS, CYCLEWAYS, SERVICES AND INFRASTRUCTURE INCLUDING A SUSTAINABLE URBAN DRAINAGE SYSTEM; NEW SERVICES SUCH AS GAS, ELECTRICITY, WATER AND TELECOMMUNICATIONS AT LAND AT HIGHER STANDEN FARM AND PART LITTLEMOOR FARM, CLITHEROE

EXECUTIVE SUMMARY

Introduction

This is an outline application for a scheme comprising residential, community uses, commercial/employment, retail, education, open space, highways and public realm. All matters are reserved for future submission.

Details of the scheme as shown on the submitted Illustrative Masterplan and Design and Access Statement can be summarised as follows.

- 1040 dwellings comprising 728 market homes and 312 affordable homes (156 of the total would be for the elderly (ie over 55s)).
- Dwellings to be predominantly family homes ranging from one bed retirement living up to five bed dwellings (exact mix to be confirmed at later design stages)
- 0.5 hectare for local retail, service and community facilities (Classes A1 to A4, B1 and D1) on the Pendle Road frontage.
- 2.25 hectare employment (Class B1) based on the old farm complex to the south eastern corner of the site for a bespoke business (office) centre.
- 2.1 hectare of land for a primary school site towards the Pendle Road boundary backing on to properties on Pagefield Crescent, Gills Crescent and Shays Drive.
- 2 potential areas for children's play and 1 for youth play. A network of green corridors/open space and an off-site contribution towards open space provision.
- An improved (roundabout) junction between Pendle Road and the A59.
- New vehicular, pedestrian and cycle accesses onto Pendle Road and Littlemoor – the vehicular access to the site would be via a new roundabout onto Pendle Road with a

secondary vehicular access provided to Littlemoor restricted to emergency access, buses, pedestrians and cyclists.

- New pedestrian and cycle accesses onto Worston Road and from the end of Shays Drive to connect to the wider area.

The main development site is approximately 50 hectares and is bounded by residential properties, the playing fields of Ribblesdale School, Pendle Road, Worston Old Road and the route of Pendleton Brook. Standen Hall and its grounds, (a Grade II* listed building) and a number of Grade II listed buildings lie to the south and north/north western corner of the site. Two public rights of way cross the site and the line of a Roman road traverses it. A further 2.1 hectares of land are identified near the junction of Pendle Road, the A59 and Clitheroe Road for the potential highway improvements.

The site lies within land designated Open Countryside. Pendle Hill AONB lies to the opposite side of the A59 approximately 1100m distant from the main site.

Issues

Principle of Development

In relation to the saved Local Plan, the strategic policies regarding settlement boundaries are considered out of date and therefore the policies of the NPPF and the Emerging Core Strategy become far more material to the determination of planning applications.

The Core Strategy has recently completed a period of suspension to the Examination process. Revised evidence has been produced which has been the subject of consultation but continues to identify a continuing need for affordable housing in the borough as well as an overall increase in the level of housing requirements proposed in the Core Strategy. Evidence continues to support the need for additional employment land and job creation.

The emerging Core Strategy includes the principle of developing land at the Standen Estate within its Development Strategy. However the Core Strategy has been subject to objections which remain unresolved and are to be considered at the forthcoming Examination. This does have an impact upon the amount of weight that can be attached to the submitted Core Strategy at this time. As a consequence the principles of development have to be assessed against the NPPF.

In NPPF terms the presumption in favour of sustainable development applies to the determination of this application as the saved Local Plan is out of date and therefore the considerations of paragraph 14 of NPPF apply. To summarise this states that for decision making (unless material considerations indicate otherwise) granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the framework indicate development should be resisted. (eg AONB, designated heritage assets)

Paragraph 7 of the NPPF identifies three dimensions to sustainable development - economic, social and environmental, and paragraph 6 confirms that policies set out in paragraphs 18 to 219 of the Framework taken as a whole, constitute the meaning of sustainable development.

The proposed delivery of new housing of the right type, at the right time and in the right location is fundamental to economic growth. This is a mixed use scheme and the Framework supports the sustainable growth and expansion of all types of business and enterprise in rural areas.

Further details on the social and environmental dimensions of sustainable development are referred to below under the following sub headings.

Affordable Housing

30% of this site will provide affordable accommodation (312 units). The tenure split offered is 50% affordable rented, and 50% shared ownership. This proposal will make a contribution to meeting housing needs in the area in accordance with the social role of sustainable development as defined in the NPPF.

Highway Safety/Accessibility

In respect of the NPPF this includes as one of the core planning principles that planning should “actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable”.

The access strategy for this outline proposal indicates a single point of vehicular access for all modes of transport from Pendle Road to serve the development with a secondary access from Littlemoor providing bus and emergency access only.

This strategy is questioned by the Strategic Highways Planning Manager at LCC but no objection is offered on highway safety grounds. Moreover concerns are expressed regarding traffic congestion at the linked junctions of Shawbridge Street/Taylor Street/Waterloo Road/Wellgate with significant queuing along Shawbridge Street and Pendle Road during the peak hour periods.

It should be noted however that the scheme provides cycle and pedestrian linkages to surrounding areas to increase the permeability of the site by modes other than the private car and does indicate improvement measures to the Pendle Road/A59 junction by way of a new roundabout.

All these aspects of highway safety/accessibility/congestion need to be weighed in the planning balance having regard to other material considerations.

Public Open Space

The site layout, as shown on the Illustrative Masterplan, shows 3 areas set aside for formal or informal play and a network of small green open spaces. A series of activity and ecology trails are suggested throughout the site to provide pedestrian and cycle links that connect to the wider open countryside as well as existing streets and public rights of way. In addition to on-site play provision an off-site financial contribution is to be secured to assist in the provision of additional sports facilities.

These elements combined seek to promote the principles of a health community and the interests of the wellbeing of existing and future residents in accordance with the requirements of the NPPF.

Nature Conservation/Ecology/Biodiversity/Trees

In respect of the environmental role of NPPF, specific guidance is offered on conserving and enhancing the natural environment. It is important to recognise that none of the application site is designated as an international, national or locally important site due to environmental or ecological importance.

Various surveys have been submitted to cover arboricultural, ecological and biodiversity considerations. Mitigation measures are recommended within the supporting technical documentation in order to reduce the potential impacts of this scheme. As this is a development that will be phased over a number of years this will enable habitat creation and connectivity to be appropriately phased over the duration of the build programme.

Heritage/Cultural

The environmental role of NPPF includes contributing to protecting and enhancing the built and historic environment. Conserving heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations is a core planning principle. Significance derives not only from a heritage assets physical presence, but also from its setting. The heritage interest may be archaeological, architectural, artistic or historic.

Standen Hall and its grounds (a Grade II* listed building) and a number of Grade II buildings bound the site. There is also the line of a Roman road traversing the site.

In considering the heritage impacts of the proposal, it is important to have regard to two statutory tests - Section 38(6) Planning and Compulsory Purchase Act 2004; and Section 66(1) Planning (Listed Buildings and Conservation Areas) Act (1990).

It is important to consider the site's relationship with the aforementioned listed buildings and there has been lengthy dialogue between the applicant, LPA and English Heritage in order to assess the significance of heritage assets that may be affected by the scheme and in turn an assessment of the effect on their setting.

The NPPF advises that as heritage assets are irreplaceable any harm or loss should require clear and convincing justification. The Heritage Impact Assessment submitted in support of this application has made assessments and concluded the harm to Grade II*, Grade II listed buildings and undesignated heritage assets to be less than substantial. It has also made reference to the relationship of the site with Clitheroe Castle and reached the same conclusion ie less than substantial harm. These factors need to be considered having regard to paragraphs 14, 134 and 135 of the NPPF.

Layout/Scale/Visual Amenity

The planning system should contribute to and enhance the natural environment by protecting and enhancing valued landscapes. Valued landscapes are not defined in the NPPF. The application site is not a designated landscape and is characterised as undulating lowland farmland, lying outside any defined settlement boundary.

The proposed development will have an effect on the landscape and details submitted in support of the application have considered the effects of the development on the character of the landscape. The over-riding conclusions reached are that whilst change to the landscape would occur, there is no significant visual intrusion.

Turning to more detailed site specific considerations an Illustrative Masterplan and Parameters Plans have been submitted to provide an indication of how the proposal could be configured within the development site (this is an outline application with all matters reserved for future submission). The submitted D&A includes a design code framework and design principles that underpin the Illustrative Masterplan and which can be used to inform future reserved matters applications. A number of views both out and through the site are identified as of importance as

is a street hierarchy approach. Overall, it promotes a design approach which seeks to create varying street/area typologies within the development site that respects the existing townscape features of Clitheroe and seeks to create a new quality townscape. The detailed matters of design are reserved for future submission,

Residential Amenity

The relationship with properties outside of the site as well as that between units proposed as part of this scheme has been assessed. Regard has been given to the potential noise implications from a school building in proximity to residential properties and the impact of proposed built form on existing dwellings surrounding the site.

In respect of the internal relationship of the development site the details submitted set the broad parameters of development and general arrangements. It is important to remember that this is an outline scheme with matters of layout reserved for future submission.

Section 106 Agreement Content

The proposed agreement will provide for the key following aspects:-

1. Affordable Housing - 30% of the units to be affordable and 15% for elderly persons
2. Sport and Leisure - A contribution of £800,000 (50% of current estimate) towards the provision of additional/improved sport and leisure facilities to serve the development.
3. Education contributions - A commuted sum of (to be agreed) to be paid to LCC in respect of both primary and secondary provision.
4. School Land - A site of up to 2.1ha for a primary school. The S106 to set out the terms of transfer of the land and period of reservation for such use.
5. Transportation and Travel Plan - A contribution towards funding a Travel Plan and monies towards subsidising Public Transport Services
6. Jubilee Wood - The owner will procure the management of Jubilee Wood shown in accordance with a management plan to be agreed with the Council.

The Agreement will include provisions relating to trigger points in the development when sums are to be payable, with provisions for phasing where appropriate, and for repayment of unused monies.

Planning Balance

The proposals as submitted can be judged to represent well planned and beneficial sustainable development in accordance with the NPPF. Thus in accordance with the test of paragraph 14 of the Framework planning permission should be granted unless any harms identified would significantly and demonstrably outweigh the benefits.

Potential harms are outlined as prematurity against the emerging Core Strategy, highway considerations in respect of queuing traffic and resultant impact on the network, effects on the setting and significance of heritage assets, landscape character/visual context and biodiversity.

In terms of benefits a key social benefit is that it would make a significant and positive contribution towards meeting housing needs in the area. The application helps to achieve the

economic role of sustainable development through direct construction related benefits, indirect economic benefits, local socio-economic benefits, growing labour force, enhanced local spending power and public revenue for investment in community services but also through the provision of new infrastructure including a new school. Whilst citing impact on the highway network as a disbenefit, due to the increased traffic and impact on the highway network, it must be acknowledged that this scale of development does indeed bring some benefits by way of necessary improvements to the existing transport network in order to accommodate such growth.

Conclusion

Having regard to the submission documents and representations received the overall conclusion reached is that Clitheroe is a Key Service Centre within the Borough and a settlement identified to accommodate residential growth in a sustainable manner over the Plan period. It is recognised that the scheme will have some impacts on the town but fundamentally it is not considered that the harms identified significantly and demonstrably outweigh the benefits. For this reason the scheme should be given favourable consideration subject to the necessary departure procedures (the scheme is not in accord with the saved policies of the Districtwide Local Plan) and subject to the imposition of conditions and a S106 Agreement to secure the measures identified in brief above.

MAIN REPORT

CLITHEROE TOWN
COUNCIL:

Object to the application on the following grounds:

1. Concern that this application is being applied for before the Core Strategy has had its Examination in Public and that if the Core Strategy were to be successfully challenged then this application would be premature.
2. Concern about the provision of primary school places despite a site being provided this is not considered to provide the number of places estimated to be generated by this development. Furthermore the Town Council believes it is not possible to provide the additional places in existing schools due to physical constraints (both primary and secondary).
3. The primary school would have to be a free school or academy and would set its own admission criteria which would not necessarily tackle the issue of providing school places for children on the estate.
4. As education issues have not been resolved prior to submission of the application, it is considered it is in contravention of paragraph 72 of NPPF.
5. The school and retail at the entrance to the estate are not within walking distance from within most properties, contrary to paragraph 38 of NPPF.
6. The requirement to provide safe and sustainable access for all residents is not met (contrary to paragraph 32 of NPPF) and that there should be a second access further south onto the A59.
7. Detrimental to residential amenities of properties at various locations bordering the site including Brett Close, Pagefield

Crescent, Gills Croft, Shays Drive, Dyke Nook, Lingfield Avenue and Hillside Close.

8. United Utilities will not have the capacity to deal with matters arising from the development in the timescale required.
9. Given the geographical and physical nature of Clitheroe, it would not be possible to cope with the infrastructure needed to make a development of this size sustainable.
10. Should permission be granted, one of the conditions should be the need to arrange for the roundabout at the top of Pendle Road to be constructed prior to the commencement of development.

PENDLETON PARISH COUNCIL: No comments received at the time of report preparation.

WORSTON AND MEARLEY PARISH COUNCIL:

Wish to make the following comments:

Are impressed with the work that has been carried out on the development and the attempts to make it as appropriate as possible to the area. However, the large number of houses and the ability of Clitheroe's infrastructure to cope with the increase in population is of major concern. All services would come under increasing pressure—both junior and senior schools, health services and the road systems. This will detrimentally affect people living in villages as well as those in Clitheroe itself.

If the application is successful and the development goes ahead, it is suggested that:

1. A further exit/entrance is considered so that at peak times the Pendle Road and A59 roundabouts are not backed up.
2. An increase in the percentage of affordable homes is considered, since there is no apparent shortage of 'market homes' in the Ribble Valley.
3. The shops on the development are local small shops only, so that custom is not taken from the town centre shops.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

The following comments relate to the Transport Assessment (October 2012) prepared by Savell Bird & Axon (SBA) on behalf of the Trustees of Standen Estate (TSE), and the associated additional information that has been submitted during the assessment period by SBA to Lancashire County Council (LCC) as Local Highway Authority (LHA).

The application is for a mixed use development, comprising of 1,040 residential dwellings, 0.5ha for local retail, service and community facilities, 2.25ha employment uses, and 2.1ha primary school site with public open space. The masterplan for the site indicates only one access for all modes which is onto the C553 Pendle Road.

It is noted that access to the site has been included as a reserved matter for this application. Considering this, LCC need to be consulted with all subsequent applications that are associated with this site, and agreement must be reached with LCC prior to the commencement of any works (including construction traffic) associated with development on this site should this application be approved by RVBC. While I would concur that consultation and communication between LCC and SBA has been undertaken during this time, this application does not include definitive access proposals. Details of all accesses for this proposed development will be required by LCC so that accurate transport impacts can be determined and that proposals are appropriately mitigated to LCC satisfaction.

LCC has concerns regarding the scale of development and its impacts with a single access point off the Pendle Road which is rural/semi-rural in its environment. The additional vehicles generated by this proposed development will result in higher flows on the surrounding network, particularly along one corridor which is a predominantly rural link. It is also noted that this residential development is beyond the existing built environment and as such will require a number of changes to support the integration of the site with the existing built environment and wider community for all modes and purposes. If all supporting changes/measures are not delivered the proposed residential area may become a car dependant community with car usage higher than that assessed and that of the surrounding built environment which will negatively impact on the operation of the highway network.

Lancashire County Council 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.

Site Location and Existing Highway Network

The development site is located to the south of Clitheroe, predominantly within the ward of Littlemoor. The site is bounded by the existing built up environment to the north, where there is a network of residential access roads. To the east the site is bounded by the predominantly rural C553 Pendle Road, extending to the west toward the A671 Whalley Road. Pendleton Brook valley, woodland, farmland and the A59 are to the south.

Access Strategy

The developer has indicated that a single primary access onto Pendle Road into the development would be a roundabout junction. Additionally, the developer has indicated that there would be an access designated for public transport, emergency vehicles, pedestrians and cyclist use only onto Littlemoor.

LCC has serious concerns with this access strategy. The issue regarding the provision of a secondary access for all modes into this strategic site as requested by LCC has not been resolved and remains outstanding. Access to the site from two highway corridors would offer better dispersion of traffic onto the highway network, allowing greater connectivity of the proposed development with the existing urban area, and allowing a more direct access into the site from areas such as Barrow and Primrose to the new attractions such as the employment area, school and shops, as well as providing improved access (to that proposed) for public transport onto the corridor without constraint. LCC has requested that accesses are provided from the proposed development to the routes of C553 Pendle Road and A671 Whalley Road to the east and west respectively in line with the area of development. This strategy would reduce impact including distance travelled for some car related development trips as access is provided via an alternative corridor which, for some, will be more direct. It is noted that the illustrative masterplan would include a drive distance of approximately 1.6km from the western side of the site to the Pendle Road access/egress.

The planning application refers to an access into the employment area to the south of the site from Worston Old Road. In order to consider an access at this location LCC would require an assessment of the impacts at the A59/Main Street staggered junction. This assessment has not been provided, however LCC have been informed by SBA that the application for vehicular access at this location does now not form part of the application.

LCC provided comments to Ribble Valley Borough Council (RVBC) as part of the consultation process for the Core Strategy. Below is an extract from the Core Strategy 2008-2028 A Local Plan for Ribble Valley Regulation 19 Consultation Draft; *'Work undertaken on infrastructure planning as part of the Core Strategy process has shown that in principle, there are no significant barriers to the development and that the site is deliverable within the plan period. It is envisaged that the site will be accessed by a minimum of two access points from the existing local highway network with a through route for public transport. The development will also necessitate improvements to the strategic highway network at the A59/Clitheroe Road/Pendle Road Junction. Any development should take account of the presence of the line of the Roman Road that runs through the site, which is of archaeological and historic significance. There will be a need for high quality landscaping to contribute a good quality development and address the landscape impacts of a development of this scale.'*

The provision of only one access to a development site of this size remains a serious concern to LCC.

Cycling and Pedestrian Access

This residential development is located beyond the existing built environment and as such requires significant consideration of appropriate measures to suitably integrate the site with the built environment and wider community. If appropriate measures are not delivered, the proposed residential area will become an isolated, car dependant community.

The TA appendices include a proposed Masterplan and Parameters Plan. This indicates pedestrians and cyclist access from the site to a number of locations:

- Littlemoor Road
- Lingfield Avenue
- Shays Drive
- Worston Road
- Pendle Road

Treatments, such as footway improvements and the construction of pedestrian and cyclist highway crossing points, need to be identified and agreed as the development details are progressed and access is applied for through the planning process.

Further consultation with LCC must be made to review the proposed internal cycle and pedestrian routes within the development. These routes must be attractive to end users, with direct routes to the wider highway network, allowing access to shops, employment, education, leisure and recreational facilities. The internal layout of the site must be designed to maximise pedestrian and cycle permeability with a network of footways and cycleways to link the site to the surrounding local highways and existing pedestrian and cycle network. The following cycling and pedestrian provision should be included in the final site layout:

- direct and continuous cycle links to areas such as Barrow, Primrose and Clitheroe.
- a cycle path along the main distributor road through the development linking Littlemoor to Pendle Way,
- footpaths and cycleways along key routes should be lit where appropriate and agreed, such as to the primary school and district centre, and Lingfield Avenue

Please note that these are initial comments and further review of the final layout may identify further measures.

Table 4.2 of the SBA TA includes traffic generation discounts for internalisation. In order to realise any reduction in TRICS trip rates, the mixed use elements of this strategic site, such as the employment sites and school, must be constructed early in the development.

Accessibility

An accessibility questionnaire was not completed for this application as SBA consider it is not required as the development application is outline with all matters reserved. As access to the site is a reserved matter at this stage, LCC will require much greater detail with regard to the accessibility and sustainability of the site for all modes and the provision of sustainable transport measures when access is applied for. The considerable size of this site means that the walk distances to amenities (existing and that proposed) could exceed desirable distances, depending on the location of the attractions within and beyond the site, for a number of dwellings. The construction of only one primary access for all modes may mean that residential dwellings at the western perimeter of the site have considerably further distances to travel (by all modes) to access all of the site amenities than those located adjacent to the proposed access onto Pendle Road.

The Design and Access Statement (Oct 2012) indicates that 'a range of services can be accessed' approximately 1600m from the site. This distance appears to be from the Pendle Road site access, and the actual distance that residents in the western section of the site would actually have to travel to access the closest GP would be far in excess of this distance, somewhere in the region of 2300m to the centre of the site, and 3000m from the western perimeter if the same route were taken. These distances exceed the desirable walking distances as described in the CIHT document 'Providing for Journeys on Foot'.

The provision of, or funding for, additional infrastructure to support sustainable transport must be identified and agreed with LCC when the internal layout of the site is progressed. This must satisfy needs of all users/residents consistent with guidelines and guidance.

LCC consider that it is particularly important to provide high quality sustainable transport networks for a site of this size and strategic importance.

Public Transport Provision

The developer has carried out an assessment of the Annual Patronage Forecast for the proposed development, based on a build out of 74 residential units per year. This assessment has identified that the provision of a new bus service will be sufficient to provide an attractive public transport option for residents at the site, with the number of buses and frequency of service increasing as the development becomes built out. This service may be a stand-alone service or be combined with existing services, subject to the best public transport provision which will be assessed by LCC Public Transport team. The financial contributions offered to support this level of public transport service are included within the Section 106

details, and amount to a sum of £1.7M. This level of contribution should be sufficient to deliver PT to and within the site, however it needs to be linked to appropriate agreed triggers ensuring that suitable development funded provision will be provided at all stages of build out, including the early phases.

LCC consider that the developer has demonstrated that the public transport provision that is being promoted could be designed to provide satisfactory support for the proposed development, although this provision would be subject to appropriate funding mechanisms being agreed.

Should this application be approved, LCC would require a condition within the planning decision notice that ensures that the detailed design of the site will enable the easy access of buses into and around the site and the provision of the appropriate number of bus stops and associated infrastructure to Quality Bus standard will be constructed by the developer (and maintained for an agreed period of time). Appropriate bus infrastructure should be provided to ensure that residents are within 'desirable' walking distances from all locations within the site.

LCC remain concerned about the suitability of Littlemoor Road for use by buses (of varying size) due to its width and alignment and lack of continuous footways. This link (and junctions with the internal site road network and junction with A671 Whalley Road) must be able to support two way bus movements in addition to pedestrian footways and cycleways, all to be designed and constructed to appropriate standards, ensuring network safety and management. A preliminary improvement scheme should be designed and submitted to LCC for approval to assess whether a satisfactory layout can be achieved. If a suitable design cannot be implemented, alternative options should be submitted for approval by LCC.

Travel Plan

The developer has agreed to provide an overarching Travel Plan Strategy for the whole site, with the appointment of a Travel Plan Coordinator for the site. SBA has applied a 5% discount of residential trips and a 10% discount of employment trips in their traffic generation calculations for the development. To realise these discounts as proposed, a comprehensive travel plan (with realistic targets) must be agreed, implemented and maintained with suitable funding being available to the developers appointed Travel Plan Coordinator to deliver measures/initiatives. A contribution toward the LCC Travel Planning team is also required for the provision of a range of services to support the development travel plan.

LCC would expect this Framework Travel Plan to meet all of the LCC submission criteria (see letter on file for full details of criteria requirements).

A contribution of £24,000 is required to enable Lancashire County Council 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.

In addition, a suitable level of funding would also need to be made available to the developers appointed Travel Plan Co-ordinator (and not LCC or RVBC) to deliver the necessary interventions within the travel plan. Interventions could include the provision of free bus passes for an initial period, bicycles and safety equipment, personalised travel planning or a variety of other travel plan initiatives and be dependent on the nature of the household targeted. This level of funding (currently) would be in the region of £300 per dwelling (because of the duration to deliver this site this figure needs to be reviewed periodically by the developer to ensure that it is sufficient to deliver the same/improved range of initiatives as originally envisaged at £300). This figure is based on calculations for similar developments in the Ribble Valley and includes incentives for residents such as the provision of a bicycle and/or free or subsidised bus passes.

A Transport Assessment (October 2012) has been submitted as part of the planning application for the proposed development. This has been supplemented by further correspondence by letter and emails up to an including October 2013, including SBA Ref: A077038/TN01 - 'Response to Lancashire County Council Comments regarding highway modelling'. In respect of the Transport Assessment (TA) and associated further documentation I would make the following comments;

Trip Distribution

SBA has used the 2001 Census Data to distribute the trips generated by the development. The principal of this distribution is not unreasonable, however it is important and reasonable that a baseline check is undertaken by the developer with more current census data that is currently available. This check has been requested by LCC through the assessment period. It should be noted that if more than one access were provided for this development, the dispersion of trips would be across a wider area, and have a lesser impact on one particular highway corridor.

Trip Generation

The TRICS trip rates used were extracted from the previous Royal Haskoning TA dated November 2010 and are considered acceptable for this transport assessment.

Modelling

The Transport Assessment and additional supporting information, submitted to LCC by SBA, have included junctions that are considered will be impacted by this development.

Initially SBA modelled the junctions individually, so that each operated discretely and not as a network where the operation of adjacent junctions influence others. This analysis identified that there will be significant queuing along Shawbridge Street and Pendle Road during the peak hour periods with the development. By modelling the junctions in this way, it was not possible to assess the operation of the junctions as a network. Subsequently, on request from LCC, the junctions were modelled using micro-simulation, and various network changes included, such as the construction of mini-roundabouts at the Waterloo Road/Wellgate junction and the Shawbridge Street/Taylor Street junction. In addition, Royal Haskoning considered and tested a number of local route redistributions in this area which reduced traffic flows/impacts at the key junctions with results presented.

The additional modelling that was undertaken by SBA was provided via email on 15th October 2013. This further modelling work identified that the construction of a mini roundabout at the Waterloo Road/Wellgate junction would, under a specific redistribution scenario, reduce the level of impact in the future year with full development. However, whilst queues are lower than the original submitted highway changes option, they are significantly higher than those which currently occur. During off peak periods, the roundabout would give more balanced priority amongst all road users.

SBA have investigated the re-distribution of traffic by routing vehicles to alternative routes that traffic may use during congested peak hour periods and manually adjusting the model inputs with the reduced flows. As expected this reduces the delays experienced at the key junctions, although delays continue past the peak hour period along Shawbridge Street and Waterloo Road.

Alternative options considered:

Option 1: SBA label as 'full relief option': traffic travelling down Taylor Street but then wishing to turn right to Shawbridge Street, right to Waterloo Road and then north, could alternatively use Holden Street. SBA has removed that traffic from the model to replicate the fact that it would use Holden Street. A similar adjustment has been made to traffic travelling down Wellgate and turning south through the Waterloo Road and Shawbridge Street junction. That traffic could alternatively use Lowergate.

Option 2: SBA label as 'half pressure relief option': The second series of assessments which SBA has undertaken, whereby just 50% of the above manual adjustments in option 1 have been made.

The following table highlights differences in modelled scenarios and the level of queuing predicted at Shawbridge Street.

Shawbridge Street:

Modelling Scenario	Ave Q (over 60mins) (pcu)	Max Q (over 5mins) (pcu)	Journey Time Ave (over 60mins) (s)
TA results Table 5.7 Base (2030)	Not available	12	42
TA results Table 5.7 Base + dev	Not available	110	346
Option 1 (at 08.55hrs)	27	60	236
Option2 (at 08.55hrs time period)	63	93	339

The table above compiles the modelling results for the operation of the Shawbridge Street/Waterloo Road mini-roundabout, showing queue lengths and average journey times for Shawbridge Street. It can be seen that by using a micro-simulated model and re-distributing the traffic flows along various different routes SBA have been able to influence the queue lengths, however it remains that the construction of a development of this size, using the single access onto one highway link, results in queuing of considerable lengths during the peak hours and beyond. The queuing that is projected by the model far exceeds the current level of queuing experienced, with the maximum queues that have been modelled along Shawbridge Street being calculated as being between 390m and 717m.

It must be noted that the presented journey times are based on a distance of 1200m which is much greater than the predicted queue length, which could be misleading when vehicle speed is considered on its length. The above results also include discounting as highlighted in the TA and above.

Any congestion experienced at these junctions will also have an impact on public transport service and journey times.

Parking

Parking provision for all elements of development within the site should be in line with appropriate standards.

The internal development site layout of this outline application is to be dealt with at reserved matters and therefore has not been addressed in detail within the Transport Assessment. While I acknowledge the

outline nature of the application I would note the need to ensure the development provides appropriate levels of secure, covered, cycle and motorcycle parking and provision for mobility impaired users.

If approval is granted the developer should enter into early discussions with the LHA to agree all outstanding highway related matters.

In line with recent government policy, it is requested that the development provide electric vehicle charging infrastructure at appropriate locations.

Servicing, Delivery, Waste Collection and Routing

A Service, Delivery, Waste Collection and Routing Strategy must be developed and agreed with LCC and Ribble Valley Borough Council to ensure that all deliveries, servicing and waste collection can be undertaken safely without creating conflict with other vehicles, pedestrians or cyclists.

Construction Strategy and Phasing

Prior to any commencement of the development, the developer shall submit a construction phasing plan, including off-site highways works, for approval by the Local Planning Authority and the Highway Authority.

Planning Obligations

It is critical in delivering development within this, at times, congested local network, that suitable measures and sufficient planning obligation are provided to reduce the impact of this development and support sustainable development and communities. It is important that the network can maintain a level of reliability at all times of day for all transport modes, including public transport and that any increase in congestion can be suitably managed as not to cause local network gridlock.

LCC consider that further necessary supporting measures will be required to reduce the impact and influence of this development and to deliver sustainable development. The impact of this development could be managed if a package of measures, which have yet to be fully identified, were delivered through Section 278 works and planning contributions.

It is clear that any development in this location would require significant additional improvements to public transport (services and infrastructure) pedestrian and cycle infrastructure as well as highway improvements to deliver sustainable development and minimise the dependence on the private car. All parties have worked to develop a highway scheme with an aim to mitigate against vehicle related

impacts in the area of Shawbridge Street, Taylor Road/Waterloo Road/Wellgate. The LCC based scheme did deliver sustainable/amenity benefits and had negative (limited) impacts on queuing and delay as highlighted through the supporting detailed micro-simulation analysis produced by Royal Haskoning. It is expected that other improvements will be required at the existing roundabout junction of A59/A671 as previously highlighted through recent appeals.

Section 278

The highway works that are required to enable this development have not been fully identified at this time. However the following highway works which have been identified by the applicant's highway consultant will be included:

- Construction of a roundabout junction at Pendle Road/A59

It must be stressed that the S278 works (not fully identified at this stage) on their own, without the sustainable links through the site and on to the wider network, will not provide the level of mitigation necessary to make this development acceptable to the LHA.

Section 106

The highway works required to enable this development, to be funded through a Section 106 agreement, have not been fully identified at this time. However, the following items, which have been identified by the applicant's highway consultant, should be funded by the developer through a S106 agreement;

1. Funding for the provision of 1 no. 28 seater bus for the first eight years of development, followed by funding for 2 no. 28 seater buses for the following 7 years minimum (or until site is fully built out). £1.1M to support the service, based on annual operating costs.
2. Funding of 2 no. 28 seater buses for a five year period following full build out (or otherwise determined by the LPA in consultation with the developer, to overcome the risk on a scenario that the full site is not delivered) of the site. £600,000 to deliver two buses for five years incorporating an enhanced peak hour service.
3. Travel Plan Co-ordinator: Funding to provide assistance with respect to the Travel Plan support, promotion, surveying, monitoring and evaluation. £25,000 per annum.
4. Funding available for travel plan co-ordinator to deliver the necessary interventions within the travel plan. Interventions could include the provision of free Bus Passes for an initial period, bicycles and safety equipment, personalised travel planning or a variety of other travel plan. This level of funding would be in the region of £300 per dwelling (see section on Travel Plan).

5. Improvement of cycle routes into Clitheroe Town Centre, such as the upgrading of the A671 from a pelican crossing to a toucan crossing, and providing cycle paths to link to neighbouring junctions.
6. Cycle parking at the railway station to encourage cycle journeys to the station, allowing access to the greater environment.
7. Funding toward a combined footway/cycleway from development, across Pendle Way to Worston. Estimated cost £150,000.

Conclusion

The location of this development requires significant investment in the sustainable links that connect this site to the wider transport network, to jobs, services and recreational facilities.

Lancashire County Council remains concerned that a development of this size has only one primary access leading onto one strategic highway corridor, limiting the route choice available from the site for motorised users, limiting dispersion of the traffic onto the surrounding highway network and impacts (queuing/delays) around the Shawbridge Street /Waterloo Road/Taylor Street linked junctions. LCC is not able to support this application as it has currently been submitted with only one primary vehicular access and the resulting queuing and delays as predicted at the highlighted location.

The proposed development layout currently consists of a cul-de-sac which offers limited permeability/connectivity to the existing highway network/built environment (negatively influencing distance travelled by private vehicles) for a large mixed use development. LCC consider that the provision of a secondary access onto the A671 corridor would allow enhanced integration of the site with the existing built up environment and existing highway network, allowing the impact of the additional development flows to be distributed throughout a wider area on more direct (shorter) desire lines, resulting in a lesser impact on fewer unsuitable junctions.

If the Local Planning Authority is minded to grant planning approval, LCC would require further consultation and agreement regarding the site access arrangements and full mitigation for all modes when an application is made regarding the reserved matters. This is in addition to information regarding other elements such as sustainable transport measures, its funding and delivery.

If the LPA is minded to grant approval I would like the opportunity to offer planning conditions that the LHA consider appropriate.

UNITED UTILITIES:

As can be seen from the description of the proposal set out on the application form, this is a significant application for major development which has been the subject of detailed discussions between the applicant and United Utilities plc. In particular United Utilities plc notes the reference to the proposed use of a sustainable

urban drainage system which is inherent within the description of the development submitted by the applicant and on the application form. United Utilities plc encourages the Council to retain this full description in any planning permission which may be granted to avoid the potential for any ambiguity in any decision notice.

United Utilities plc have no objection to the planning application subject to the inclusion of conditions. Please note that these conditions have been the subject of detailed discussions with the applicant and are included to reflect the strategic nature of the proposal. The size and strategic nature of this proposal is clearly reflected in the description of the development and the identification of the site in the emerging Local Plan. The conditions have been drafted to reflect the fact that the site will be constructed in a phased manner over a number of years and, most likely, by numerous developers. In such circumstances, it is imperative that the delivery of the site is undertaken in accordance with a strategic and co-ordinated approach to the delivery of all infrastructure including water and waste water. We consider this necessary and reasonable.

ENVIRONMENT
AGENCY:

Have no objections in principle to the development subject to the inclusion of conditions to meet stated requirements on matters of flood risk, water quality, biodiversity, land quality and waste.

Have reviewed the additional information submitted and have no further comments to make.

LANCASHIRE
COUNTY COUNCIL
(PLANNING
CONTRIBUTIONS):

Further to the consultation with regard to the proposed development, this consultation response outlines a planning contribution request from Lancashire County Council based upon a methodology published in the 'Planning Obligations in Lancashire' Policy Paper.

Transport

The application is being assessed by the transport team. However, precise update details have yet to be verified.

Education assessment update dated 20 August 2013

Education requirement:

Pupil Yield

Through a detailed research project carried out during 2012 LCC have established a pupil yield to be applied for the bedroom mix within a development.

Using the Rightmove database, a cross matching exercise was undertaken to match the first occupation of a house with the relevant pupil census data. This enabled us to ascertain the pupil yield of new houses within different areas of Lancashire. Using this source data we were able to extract properties within Lancashire which had an accurate date of when the property was first sold and ascertain the

pupil yield.

LCC will seek to apply these pupil yields to our assessment, however, if bedroom information is not available LCC will apply the 4 bedroom yield, to provide a medium to worst case scenario. Once bedroom information is available this development will be reassessed using the yield information provided in the 'Development details' section below.

Local primary schools within 2 miles of development

When assessing the need for an education contribution from this development LCC consider primary school provision within a 2 mile catchment of the proposed site. Details of these schools are provided below:

School Name	Number on Roll (May 2013)	Future Planned Net Capacity (2018) *	Projected Pupils in 2018 **
St James' Church of England Primary School Clitheroe	244	315	264
St Michael and St John's Roman Catholic Primary School Clitheroe	199	210	236
Clitheroe Brookside Primary School	191	210	222
Clitheroe Edisford Primary School	202	210	244
Clitheroe Pendle Primary School	315	321	380
Barrow Primary School	128	140	145
Total	1279	1406	1491

* The net capacity figure is agreed via consultation with the schools, during September each year. The future net capacity includes any agreed capacity changes.

** Latest projections produced at summer 2013. Please note that the figures provided are based upon current circumstances and this position is subject to change in response to a number of factors that can affect parental preference. The figures take into account the latest available birth information, evidence of migration and also the projected pupil place demand in 5 years.

Projected places in 5 years: -85

Additional information which may provide context to the figures above has been included in the table below. This table provides year by year pupil projections for the schools affected by the development.

JAN 2014	JAN 2015	JAN 2016	JAN 2017	JAN 2018
1297	1329	1280	1294	1308

The figures above show the forecast number on roll before housing and migration is applied. Using the appropriate districts 5 year housing land supply documents and migration figures in 5 years' time we forecast there will be **1491** pupils in these schools.

Development details

Number of bedrooms	Yield applied per dwelling	Number of dwellings	Primary yield for this development
1	0.01	50	0.50
2	0.07	223	15.61
3	0.16	445	71.20
4	0.38	223	84.74
5	0.44	99	43.56
Totals		1040	(215.61) 216 Places

Education requirement

Latest projections for the local primary schools show there to be a shortfall of 85 places 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 already have planning permission.

With an expected yield of 216 places from this development the shortfall would increase to 301. Therefore, we would be seeking a contribution from the developer in respect of the full pupil yield **of this development**, i.e. 216 places.

Local Secondary schools within 3 miles of the development

When assessing the need for an education contribution from this development Lancashire County Council consider secondary school provision within a 3 mile catchment of the proposed site. Details of these schools are provided below:

School Name	Number on Roll (May 2013)	Future Planned Net Capacity (2018) *	Projected Pupils in 2018 **
Ribblesdale High School/Technology College	1277	1275	1247
Clitheroe Grammar Academy	599	630	591
Total	1876	1905	1838

* The net capacity figure is agreed via consultation with the schools, during September each year. The future net capacity includes any agreed capacity changes.

** Latest projections produced at summer 2013. Please note that the figures provided are based upon current circumstances and this position is subject to change in response to a number of factors that can affect parental preference. The figures take into account the latest available birth information, evidence of migration and planned housing development, to provide a 5 year projection.

Projected places in 5 years: 67

Additional information which may provide context to the figures above has been included in the table below. This table provides year by year pupil projections for the schools affected by the development.

JAN 2014	JAN 2015	JAN 2016	JAN 2017	JAN 2018
1847	1839	1834	1831	1813

The figures above show the forecast number on roll before housing and migration is applied. Using the appropriate districts 5 year housing land supply documents and migration figures in 5 years' time we forecast there will be **1838** pupils in these schools.

Development details

Number of bedrooms	Yield applied per dwelling	Number of dwellings	Secondary yield for this development
1	0.00	50	0.00
2	0.03	223	6.69
3	0.09	445	40.05
4	0.15	223	33.45
5	0.23	99	22.77
Totals		1040	(102.96) 103 Places

Education Requirement

Latest projections for the local secondary schools show there to be 67 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 already have planning permission.

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

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

These developments are:

- Greenfield Avenue
- 23-25 Old Row
- Clitheroe Hospital
- South West of Barrow and West of Whalley Road
- Pendle Garage
- East of Clitheroe Road

Collectively these developments are expected to generate demand for 48 additional places.

Effect on number of places

The calculation below details the effect on pupil places,

	67	Projected places in 5 years
-	<u>0</u>	Expected yield from approved
	67	Places available in 5 years
-	<u>103</u>	Yield from this development
	-36	Places available in 5 years
-	<u>48</u>	Pending applications
	-84	Places available in 5 years

Summary of response:

The latest information available at this time was based upon the 2013 annual pupil census and resulting projections.

Based upon the latest assessment, LCC would be seeking a contribution for 216 primary school places and 36 secondary school places.

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

Primary places:

(£12,257 x 0.9) x BCIS Indexation (310.60 April 2012 / 288.4 Q4 2008
= 1.076976)
= £11,880.45 per place
£11,880.45 x 216 places = **£2,566,177**

Secondary places:

(£18,469 x 0.9) x BCIS Indexation (310.60 April 2012 / 288.4 Q4 2008
= 1.076976)
= £17,901.60 per place
£17,901.60 x 36 places = **£644,458**

NB: If any of the pending applications listed above are approved prior to a decision being made on this development the claim for secondary school provision could increase up to maximum of 84 places.

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

Secondary places:

(£18,496 x 0.9) x BCIS Indexation (310.60 April 2012 / 288.4 Q4 2008
= 1.076976)
= £17,901.60 per place
£17,901.60 x 84 places = **£1,503,734**

Please note

- That as this is a claim with a range a recalculation would be required at the point at which the application goes to committee. It is therefore the responsibility of the planning authority to inform LCC at this stage and request a recalculation in order to obtain a definitive figure.

School Site Requirement

As detailed in the Planning Obligations in Lancashire Education Methodology, when the proposed development is of a significant scale and when it is not feasible to expand one or more existing local schools, LCC will seek a school site to be provided by the developer. A school site will be required as part of this development.

In the plans provided to RVBC as part of the planning application a school site has been included. As part of LCC's assessment of the education requirements of this proposed development members of the County Council's Property Team have visited the site to assess its

suitability for the provision of a school.

The Property Team have determined that the proposed site is 2.1 hectares in size and this would be sufficient to accommodate a 2 form entry school, as prescribed by Building Bulletin 99.

Over 55 Accommodation

LCC does not seek contributions for accommodation which is provided for the elderly or over 55 residents. The developers have indicated that 156 of the 1040 dwellings will be provided for elderly accommodation. When assessing the potential impact of a development upon education LCC must consider the worst case scenario in order to ensure that sufficient contributions are secured to mitigate the impact of the development. Therefore, the assessment carried out by LCC has been based on the total number of 1040 dwellings.

However, if the provision of elderly accommodation could be included in the legal agreement as an obligation, then the County Council would be willing to reassess the development excluding the elderly accommodation

LANCASHIRE
COUNTY COUNCIL
(ARCHAEOLOGY):

The geophysical survey of the postulated line of the Roman Road has identified that the road survives in the form of both a slight upstanding bank as well as buried below ground archaeological remains. Previous comments on the proposals have indicated that such well-preserved remains should in the first instance be considered for preservation in this instance by not developing this part of the site and LCAS would therefore recommend that the proposed housing for this area (as depicted on the Illustrative Masterplan) be relocated elsewhere within the site (ie the area to the rear of Shays Drive).

The additional information submitted does not alter LCA's position regarding the need for further conditioned archaeological works to be undertaken on site.

If such a modification to the proposals were not possible, then the complete length of the surviving earthworks associated with the road should be recorded by means of a detailed topographic survey, as well as targeted trial trenching whereby information concerning the width of the road, its method of construction and the presence or absence of roadside ditches is recorded.

ENGLISH HERITAGE: Members are referred to the file for full details of this response which is summarized as follows:

Standen Hall is a Grade II* listed building which places it in the top 8% of buildings in the country listed for their outstanding architectural and historic interest. A band of mature trees surrounds the Hall along its north boundary with an agricultural and rural wider setting beyond, extending to the existing urban edge of Clitheroe to the north and the

settlement of Littlemoor to the west.

The site is adjacent the Grade II* listed building and several Grade II listed buildings to the north and west, the settings of which may well be impacted upon by the proposed development. The line of a former Roman road also crosses the site.

In a response dated 15 November 2012 English Heritage does not object to the proposal as shown on the Illustrative Masterplan in principle. However, in our view, the information as originally submitted to support the application does not contain an adequate assessment of the significance of the designated and non-designated heritage assets affected and the contribution that setting makes to their significance. This means that nature and extent of the impact and effects cannot be properly assessed in line with government policy and guidance or to allow/enable adequate mitigation measures (through the imposition of planning conditions) to be incorporated into the development proposal at the earliest stage.

It is advised that a Heritage Assessment which includes a Statement of Significance and Impact Assessment is produced to provide a detailed assessment and presentation of issues raised in the detailed consultation response to the planning application.

Consideration should also be given to producing a formal views analysis, as referred to on page 24 of 'The Setting of Heritage Assets', in particular for the principal approach to the main elevation and photomontages to demonstrate the visual impact, should the height of the proposed development be visible.

There is direct evidence for a Roman road crossing the site, the archaeological remains of which survive, and the line of the Roman road is to be left marked as part of an activity / ecology trail. Consideration should be given to the preservation *in situ* of any associated remains and in advance of granting consent for any development there should be trial trenching investigation. The details of this should be agreed with the County Council Archaeological Service.

As a general point, English Heritage is currently (November 2012) being consulted on amendments to your Core Strategy which makes reference to the 'Standen Strategic Site'. We therefore question the premature timing of this outline planning application, particularly in the light of the need for detailed information on the impacts on the historic environment.

Recommend that the application should not be determined without a proper assessment of the contribution that setting makes to the significance of the heritage assets affected. Without this information, it is not possible to fully understand or appreciate the extent of the nature of the impact that the proposed development would have on

the significance and setting of the heritage assets in the vicinity of the proposed development.

A further letter dated 29 April 2013 states that based on the available information it seems unlikely the proposed green buffer area and woodland planting would be sufficient to screen the development completely from the designated heritage assets and the impact on setting of the hall would be harmful rather than neutral, while the impact on the setting of the Old Bothy would be quite fundamental and certainly represent more than a minor adverse impact.

Agree with the overall assessment of the Regulation 22 supplement that the impact on the significance of the designated heritage assets would be harmful and that paragraph 134 of the NPPF applies. Therefore the LPA should weigh the likely harm against other public benefits of the proposals. In doing so the LPA should be mindful of the desirability of sustaining and enhancing the significance of heritage assets and of new development making a positive contribution to local character and distinctiveness (NPPF paragraph 131). The desirability to preserve or enhance the setting of the listed buildings as set out in Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 also needed to be taken into account in weighing the impacts and benefits of the scheme.

However in assessing the application recommend that further consideration is given to achieving a more sensitive approach. The future context of the heritage assets could also be managed more effectively if the parameters were more detailed and more precisely defined. For example the current parameter plan could be supplemented with a phasing parameter plan. A more detailed landscape parameter plan could also be provided to indicate a wider green buffer between the development and Standen Hall. A further parameter describing the potential minimum and maximum scale of buildings including width, height and depth could also assist in managing the likely enclosure to the green buffer and the potential impact on the setting of the hall.

ANCIENT
MONUMENT
SOCIETY:

The AMS wishes to defer to the Georgian Group on the acceptability of the proposals. The Council for British Archaeology may be able to offer further views on issues relating to the historic landscape, as well as the setting of the ancient monument. Despite our name, we are mainly concerned with listed buildings rather than archaeology.

GEORGIAN GROUP:

Have considerable reservations regarding the principle of a large scale development in close proximity to a Grade II* listed country house. Such a development is likely to have a considerable and detrimental impact upon the setting of a number of listed buildings including Standen Hall itself, and may potentially have an impact on the long-term future viability of the Grade II* house and its grounds as a coherent entity.

The documentation provided fails to provide a comprehensive overview of the historic development and significance of the designated and non-designated heritage assets which this scheme would affect. It is considered that the documentation provided does not meet the requirements of paragraph 128 of NPPF.

The information on the visual impact of the proposed development upon the setting of these heritage assets is also inadequate. There are basic questions regarding the significance of the various historic assets affected and the potential impact of any proposed development upon their significance which remain unanswered. If the applicants wish to pursue this, they should be required to provide a thorough appraisal of the historic development and significance of those historic assets affected by the scheme and their wider setting.

No comments received in relation to the additional information submitted.

VICTORIAN
SOCIETY:

No comments received at the time of report preparation.

SOCIETY FOR THE
PROTECTION OF
ANCIENT
BUILDINGS:

No comments received at the time of report preparation.

THE LANCASHIRE
GARDENS' TRUST

The LGT's concern is limited principally to impact of the proposals on heritage landscapes adjacent to or close to the site. The LGT is not concerned with the wider planning policy and strategic matters, infrastructure or planning obligations which require to be considered in this application. The LGT recognises that the emerging Core Strategy identifies Standen as a strategic site and takes a neutral stance on the merits of the principle of development on the site.

Commented on 29 April 2013 that whilst the Design and Access Supplement and supplement to the Environmental Statement are helpful in providing additional detail the LGT has fundamental issues as many of their initial concerns remain to be addressed, in particular:

- aspiration for retention of views out of the site set out in the original D & A cannot be delivered through the indicative layout;
- in respect of the Regulation 22 supplement to the Environmental Statement, there are omissions and the methodology and conclusions fail to address the initial comments made by LGT (gardens and designed landscapes associated with Standen Hall need to be specifically included in the additional work; the requirements of LGT for an assessment of the detailed landscape has not been addressed; implications for the Environmental Statement as a result of a lack of assessment of the complete undesignated assets);

- the survey and assessment in Appendix A Cultural Heritage Additional Information – Heritage Impact Assessment is incomplete. As such the consequences for the undesignated landscape associated with Standen Hall cannot be assessed or understood.

Two objections are made to the application as follows:

1. Refinement of the layout is required to accommodate an important view to Clitheroe Castle/Keep from Worston Old Road.
2. The Cultural Heritage and Landscape and Visual Assessment chapters of the Environmental Statement do not adequately assess the setting of Standen Hall and these impacts on the setting of the listed buildings require to be fully explained and understood.

NATURAL ENGLAND: This application is within the setting of Forest of Bowland Area of Outstanding Natural Beauty (AONB). Natural England considers that this development may adversely affect the purpose/s for which the AONB has been designated. There is concern about the poor quality of the Landscape and Visual Impact Assessment accompanying the EIA which does not adequately assess the potential impacts of the development on the AONB. The assessment could be improved if it provided more detail on how the views from AONB will be affected by the proposal.

The application should be withdrawn due to further information being required that clearly describes the impact of the proposal on the landscape character and any proposed mitigation, prior to the application being assessed.

In respect of protected species, the Bat Survey accompanying the planning application concludes that the buildings of Higher Standen Farm to be demolished either contain a bat roost or have the features suitable for roosting bats.

Natural England do not object to the proposed development in respect of protected species.

The mitigation proposals as described in section 7.5 of the Appendices of the Environmental Statement should be robustly conditioned in any granted permissions.

Due to the scale of the proposed development Natural England considers that it could benefit from green infrastructure (GI) provision, as a mitigation measure. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement.

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The Authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.

We would expect the LPA to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

A response in relation to the submission of extra information dated 26 April 2013 refers to their previous response dated (27 November 2012) which expressed the concerns cited above. Natural England remain of the opinion that the Landscape Visual Impact Assessment (LVIA) should include more visual illustrations providing detail of how the AONB will be impacted upon from the proposed development. Natural England does not believe that the selected viewpoints adequately show the impact of the proposed development within the siting of the AONB and also how views from the AONB will be affected. More viewpoints from within the AONB particularly from higher elevations on Pendle Hill would be welcomed.

Further comments dated 8 October 2013 continue to advise that further viewpoints need to be selected for the LVIA. Natural England wish to gain further understanding on how design/landscape/layout will mitigate effects to ensure certainty on the principle of development in this location. It is noted that the planning application is at outline stage, however your LPA needs to be confident that such mitigation is achievable otherwise the principle of development would come under doubt in Natural England's opinion.

CLITHEROE CIVIC SOCIETY:

Are opposed to the development with their comments summarised as follows:

Environmental Concerns

- The development is outside the permitted development boundaries of Clitheroe extending the built town into highly valued and valuable countryside.
- Impact on wildlife, trees and hedges, loss of an abundance of flora for habitats, food sources and movement corridors for small animals and birds.

Schools

- Despite the provision of 210 primary places on the development as firstly the developers have only promised a site not a school building and it is unlikely that there will be any primary school places available on the site until at least half way through the development.
- Concerns with capacities of existing primary and secondary schools to accommodate the growth in pupil numbers.

Health Centre

- The Design and Access Statement describes Clitheroe Town Centre and health amenities as 1600m away and within relatively easy access – hardly walking distance.
- The town medical infrastructure cannot accept this influx on such a development.

Underground Utilities

- It would appear there are problems of standing water on site that could create difficulties.

Town Centre Infrastructure

- The town centre car parks cannot cope with at least an additional 1500 cars.
- Being so close to the A59 families will turn their economic back on the town and go shopping elsewhere.

CPRE:

CPRE Lancashire objects to this application. Members are referred to the file for full details of this response which makes reference to CPRE's response to the Core Strategy and that it is considered the high housing figure proposed potentially renders the Local Plan unsound and threatens the sensitive and high quality rural environment. Also that the Council should comply with National Planning Policy and have policies in place that encourage developer interests to develop on brownfield sites. It is unsustainable to build on greenfield sites in advance of using previously developed sites already served by existing infrastructure.

However, CPRE did reluctantly accept that a more sustainable way of delivering the appropriate levels of housing, including affordable housing, needed in Ribble Valley Borough over the lifetime of the Local Plan is through the strategically planned extension to Clitheroe. Therefore in principle CPRE are not opposed to development here, despite it occurring on greenfield land. CPRE believes that such a planned development at this location will help the Council protect loss of character of smaller settlements and more sensitive parts of the

Borough including open countryside from ad hoc and haphazard development.

However, CPRE Lancashire, in accordance with amended policy 4 Development Strategy of the Submission Core Strategy, believes the application for development of all 1040 dwellings at this stage is too large and on this ground object. It is suggested the Council requests the applicant to submit an application for a reduced number of dwellings (circa 400 houses) over the plan period. The proportion of affordable housing should remain at 30%. The remainder of the site should be safeguarded land for development of housing beyond the plan period. This parcelling of land for future housing development would provide certainty for developers and manage the expectations of the local community and enable the provision of adequate infrastructure.

This plan, manage and monitor approach would also allow the contribution of windfall sites to housing provision to be understood to balance the proportion of housing that could come forward on brownfield sites.

LANCASHIRE
COUNTY COUNCIL
(ECOLOGY):

No comments received at the time of report preparation.

LANCASHIRE
COUNTY COUNCIL
(LANDSCAPE
ADVISOR):

Welcomes the detailed analysis contained in the LVIA and Appendix 9.2 Detailed Viewpoint Analysis which addresses the likely impact on the surrounding areas of countryside, including the AONB. However, one significant weakness in the assessment is that it fails to provide any visualisations depicting the proposed scheme within the landscape. It is recommended that the applicant is requested to provide these for the viewpoints analysed in Appendix 9.2. Until this addressed, it is difficult to fully determine the visual impact and acceptability of the proposed development in relation to the AONB designation.

One further, more minor, weakness is that only one viewpoint on Pendle Hill is assessed. Whilst the majority of the public will view the development from Pendle Hill on the road over the Nick O' Pendle, another viewpoint higher on Pendle Hill (perhaps from PROW Footpath 26 on Pendleton Moor) should be considered as an extension of this assessment. Pendle Hill is very well used by walkers and other recreational users, whose visual amenity is likely to be affected by this development. In relation to the extra information submitted comments that subject to the imposition of robust conditions regarding mitigation measures, no objection is made.

LANCASHIRE
COUNTY COUNCIL
(PLANNING):

No comments received at the time of report preparation.

LANCASHIRE
CONSTABULARY
ARCHITECTURAL
LIAISON OFFICER:

Raises no objection to the development of the site and offers design guidance for future consideration.

RAMBLERS'
ASSOCIATION:

Object for the following reasons:

1. This is the largest single planning application Ribble Valley has ever seen and it will seriously damage the visual amenity of the rural landscape.
2. Development on this scale will have a serious environmental impact on the local wildlife – there is a wide section of birds breeding and feeding in the fields, trees and hedgerows as well as associated flora and invertebrates with badgers, Roe Deer and other wild animals also present.
3. It will destroy prime agricultural and grazing land.
4. There are a number of public footpaths running through the site – it is important that much used public rights of way are protected in their present environment for use by current and future generations.

ADDITIONAL
REPRESENTATIONS:

There has been a letter of support and 68 letters of objection to the scheme. The letter of support is made on the basis that the proposal appears a carefully thought through and eminently sensible and balanced approach. Members are referred to the file for full copies of all correspondence with the objections being summarised under the following sub-headings for ease of reference.

Planning Policy

1. The proposed Standen Estate site put forward within the Core Strategy has not yet been subject to the statutory soundness test provided for by the Core Strategy Examination set out in the relevant planning regulations. Further, at each previous consultation stage, the proposal put forward by the Council for expansion of this size at Standen Estate has been objected to on a significant scale. In instances such as this, the material weight that can be given to the proposal must be limited. As such to approve the planning application based on the proposals in the Core Strategy for the site would run contrary to the plan led system, and in effect, would be seeking to pre-empt the local plans process.
2. Other more suitable sites exist within the town that could be developed for housing as identified in the SHLAA. The application's approval without first undergoing the Core Strategy Examination process would likely result in future applications on sensible development sites within the town being refused. This could leave key sites undeveloped and will undoubtedly have a negative impact on the existing settlement by overriding regeneration efforts on previously developed sites.

3. There is uncertainty towards the proposal as the Council has proposed identified changes to the Core Strategy in relation to this site which include that key elements such as phasing will be determined in more detail in subsequent Development Plan Documents and Supplementary Planning Documents that would be subject of consultation. This and the suspension of the Core Strategy to address misgivings expressed by the Inspector bring this site into question.
4. Reference to the Preferred Options consultation and that it is considered not clear if the views and opinions of Ribble Valley residents were properly accounted for in the production of the Preferred Options. It is clear from the consultation responses that the Standen strategic site was not a preferred option from a local viewpoint.
5. The sustainability appraisal to the Core Strategy identifies that there is some uncertainty over whether the level of growth proposed at Standen could put too much pressure on local services and infrastructure. For a site of such significant importance to the delivery of the Core Strategy, it is imperative that this uncertainty is removed before the allocation is confirmed or the application is considered.
6. The masterplan appears to overestimate the net developable area of the site.
7. Do not consider that 1040 homes can be delivered on site during the plan period – a more realistic robust development yield would be 785 dwellings.

Highways/Accessibility

1. The proposals for vehicular access to the Standen site lack clarity and details of the site accesses should be dealt with at the current outline stage and not at a later stage as a reserved matter.
2. The proposal does not sufficiently or adequately address connectivity to the existing town and should provide for anticipated desire lines for movement by future residents by providing an open vehicular access on to Littlemoor.
3. The existing Whalley Road/Littlemoor junction/initial length of Littlemoor has a substandard layout which constrains traffic movements and impact on safe and free flow of traffic.
4. The proposed development would add to traffic flows on Littlemoor and through the Whalley Road junction, and no assessment of the safety or performance of this location has been provided. Such as assessment should be required of the applicant.
5. Even on the basis of a restricted usage of the site access on to Littlemoor, the additional usage of Littlemoor would unacceptably exacerbate the existing highway dangers, unless improvements (as suggested) are secured as part of any planning permission.

6. The proposal as currently submitted makes no provision for improvement of the Whalley Road junction and Littlemoor and on that basis should be refused planning permission.
7. The proposed new vehicular and pedestrian and cycle access on to Littlemoor should not be permitted because of highway, health and safety – it is a very dangerous road with a double Z bend and lack of footpaths.
8. Question the Travel Plan.
9. The emergency access for buses, pedestrians and cycles is unenforceable and unachievable.
10. Littlemoor is a narrow lane and is entirely unsuitable for buses and also unsuitable for any increase in traffic flows along Whalley Road.
11. The road network into the town will not cope with any additional traffic.
12. There is no suggestion in the submitted Transport Assessment that there will be a phased approach to the implementation of the highway work particularly the measures to improve the existing Pendle Road/A59 junction with the creation of a new 4 arm roundabout intended to replace the existing staggered arrangement with Clitheroe Road. If this is to be delivered up front prior to occupation of the development, provision of such a junction with significant infrastructure cost and the need for such an improvement to the strategic road network, will have a significant impact on the viability and consequent delivery of the development as a whole.
13. Issues associated with suitable access for the employment area tied to the phasing of wider infrastructure delivery (resulting in reliance on the private car).
14. There is no information regarding how public transport accessibility will be improved. The majority of the site is situated well beyond the recommended 400m walking distance to a bus stop. Clearly services to the site will need to be pump primed in the early years of its development to avoid the development being primarily car orientated. This will however have a further impact on overall scheme viability tied to phasing etc.
15. The Transport Assessment overestimates the accessibility of the site for pedestrians.
16. Questions over how well the whole site is located for access by bus, that the Transport Assessment does not confirm distances to relevant bus stops and that whilst the TA suggests public transport facilities will be enhanced and services will be encouraged into the site, there is no commitment that this will be delivered as part of the proposals.
17. The TA does not identify all recently approved applications within the vicinity of the site and subsequently the traffic associated with this development has not been accounted for, which will underestimate the background levels of traffic.

18. Question the distribution of traffic within the TA which suggest 60% of trips to work will use the A59 with very few passing through the town centre.

Infrastructure

1. Clitheroe does not have the infrastructure to accommodate the additional demand for employment, health centres, leisure, schools or town centre parking facilities.
2. There are no extra recreational facilities planned.
3. There are no guarantees regarding water and waste water services and these are already at maximum capacity.
4. The provision of a site for a new primary school does not in itself provide a new school, but what of nursery and secondary school places.
5. The provision of open space appears to be inadequate. Whilst green corridors run through the majority of the site and 3 specific play areas are identified within them, the only substantial areas of open space are located to the south of the site in what is identified as being the final phase of development.

Residential Amenity

1. Neighbours have no guarantee as to how the site will be physically developed as this is only an outline application. Parcels will be sold off over time to volume house builders thus making adherence to a masterplan code very difficult. The potential for the plan to be radically altered in future years is very real – eg can anticipate pressure to use Shays Drive as a vehicular access to some houses at a later stage.
2. The Design and Access Statement promises bungalows on one part of the site – only planning conditions, would stand a chance of delivering this and thus should consent be forthcoming, this should be specifically conditioned for the northern site boundary at the rear of Hillside Close and Lingfield Avenue. The buffer zone on the plan in respect of this as shown on the masterplan is not large enough.
3. Noise during construction and from the primary school.
4. Loss of light.
5. Impact on air pollution.
6. Concerns regarding anti-social behaviour.
7. It would take 15 years to complete which is a long time for the local neighbourhood to put up with the disturbance and the inconvenience of building works.

Nature Conservation and Biodiversity

1. The land attracts a great deal of wildlife including bats, deer, foxes, hedgerows, hare and bird life including King fishers, Curlews and Tawny owls. It is not a good idea to destroy the

- natural habitats of wildlife and to prejudice biodiversity.
2. There is a lack of information regarding potential impact on bats, in particular only one activity survey has been undertaken as opposed to a number being undertaken during the bat season.
 3. The masterplan proposes an enhanced ecological area to the south, however this will include new pedestrian and cycle linkages and an increased human presence – the impact of which has not been assessed in any detail.
 4. Will be a significant impact on existing hedgerows and it is not clear which of these are to be retained.

Landscape and Visual impacts

1. Clitheroe will cease to be the small attractive market town that it is now and which is essential to the character of the town but will become an urban sprawl.
2. Small pockets of housing development over time and where needed, yes but not one major development swamping Clitheroe.
3. Building on prime farmland is the opposite of the Government's sustainability agenda.
4. Bringing development forward at the delivery rate of 52 dwellings per annum set out in the Core Strategy or the 75-90 expressed in the planning application, would drastically alter the urban form of Clitheroe and likely impact negatively on the local housing market.
5. A belief that there are significant flaws in the assessment of landscape and visual impacts, in particular
 - a lack of evidence for determining the overall landscape condition, value and sensitivity of the landscape;
 - a flawed methodology in determining the magnitude of potential landscape effects, and therefore flawed conclusions on the overall significance of those impacts;
 - no consideration of the existing townscape character or townscape impacts, both of which would be expected to inform the overall nature of the development and how a site of this size should integrate with the existing townscape;
 - a lack of evidence in relation to the assessment of visual impacts.
6. There are inconsistencies between the LVIA and Design and Access Statement in terms of potential mitigation and the proposal will result in a significant loss of valuable landscape features.
7. The scale of the site is such that it represents a settlement in its own right and an assessment on the basis that it is an extension is therefore not appropriate. It would have an unacceptable impact on views of Clitheroe from Pendle Hill, while the impact on the function of the town has not properly been addressed.

Cultural Heritage

1. There is a general lack of information to properly assess the potential impacts of the development on both designated and non-designated heritage assets, in particular the roman road that dissects the site and Standen Hall which is a grade II* listed building.

Miscellaneous

1. The scheme is fundamentally unsound and represents unsustainable development creating a dormitory mini town and should therefore be refused.
2. The 1040 properties proposed are surplus to Clitheroe requirements in the Core Strategy and this is supported by census projections.
3. Clitheroe does not need any more housing, there are already many houses for sale and several hundred with planning consent.
4. There is no evidence provided that the notional number of temporary and permanent jobs arising from the proposed development will materialise or that they will in any way compensate a community for the deficits incurred as a result of the scheme's short comings and lack of sustainability.
5. There will be no jobs to attract the increased numbers necessary to make this a viable housing area.

Proposal

This is an application made in outline for a scheme comprising residential, community uses, commercial/employment, retail, education, open space, highways and public realm. All matters are reserved for future submission.

The application has been submitted with an Illustrative Masterplan, Parameters Plans and a Design and Access Statement to define the elements of the development that are for approval as part of this outline application. An Environmental Statement (ES) has also been submitted. The ES forms part of the Environmental Impact Assessment (EIA) of the scheme. EIA is required for certain types of development if it is likely to have significant effects on the environment due to factors such as its size, nature or location. The ES brings together information about any likely significant environmental effects for use in the decision-making process.

The applicants provided supplements to the originally submitted information in March 2013 which involves the following subjects.

- Cultural heritage – a Heritage Impact Assessment was provided.
- Landscape and visual impact – additional photo montages were produced.
- Drainage.

Five key character areas are identified across the development site with their key attributes summarised to identify approaches to development required in each in order to respect the setting of listed buildings, where higher density development should be or where green buffers

are required. These outline that the predominant scale across the site will be two storeys, however there will be an element of two and a half storeys eg focal point buildings. Dependent upon the model adopted for the retirement home, this may need to be up to three storeys but indicative maximum heights for development outlined at this stage are:

Use	Maximum height (metres)
Residential	9
Bungalows	6
Retirement living	10
Employment	12
School	9
Local retail/community	9

The details of the scheme are summarised as follows.

Residential

1040 dwellings comprising

- 728 market dwellings
- 312 affordable homes
- 156 of the total (1040) would be for elderly (ie over 55s) of which 78 would be affordable
- 0.8 hectare to be reserved for retirement living within the total of 1040 homes

An Illustrative Masterplan shows the distribution of uses across the site with the Design and Access Statement outlining that the 1040 homes would be predominantly family homes with an indicative mix of housing as follows:

50 one or two bed retirement living
 223 two bed dwellings
 445 three bed dwellings
 223 four bed dwellings
 99 five bed dwellings

The exact mix of housing would be confirmed through the detailed design at later stages.

The area proposed for retirement living is set to the north eastern area of the site close to the proposed school site and where public right of way No 11 cuts through the site.

Employment/Community

- 0.5 hectare for local retail, service and community facilities (Classes A1 to A4, B1 and D1¹) on the Pendle Road frontage to the development to the north west of the suggested site access.
- 2.25 hectare employment (Class B1) accommodating up to a maximum gross floor space of 5572m² based on the old farm complex to the south eastern corner of the site for a bespoke business (office) centre.

¹ See guide to Use Class Order at Appendix 4.

- 2.1 hectare of land for a primary school site towards the Pendle Road boundary backing on to properties on Pagefield Crescent, Gills Crescent and Shays Drive.

Public Open Space/Landscaping

A proposed landscape framework is set out alongside the Illustrative Masterplan – the quantum of open space provided, its layout and design would be subject to future reserved matters applications. The proposal is however that the requirement for LAPs (Local Area for Play), LEAPs (Local Equipt Area for Play) and NEAPS (Neighbourhood Equipped Area for Play) be accommodated within the application site. At this time the Illustrative Masterplan denotes two potential areas for children's play (one on the Pendle Road frontage and the other to the south west near the line of the Roman Road) and one for youth play at the centre of the site. A network of green corridors and open space are shown throughout and in particular to the south western boundary alongside Pendle Brook where a new walkway and ecology trail is suggested along the southern boundary.

Highway Works

All matters are reserved for future submission however details on likely principle points of access are presented for information and to facilitate testing and analysis of the proposals as follows:

- An improved (roundabout) junction between Pendle Road and the A59 – a new roundabout is proposed at the A59/Pendle Road/Clitheroe Road junction to replace the current staggered arrangement.
- New vehicular, pedestrian and cycle accesses onto Pendle Road and Littlemoor – the vehicular access to the development site would be via Pendle Road to the north of the site and would be via a new roundabout. From this primary route there will be local routes branching off through the proposed development. Cycling will be established as a high profile mode of transport through the site (and beyond) to be achieved through the provision of direct uninterrupted facilities along the principle road network. A secondary vehicular access would be provided to the west of Littlemoor. It is intended that the use of this access would be restricted to emergency access, buses, pedestrians and cyclists.
- New pedestrian and cycle accesses onto Worston Road to ensure that the development is permeable and fully connected to the wider area.
- New pedestrian and cycle access from the end of Shays Drive to support permeable routes across the site and improve connectivity with the adjacent existing residential area.

Site Location

The application site is an area of approximately 50 hectare of agricultural land and farm buildings separated into a number of fields bounded by hedgerows to the eastern side of Clitheroe. A further 2.1 hectares of land, comprising four individual fields, are identified near the junction of Pendle Road, the A59 and Clitheroe Road for potential highway improvements.

To the north of the site are residential properties on Shays Drive, Pagefield Crescent and Gills Crescent, with the site extending to the west along the boundary with the playing fields of Ribblesdale School, Lingfield Avenue and Hillside Close around to the rear of properties on Littlemoor. The site boundary to the north east is formed by Pendle Road. It then follows a south westerly route bounded by Worston Old Road with the southern boundary following the

edge of a wooded area and then the route of Pendleton Brook north westwards towards Dent Plant Hire Depot of Whalley Road. Standen Hall and its grounds, (a Grade II* listed building) and the Grade II The Old Bothy, lie to the south of the site with the Grade II listed buildings of numbers 1-9 (odd) and numbers 11-15 (odd) Littlemoor and Little Moor House set to the north/north western corner of the site. Two public rights of way cross the site (numbers 11 and 14) with the line of a Roman road traversing the site in a north east/south west direction.

The site, both its main body and area to be used for potential highway improvements, lie within land designated Open Countryside in the Districtwide Local Plan. Pendle Hill AONB lies to the opposite side of the A59 approximately 1100m distant from the site to be built upon and approximately 850m from the junction of Clitheroe Road with the A59.

Relevant History

None.

Relevant Policies

Districtwide Local Plan²

Policy G1 - Development Control.

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 ENV13 - Landscape Protection.

Policy ENV14 - Ancient Monuments and Other Important Archaeological Remains.

Policy ENV19 - Listed Buildings.

Policy H2 - Dwellings in the Open Countryside.

Policy H19 - Affordable Housing - Large Developments and Main Settlements.

Policy H20 - Affordable Housing - Villages and Countryside.

Policy H21 - Affordable Housing - Information Needed.

Policy EMP9 - Conversions for Employment Uses.

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.

Policy S2 - Shopping Policies - Outside Clitheroe Centre.

Core Strategy Regulation 22 Submission Draft – Post Submission Version (including proposed main changes)³

Key Statement DS1 – Development Strategy.

Key Statement DS2 – Presumption in Favour of Sustainable Development.

Key Statement EN2 – Landscape.

Key Statement EN3 – Sustainable Development and Climate Change.

Key Statement EN4 – Biodiversity and Geodiversity.

Key Statement EN5 – Heritage Assets.

² See full policy text at Appendix 1.

³ See full Key Statement and policy text at Appendix 2.

Key Statement H1 – Housing Provision.
Key Statement H2 – Housing Balance.
Key Statement H3 – Affordable Housing.
Key Statement EC1 – Business and Employment Development.
Key Statement EC2 – Development of Retail, Shops and Community Facilities and Services.
Key Statement DMI1 – Planning Obligations.
Key Statement DMI2 – Transport Considerations.

Policy DMG1 – General Considerations.
Policy DMG2 – Strategic Considerations.
Policy DMG3 – Transport and Mobility.
Policy DME1 – Protecting Trees and Woodlands.
Policy DME2 – Landscape and Townscape Protection.
Policy DME3 – Site and Species Protection and Conservation.
Policy DME4 – Protecting Heritage Assets.
Policy DME5 – Renewable Energy.
Policy DME6 – Water Management.
Policy DMH1 – Affordable Housing Criteria.
Policy DMB1 – Supporting Business Growth and the Local Economy.
Policy DMB2 – The Conversion of Barns and Other Rural Buildings for Employment Uses.
Policy DMB4 – Open Space Provision.
Policy DMB5 – Footpaths and Bridleways.

Historic Environment Planning Practice Guide.
National Planning Policy Framework.⁴
Technical Guidance to National Planning Policy Framework.

Environmental, AONB, Human Rights and Other Issues

Members are reminded that this is an application made in outline with all matters reserved for future submission. Circular 01/2006 Guidance on Changes to the Development Control System and the Development Management Procedure Order 2010 and subsequent Amendment Order SI 2012 No 3109 set out what can be determined at this stage. In short outline applications allow for a decision on the general principle of how a site can be developed. Amendments made to the GPDO when taken alongside the requirement to submit a Design and Access Statement mean that outline applications have to demonstrate that the proposals have been properly considered in the light of relevant policies and the site's constraints and opportunities. Outline permission is granted subject to a condition (s) requiring subsequent approval of one or more reserved matters. As this scheme is outlined in all respects reserved matters to be the subject of further detailed applications would be:

Layout – means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

Scale – means the height, width and length of each building proposed within the development in relation to its surroundings;

⁴ Key paragraphs included in full at Appendix 3.

Appearance – means the aspect of a building or place within the development which determine the visual impression of the building or place makes, including the external built form of the development, its architecture, materials, declaration, lighting, colour and texture;

Access – in relation to reserved matters, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulate routes and how these fit into the surrounding access network;

Landscaping – in relation to a site or any part of a site which outline planning permission has been granted, or as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes:

- a) screening by fences, walls or other means;
- b) the planting of trees, hedges, shrubs or grass;
- c) the formation of banks, terraces or other earthworks;
- d) laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
- e) the provision of other amenity features.

At this outline stage detailed consideration is therefore required on the use and amount of development and in this context the 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.

Statutory Tests

It is first important to emphasise to Committee that this application must be determined against the following statutory tests:

- i) Section 70(2) of the Town and Country Planning Act (1990) which requires that in dealing with applications authorities shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations;
- ii) Section 38(6) Planning and Compulsory Purchase Act 2004 which requires the application to be determined in accordance with the Development Plan unless material considerations indicate otherwise; and
- iii) Section 66(1) Planning (Listed Buildings and Conservation Areas) Act (1990) which requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Section 66 duty applies equally to a listed building as to its setting.

It is also important to make Members aware of the relevant policies for decision-making in the NPPF – namely 196, 197, 14 and 6 which are included in full for Members information at Appendix 3. To summarise these reiterate the duties in i) and ii) above and that in determining development proposals the presumption in favour of sustainable development should be applied.

Environment Impact Assessment

As stated this development is considered to constitute EIA development under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. A scoping request was submitted to the Local Planning Authority in October 2011 with a formal Scoping Opinion issued in November 2011 under Regulation 13 of SI No 1824 (see copy of response letter issued at Appendix 5). The proposals do not fall in Schedule 1 but within Schedule 2, Part 10, Infrastructure Projects (Section 10(b)) Urban Development. The applicant and Local Planning Authority agreed that having regard to the relevant regulations and Annex A of Circular 02/1999 Environmental Impact Assessment, the development did require an EIA based on the site area, potential increase in traffic and emissions and that it would have a significant urbanising effect in a previously non-urbanised area (eg new development of more than 1,000 dwellings – paragraph A19 Annex A of Circular 02/99). Regard was had to the characteristics of development, its location and characteristics of the proposed impact and the scoping request was submitted which identified the potential significant effects of the development that would need to be considered in depth as part of the EIA and the proposed scope of the assessment in relation to those effects. The purpose of scoping is to provide a basis of agreement over the approach to be taking in preparing the Environmental Statement. I have already made reference to the fact that the ES brings together information about any likely significant environmental effects and with addition of the supplements to the originally submitted information in March 2013 (see reference under Proposal sub-heading) the information submitted is considered to be adequate such that a decision can be taken.

Establishing the Principle of Development/Prematurity

The application is for a mixed land use proposal comprising housing, employment, open space, school and local services, together with associated landscape and planting. In establishing the principle of development relevant policies to have regard to are the saved policies of the Districtwide Local Plan (as the applicable Development Plan), the policies of the submission Core Strategy and those set out in the National Planning Policy Framework (NPPF).

In relation to the saved Local Plan it should be recognised that the strategic policies in relation to settlement boundaries are considered out of date⁵ and that there is a need to accommodate development on greenfield land outside the existing settlement boundaries. As these policies are out of the date the policies of the NPPF and the Emerging Core Strategy become far more material to determining planning applications.

As Members are aware the Council has submitted the Core Strategy and has recently completed a suspension period to the Examination with that process recommencing from 1 September. Revised evidence has been produced which has been the subject of consultation and this identifies a continuing need for affordable housing in the borough as well as an overall increase in the level of housing requirements proposed in the Core Strategy. Evidence continues to support the need for additional employment land and job creation. Members endorsed the advice of the Council's consultants that demonstrate an increase in housing requirements based upon a figure of 250 dwellings per annum and this has undergone a 6 week consultation period. At Planning and Development Committee on 10 October 2013 Members resolved that for the purposes of determining planning applications, pending the outcome of the Examination into the Core Strategy, and having regard to any relevant appeal decisions, to use the figure of 250 dpa for decision-making purposes.

⁵ See Policy G5 text at Appendix 1b.

In terms of five year land supply, the most recent published position at the time of writing is the Council's Housing Land Availability Schedule dated October 2013. This indicates a position of a 4.34 year supply, employing the Sedgfield approach which is the method Members confirmed to use at the 10 October meeting. Members are reminded that the position is subject to frequent change as applications are either approved or resolved to be approved subject to S106 Agreements being completed. Equally sites may be deemed to fall out of the five year supply as they lapse or evidence comes forward to demonstrate they will not be deliverable within the 5yr period. It is for this reason that continual monitoring of the housing land position takes place.⁶

Members will be aware that the Core Strategy does not express the housing requirement as a maximum nor a minimum figure but as a target. The Examination into the Core Strategy is the appropriate forum to establish dwelling requirements and as Committee will be aware there have been extensive unresolved objections to the housing numbers and apportionment of growth (the revised dwelling target of 250dpa continues to attract objections). Thus whilst mindful of the 5yr supply based on 250dpa using the Sedgfield method of calculation, given the level of objection the weight to be attached to such matters must be reflected in the overall planning balance.

What is important however is that in NPPF terms the presumption in favour of sustainable development applies in any event in our circumstances as the saved Local Plan is considered out of date and the considerations of paragraph 14 of NPPF therefore apply which state:-

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For decision taking this means (unless material considerations indicate otherwise)

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in this framework taken as a whole; or*
 - *specific policies in this framework indicate development should be resisted. (eg AONB, designated heritage assets)*

Paragraph 7 of the Framework identifies three dimensions to sustainable development - economic, social and environmental, and paragraph 6 confirms that policies set out in paragraphs 18 to 219 of the Framework taken as a whole, constitute the meaning of sustainable development. The 3 dimensions of sustainable development are set out below in full:-

⁶ See paragraphs 47 and 49 of the NPPF in Appendix 3 in relation to the need to identify and update data on housing land supply and impact of not being able to demonstrate a 5 year supply on relevant policies for the supply of housing.

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right place and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and; as part of this, helping to improve biodiversity, use natural resources prudently, minimize waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

These are key themes which should not be undertaken in isolation (“... to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system”)⁷ and they will be referenced throughout the remainder of this report and drawn together when considering the planning balance in accordance with paragraph 14 of the Framework.

The emerging Core Strategy includes the principle of developing land at the Standen Estate within its Development Strategy⁸. The principle of development as put forward in this application has been discussed with the Council's Head of Regeneration and Housing who has commented that:-

The proposal accords with the area included as a proposed allocation and the proposed extent of development. Policy DS1 of the submission Core Strategy identifies as a key part of the Strategy an identified strategic site located to the south of Clitheroe. The proposed development as a principle therefore is in line with the Council's submitted Strategy. The Development Strategy and the Strategic Site policy (Section 9 of the Core Strategy) have been subject to Sustainability Appraisal and consequently as a development principle I consider the proposal to represent sustainable development in terms of location. The details of the scheme proposed will need to be tested against the applicable Core Strategy policies and the test of sustainable development as set out in paragraphs 18 – 219 of NPPF. However, as a general principle the Core Strategy supports the application and in this regard the application does not in my view harm the emerging Core Strategy as it is consistent with its broad policies and proposals.

It is important to reiterate however that the Core Strategy has been subject to objections in relation to the proposed Standen site, to the overall Development Strategy and housing requirements. These objections remain unresolved and are to be considered at the forthcoming Examination. This does have an impact upon the amount of weight that can be attached to the submitted Core Strategy at this time. As a consequence the principles of development have to be assessed against the NPPF.

⁷ See paragraph 8 of NPPF at Appendix 3.

⁸ See text from the Reg 19 Submission Draft – Post Submission Version (Including Proposed Main Changes) on the strategic site at Appendix 2n.

I have referred to the economic role of sustainable development above and housing development is a key component of economic growth and is fully recognised as such not only within the Framework but within the Government policy 'The Plan for Growth'. The Framework contains a set of 12 land use planning principles⁹ to underpin both plan making and decision taking at paragraph 17 and this development would in principle accord with those that seek to:

- *proactively drive and support sustainable economic development to deliver homes, businesses and industrial units, infrastructure and thriving local places that the country needs ...*
- *promote mixed use development, and encourage, multiple benefits from the use of land in urban areas ...*
- *actively manage patterns of growth to make the fullest possible use of public transport, walking, cycling, and focus significant development in locations which are or can be made sustainable.*

The proposed delivery of new housing of the right type, at the right time and in the right location is fundamental to economic growth and this development would make a valuable contribution to the five year supply of housing land. The applicants have confirmed as recently as 25 September 2013 that house completions are likely to be higher than the 30 per year per builder (90 per year overall) that was estimated when the application was lodged in 2012. They have stated that they believe a sensible range for this site would be 30-50 per year per builder. If this is adopted then they consider this could mean a completion date year of 2022 but unlikely to be as late as 2027 which is the date they had previously indicated. There are a number of factors that can affect build rates such as quality and location of sites, historic supply in the locality, infrastructure requirements and triggers specific to individual development sites. Should consent be forthcoming a condition is suggested regarding submission of phasing details and the applicants suggested build rates will need to be considered alongside such detailed phasing plans in order that appropriate allowances can be built into the housing land calculations and monitoring which the Council undertake on a quarterly basis.

Paragraph 47 of the NPPF¹⁰ requires Local Planning Authorities to *boost significantly the supply of housing (as far as is consistent with the policies set out in the Framework)* and a theme throughout is that Local Planning Authorities should make every effort to objectively identify and then meet not only housing needs but also business and other development needs of an area and respond positively to wider opportunities for growth.

In respect of housing needs, as a principle, development of this site would deliver a broad mix of market and affordable homes for families, smaller households and older people on a sustainable and accessible site on the edge of the borough's principal key service centre. NPPF recognises that residential development can play an important role in ensuring the vitality of existing centres. It gives the opportunity to match supply with demand over a number of years and provide high quality housing when and where it is most needed. This accords with the Development Strategy of the emerging Core Strategy.¹¹

It is important to remember that this is a mixed use scheme and in this respect the Framework supports the sustainable growth and expansion of all types of business and enterprising rural areas, both through conversion of existing buildings and well-designed new buildings. This

⁹ See full text to paragraph 17 of NPPF at Appendix 3.

¹⁰ See full text at Appendix 3.

¹¹ See Key Statement DS1 at Appendix 2a.

application proposes new build facilities on the Pendle Road frontage by way of a community cluster to incorporate a mix of retail, employment and community uses including a school site and a bespoke business centre closer to Standen Hall, which seeks to incorporate the existing group of farm buildings. I am mindful that this is an application made in outline and that such conversion schemes would normally come forward as detailed applications. However, as the existing barns would only be a component part of the overall business centre, and none of them are designated heritage assets, I consider that an approach to establishing the principle of employment use rather than the detailed mechanics of new build or conversion is in this particular instance appropriate. Should planning permission be granted, details submitted as part of any subsequent reserved matters scheme would provide precise information on how the business uses are to be provided. The provisions of the NPPF would support either new build or conversions to business uses at this location.

Therefore, having regard to the economic dimension of sustainable development and the relevant policies of NPPF in respect of building a strong, competitive economy, the proposal as put forward in principle accords with the provisions of the Framework. Further details on compliance with the social and environmental dimensions of sustainable development will be referred to within the remainder of this report.

It is clear that the Council considers development at Standen in principle to be sustainable as it forms an integral part of the Core Strategy such that approval of the application does not harm the emerging Strategy. This is a key test when considering prematurity. Committee will note that there have been a number of objections to the proposal on the grounds of prematurity and until recently guidance on this was to be found from DCLG in a document entitled 'Planning Systems: General Principles' which states:

In some circumstances it may be justifiable to refuse planning permission on grounds of prematurity where a DPD is being prepared or is under review, but has not yet been adopted. This may be appropriate where a proposed development is so substantial, or where the cumulative effect would be so significant, that granting permission could prejudice the DPD by predetermining decisions about the scale, location or phasing of new development which are being addressed in the policy in the DPD... (paragraph 17).

Otherwise, refusal of planning permission on grounds of prematurity will not usually be justified. Planning applications should continue to be considered in the light of current policies. However, account can also be taken of policies in emerging DPDs. The weight to be attached to such policies depends upon the stage of preparation or review, increasing as successive stages are reached. For example:

- *Where a DPD is at the consultation stage, with no early prospect of submission for examination, then refusal on prematurity grounds would seldom be justified because of the delay which this would impose in determining the future use of the land in question.*
- *Where a DPD has been submitted for examination but no representations have been made in respect of relevant policies, then considerable weight may be attached to those policies because of the strong possibility that they will be adopted. The converse may apply if there have been representations which oppose the policy. However, much will depend on the nature of those representations and whether there are representations in support of particular policies. (paragraph 18)*

Where planning permission is refused on grounds of prematurity, the planning authority will need to demonstrate clearly how the grant of permission for the development concerned would prejudice the outcome of the DPD process (paragraph 19)

As Members will be aware it was hoped that an updated Statement would be provided by Nick Boles on this matter in order to assist in clarifying the situation. However, that had not, at the time of drafting this report been received. Advice is however offered on the draft National Planning Practice Guidance website¹² that follows the General Principles document but with some refinements to the wording to state:

While emerging plans may acquire weight during the plan-making process, in the context of the National Planning Policy Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in exceptional circumstances (where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account). Such circumstances are likely to be limited to situations where both:

- a. the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood plan; and*
- b. the emerging plan is at an advanced stage but has not yet been adopted (or, in the case of a neighbourhood plan, been made).*

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a neighbourhood plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

Thus at the present time in assessing the issue of pre-determination it is necessary to have regard to the 'General Principles' document, recent appeal decisions on such matters as reported in the planning press and the manner in which the Council have presented this issue as part of ongoing Public Inquiries. We have said in submissions to the Barrow Lands Inquiry that the weight to be afforded to the Core Strategy is limited for the reasons discussed and whilst the Core Strategy Examination process has recommenced at the time of drafting with the EiP hearings scheduled to commence in January 2014 (following a period of submission to update the evidence base), I do not consider that this in itself significantly alters the weight to be attached to that DPD (Development Plan Document). However, whilst attaching limited weight to the emerging policy document regard has been had in evidence to recent appeals to its Development Strategy that shows development primarily distributed according to the population distribution of the existing key settlements. That distribution reflects the existing hierarchy of settlements and the availability of key aspects of infrastructure. The strategy chosen balances the need to focus growth on the larger settlements and thereby supporting their sustainability. The testing ground for the soundness of that approach will be the Examination in Public but the

¹² On 28 August 2013 DCLG launched for testing and comment in Beta this national planning practice guidance web-based resource. The site was open for public testing and comment until 14 October 2013. The site remains in Beta, and the planning practice guidance is in draft form and has not yet been issued by the Secretary of State.

key difference between this proposal and the evidence put to the Barrow Lands Inquiry into 504 dwellings in terms of pre-determination, is that of the location of the sites in question. Here we have a site proposed in a location that would accord with the emerging Development Strategy and is identified as the strategic site which has been subject to a sustainability appraisal undertaken by an experienced environmental consultancy (Hyder) ie a substantial level of growth at key market towns to maximise access to services, public transport linkages and jobs, notably in Clitheroe and to a lesser extent in Longridge and Whalley. Conversely it has been argued that the proposal for 504 dwellings at Barrow is of such a scale that it would, in effect, remove the ability to distribute housing in other smaller settlements. It would also lead to a situation where nearly half the strategic requirement for the borough's key service centre of Clitheroe would be permitted within one of the villages. Thus even though limited weight is to be attached to the Core Strategy, the Barrow scheme was considered by this Council so substantial in scale and location that it would prejudice the emerging DPD by pre-determining decisions about the scale, location or phasing that had been addressed within the Core Strategy.

Having regard to the specifics of this scheme it is important to consider the EiP date set for January 2014; that the outcome of the EiP cannot be predicted accurately; that there is no early prospect of an allocations DPD being submitted for EiP; this is a substantial proposal; there are extant objections to the housing figure of 250 dpa and to the designation of Standen as the strategic site. Having regard to these factors I am of the opinion that this application has the potential to prejudice the Core Strategy but not the Site Allocations DPD. In light of this assessment it is incumbent on the Local Planning Authority to specifically assess whether the grant of planning permission would prejudice the outcome of that process and in carrying out this particular exercise I am mindful of the following considerations:

- i. Whether there is any credible argument (in the light of the revised NLP report) to suggest the figure of 250 dpa will be reduced; and
- ii. If the figure of 250 dpa (or some higher figure) can be met (in the real world) without the development at Standen.

In respect of these I am aware that the outcome of the EiP in terms of housing numbers cannot be accurately predicted but would comment that the figure of 250 dpa is a mid-range of the NLP revised report which did state a figure of 280 dpa is the figure required in order to ensure that both demographic and economic needs identified in the evidence base are met. Whilst there are objections to the housing requirement going forward to the EiP I cannot see a credible argument to say that the figure will be reduced. Having regard to these considerations it is concluded that there will be no material prejudice to the outcome of the Core Strategy process because (i) the application is in accordance with the Core Strategy; (ii) there is no credible alternative to meeting housing land supply; (iii) objectors have had the opportunity to raise any objections to the development of Standen as objections to this proposal.

Therefore I conclude that whilst there will be some prejudice to the Core Strategy process this does not justify the refusal of the application outright and this factor should be weighed in the planning balance (paragraph 14 NPPF see later within this report). However the delivery of a key part of the Council's strategy for growth, which includes housing, affordable housing and economic development together with infrastructure provision to support that development focussed on the borough's main settlement are all clear benefits that weigh in favour of the application.

It is clear from discussions with the Council's Head of Regeneration and Housing that he supports the application in principle from a policy, housing and economic viewpoint.

Affordable Housing

In considering the affordable housing element of the proposal it is important to have regard to Policies H20 and H21¹³ of the Ribble Valley Districtwide Local Plan and Key Statement H3¹⁴ of the emerging Core Strategy. Policy H20 requires all developments outside settlement boundaries to be for 100% affordable needs housing and H21 outlines the level of detail to be submitted in support of an application and 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 up 1040 units. A draft Heads of Terms document has been submitted outlining that 30% of these will be affordable – 312 units. The tenure split offered is 50% affordable rented, and 50% shared ownership. As Members will be aware the updated Strategic Housing Market Assessment (SHMA), which forms part of the evidence base to the emerging Core Strategy, sets out a number of key findings and of particular relevance to the matter in question here is that the CLG estimate of affordable need is 404 dwellings per year compared to 264 in the 2008 SHMA report. This reflects the increased need for affordable housing which is an important benefit from the application to be weighed in the planning balance. Despite the application of local assumptions to the CLG calculation by the Council's consultant generating a more realistic level of affordable housing (114 dwellings) to be met through new builds, the evidence strongly indicates an increased requirement for affordable dwellings. This proposal will make a valuable contribution to meeting housing needs in the area in accordance with the social role of sustainable development as defined in the NPPF.

The design of the layout is appropriate for pepper potting of the affordable units throughout the site for the shared ownership. In terms of the rental units that will be taken by a Registered Provider (or by a number of providers) it is envisaged that the preference will be for clustering where they can be managed efficiently/effectively. The scheme as submitted clearly indicates the quantum of affordable homes and the Council's Housing Strategy Officer and the Strategic Housing Working Group have examined the details. The principle of the offer made is acceptable but subsequent discussions have been taking place over the delivery and phasing of the units. This is explained in further detail under the S106 heading of this report.

The proposal is not in compliance with saved Policy H20 but as stated previously the settlement boundaries are considered out of date and a recognition given to the need to build on green field sites outside settlement boundaries. Thus it is considered H20 is not NPPF compliant. Information submitted in part meets the requirements of H21 and the details put forward do accord fully with Key Statement H3 of the emerging Core Strategy.

Highway Safety/Accessibility

In considering this aspect of the scheme regard should be had to Policies G1 and T1 of the Districtwide Local Plan¹⁵, Key Statement DMI2 and Policies DMG1 and DMG3 of the emerging Core Strategy¹⁶. In essence these seek to ensure that developments should be located to

¹³ See full policies at Appendix 1l and 1m.

¹⁴ See full text to Key Statement at Appendix 2i.

¹⁵ See full policies at Appendix 1a and 1r.

¹⁶ See full text at Appendix 2m, 2o and 2q.

minimise the need to travel, should incorporate good access by foot and cycle with convenient links to public transport to reduce the need for travel by private car. It is considered that the saved Policies of the Districtwide Local Plan are NPPF compliant in this respect.

In accordance with paragraph 32 of the NPPF, the application has been submitted with a Transport Assessment and it is important that any decision made in respect of the transport implications of this development takes account of whether:

- *the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- *safe and suitable access to the site can be achieved for all people; and*
- *improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Developments should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*

Paragraph 34 of NPPF outlines that “*decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However, this needs to take account of policies set out elsewhere in this framework, particularly in rural areas*”.

Regard should also be had to paragraph 17 of the Framework which includes as one of the core planning principles that planning should “*actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable*”. This advice is to be read in the context of NPPF as a whole but what is clear is that whilst the Framework accepts that some developments may not be sustainable in the first instance, they may be acceptable provided they can be made so.

The access strategy for this proposal has been outlined elsewhere in detail in this report and to summarise indicates a single point of vehicular access to the site for residents and occupants/users of the business, community and retail uses leading from Pendle Road. There is a secondary access from Littlemoor for buses, emergency vehicles, pedestrians and cyclists.

Initially the Highways Officer at LCC expressed concerns over this approach and there have been extensive discussions between the respective highway professionals in order to test the access strategy and its potential implications for the highway network. Notwithstanding those discussions, it is apparent that the highways officer at LCC considers he cannot support the application as it is presented.

In considering the concerns expressed by LCC, it is important to first look at the guidance offered within the NPPF on highway matters (a material consideration in the determination of this application) and in particular the three aspects to paragraph 32 as outlined above¹⁷.

Firstly, it is important to note that the proposal has considered opportunities for sustainable transport modes with provision for public transport routes throughout the site and linkages with the wider area suggested for cyclists as well as pedestrians. The applicant has put forward within their suggested Heads of Terms for the legal agreement, financial contributions towards subsidising public transport services serving the development and towards funding a travel plan. Indeed, the Strategic Highways Planning Manager at LCC has commented that the developer

¹⁷ See also Appendix 3.

has demonstrated that the public transport provision that is being provided could be designed to provide satisfactory support for the development.

In respect of whether a safe and suitable access to the site can be achieved, Members are reminded that this is an outline application with all matters including access reserved for future submission. Whilst there were discussions prior to the submission of the application regarding whether access should be a matter applied for at this stage, the applicants did not consider it should. The Development Management Procedure Order 2010 sets out that access in relation to reserved matters means the accessibility to and within the site, for vehicles, cyclists and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network. On a site of this size, which is to be developed in phases over a number of years, it could be argued unreasonable to fix all such access matters at this early stage when it is more a matter of principle that is being established. Where access is a reserved matter, there is a requirement to indicate where access points to the development would be situated. This is so an early assessment can be made of whether safe vehicular and pedestrian access is possible. As per guidance in DCLG Circular 01/2006 the requirement at outline stage is for indicative access points – an area or areas in which the access point or points to the site will be situated – and that is what is presented in this proposal. The circular also sets out what Design and Access Statements should consider regarding the outline access component and comments they should clearly explain and justify the access principles that will be used to develop future details of schemes. This matter aside, the response from LCC does not raise an objection to this development on the grounds of highway safety in relation to the access strategy put forward for consideration at this outline stage, ie main site access for all vehicular modes via a new roundabout junction formed at Pendle Road and secondary access on to Littlemoor for public transport and emergency vehicle usage. He does express concern about the suitability of Littlemoor Road for use by buses (of varying sizes) due to its width and alignment and lack of continuous footway. However, no specific objection is made on highway safety or suitability grounds that cannot be overcome by the imposition of conditions.

This brings us to the crux of the matter in respect of the test of the NPPF in paragraph 32 on highway matters that *'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'* There is no definition within the NPPF as to what constitutes a severe impact nor a universally shared definition between highway professionals. Each application needs to be considered on its own merits having regard to the specific circumstances of each case. The fundamental concern expressed by the highways officer is that one access means limited route choice from the site, thereby limiting dispersion of traffic on to the surrounding highway network and queuing/delays around the Shawbridge Street/Waterloo Road/Taylor Street linked junctions. The Transport Assessment submitted in support of the application and subsequent associated correspondence between the respective highway professionals has examined this particular matter in further detail in order to assess queue lengths and resultant journey delays for traffic entering and leaving the town centre via the aforementioned linked junctions in peak hour periods.

It is apparent from the further work undertaken that the projected queuing would exceed the current levels of queues experienced with the maximum queues that have been modelled along Shawbridge Street being calculated between 390m and 717m. This could mean that queues at their maximum during the peak hour morning period could extend back along Pendle Road to the Goosebutts Lane junction and if this is translated into a predicted time delay for a journey, this could mean a journey time of up to 5 minutes from the site access through the linked junctions in the Shawbridge area which is an increase from current journey times of approximately 2 minutes. There may be peaks and troughs within this period or conversely the

delays could be less than this time but this is a congestion concern and clearly not expressed as a highway safety matter in the consultation response. The actual length of queues in the morning peak is, in the highway officer's opinion, severe and given the access strategy proposed, these movements are focused on a single transport corridor. The length of queue and resultant time delays may mean that people deviate from the main corridor into Clitheroe on to secondary routes or that driver behaviour is altered at the roundabout junction of Shawbridge Street and Waterloo Road as drivers negotiate the junction. However, there is no evidence to say that such actions would result in a highway safety issue. In terms of making assessment on severity, there must therefore be less significance attached to a congestion concern as opposed to an evidence based highway safety concern. This comment is in no way made to dismiss the concerns of officers at LCC who do have valid concerns to make in relation to this scheme. However, it is important for Members to fully understand the National Planning Policy context and therefore the basis for making decisions on transport grounds.

To summarise there is no concern raised about highway safety by Lancashire County Council in their capacity as Local Highway Authority (LHA), they do not state that planning permission should be refused, they do not state that there is any conflict with policy nor have they provided a reason for refusal of this development. There is no substantive objection which cannot be addressed by conditions and/or detailed design and/or a Section 106 Agreement. Whilst I am mindful of the comments of the LHA regarding the access strategy put forward, Planning Committee is required to consider whether this strategy is acceptable. The issue is therefore whether the residual cumulative impact arising from this scheme is severe and whilst it is acknowledged that this development will have an adverse impact I consider it falls short of being severe in NPPF terms for the reasons stated above. On the basis of this I am of the opinion that there is no conflict with paragraph 32 of the NPPF, however the harm will need to be weighed in the planning balance (paragraph 14 NPPF).

Whilst I have focused here on the concerns expressed by the highways officer in relation to transport matters, it is also important to have regard to the package of measures suggested in terms of improvements to the transport corridor into Clitheroe from the Pendle Road/A59 junction. Members will note that the applicant is proposing a roundabout at that junction and discussions with LCC have led to an agreement that additional works at the Waterloo Road/Wellgate junction by way of a mini roundabout may serve to ease proposed circulation around that area. These factors are also to be weighed in the planning balance later within this report.

Public Open Space

Policy RT8 of the Districtwide Local Plan¹⁸ and policy DMB4 of the emerging Core Strategy¹⁹ requires that residential sites over 1 hectare provide adequate and usable public open space. The saved Policy RT8 is broadly in accord with the provisions of NPPF and is only out of date insofar as the reference to levels of provision for open space in Policy RT9 which was not saved. 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. Any green infrastructure should be multi-functional and encourage where possible walking and cycling opportunities.

¹⁸ See full text at Appendix 1o.

¹⁹ See full text at Appendix 2z(ii).

The site layout, whilst for illustrative purposes at this stage, does indicate 3 areas set aside for formal or informal play (2 for children's play and 1 for youth play). The layout also denotes a network of small green open spaces presented as linear green corridors and open areas generally located along connecting pedestrian and cycle links. A series of activity and ecology trails are suggested throughout the site to provide pedestrian and cycle links that connect to the wider open countryside as well as existing streets and public rights of way. It is expected that the detailed location and design of such elements will be provided at any reserved matters stage.

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. It is suggested that appropriate conditions rather than a S106 agreement clause should be imposed on any consent granted to ensure the continued provision of such facilities within the site for the benefit of future residents.

In addition to onsite play provision the applicant has been in discussions with Ribblesdale School and the Council's Head of Leisure and Cultural Services in order to assess whether there is scope to work together to provide additional sports facilities to serve the school, the strategic site and wider Clitheroe and Ribble Valley community. By way of background information RVBC have identified 4 sporting hubs to serve the Borough – 2 to serve Clitheroe and 1 each for Longridge and Whalley. Ribblesdale School is proposed to be one of the hubs for Clitheroe. Members will note from the site description section of this report that the school has an existing playing field and sports pitch to the north west of the development site accessed off Langshaw Drive.

Discussions to date have been focussed on a floodlit artificial turf pitch, an athletic training area and a village/community hall incorporating a one badminton size sports hall, a smaller hall and ancillary facilities. Any new facilities for community use would need to be served by additional parking areas. Work to date has focussed on establishing overall costs and the apportionment of costs between respective parties. The precise physical details of any such scheme would need to be the subject of a separate planning application but provision can be made within any legal agreement accompanying this submission regarding the payment of money and triggers for release of such monies. There would also need to be a clause for a 'Plan B' for sports provision should the Ribblesdale High School proposals not prove to be deliverable. Plan B is likely to be in the Henthorn Road area adjacent to the sports centre and playing fields which has been defined by the Council as the 2nd sporting hub for Clitheroe. The Council will need to ensure that whilst enhancement of existing facilities off site is welcomed any financial contribution sought must meet the relevant tests of the CIL Regulations i.e. be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. This is covered in a separate section later within this report.

Subject to details of the layout of the onsite areas being submitted at reserved matters stage and agreement regarding a contribution towards offsite provision I am of the opinion that in principle the approach taken to the provision of public open space is adequate and thus the requirements of Policies RT8 of the Ribble Valley Districtwide Local Plan and DMB4 of the emerging Core Strategy have been met. The development will also promote the principles of a health community and the interests of the wellbeing of existing and future residents in

accordance with paragraphs 69 and 73 of the NPPF²⁰ relating to the promotion of healthy communities.

Nature Conservation/Ecology/Biodiversity/Trees

In assessing this aspect of the proposal regard should be had to Policies within the Districtwide Local Plan, emerging Core Strategy and NPPF. Policies ENV7 and ENV13 of the Districtwide Local Plan²¹ concern themselves with species and landscape protection and the principles of these are carried forward into Key Statement EN4 (biodiversity and geodiversity) and Policies DME1 and DME3 of the emerging Core Strategy²². Members should note that whilst the overriding aims of Policy ENV13 remain valid, the accepted need to build on green field land outside the previously identified settlement boundaries the criteria listed have to be weighed against other material considerations. It still carries weight however as this Policy, unlike ENV3, is specific to features of the landscape whereas ENV3 has a more general approach to landscape protection. In respect of the environmental role of NPPF, specific guidance is offered on conserving and enhancing the natural environment and paragraph 109²³ comments that *“the planning system should contribute to and enhance the natural and local environment by ... minimising impacts on biodiversity and providing net gains in biodiversity where possible”*. It advises further that LPAs should set out what it terms criteria based policies which development proposals can be judged against with a hierarchical approach to designation so that protection of wildlife, geodiversity or landscape is commensurate with their status. Consideration should also be given to paragraph 118²⁴ which states *“when determining planning applications, LPAs should aim to conserve and enhance the biodiversity and in particular a significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resource, compensated for, then planning permission should be refused”*.

In making an assessment of the proposal against the above guidance it is important to recognise that none of the application site is designated as an international, national or locally important site due to environmental or ecological importance.

This is a greenfield site and as part of the application a Tree Survey report has been submitted with preliminary recommendations given with a view to aiding the layout of the overall development by identifying the better trees, specifying protective measures and also any work that may be necessary to maintain the trees in an improved or safer condition. The survey area is the site area itself (including area for highway junction improvements at the A59) and fields to the immediate north of the application site to the opposite side of Pendle Road.

Species surveyed include Larch, Sycamore, Elm, Ash, Hawthorn hedge, Oak, Holly, Crab apple, Beech, Field Maple, Silver Birch, mixed species groups, Beech hedgerows, Cherry, Purple Plum, Hornbeam and Alder. The majority of the trees surveyed were mature species, the predominant species being Ash.

The Council's Countryside Officer has commented that the tree survey has identified individual trees, woodlands and hedgerows in accordance with BS5837 and this includes those trees of high quality and value, moderate and low value. However, it is important to recognise that the

²⁰ See full text of paragraphs 69 and 73 at Appendix 3.

²¹ See full text of policies at Appendix 1f and 1g.

²² See full text at Appendix 2e, 2r and 2t.

²³ See full text of paragraph 109 at Appendix 3.

²⁴ See full text of paragraph 118 at Appendix 3.

information included in any BS5837 survey is a recommendation and even low value condition trees can have a collective visual amenity value. It is also of note that BS5837 was updated in 2012 and any subsequent information submitted in respect of arboricultural matters will need to take account of the updated guidance requirements. In particular it will be important that reserved matters applications for all phases of the development are accompanied by informed tree constraint layout details and that appropriately worded specific tree protection conditions are imposed should consent be forthcoming in order to ensure that all retained trees are given maximum protection from the adverse impacts of any part of this development. Subsequent layouts must be informed by the tree constraints plan and this includes not only the physical impact of the development on trees of the individual plots but also must include roads and services as well as potential tree resentment issues that may arise as a consequence of unrealistic design aspirations. Members are aware that this is an application made in outline, in all respects, and thus this detailed level of information is not available at this stage. However, from the information submitted it is evident that there has been consideration given to arboricultural matters in the technical supporting documents and there is nothing at this stage to indicate that subject to suitable conditions being imposed there would be any valid reason to substantiate an unfavourable recommendation on tree grounds.

As part of the Environmental Statement an Ecological Impact Assessment has been carried out to assess the effects of the development on flora and fauna and determine mitigation measures required. This assessment was informed by a review of existing information on flora and fauna that are known within the site, or have previously been recorded at or near the site; a survey of the habitat types within the site; a hedgerow survey and a number of surveys specifically to assess the status of legally protected species within or near the site including bats, badgers, great crested newts, breeding birds, otter and water vole. An assessment was undertaken of potential effects on biodiversity and this concluded that it is unlikely that there will be any significant effects and that mitigation and compensation is entirely feasible in this instance.

The surveys revealed no evidence of great crested newts, badger, water vole or otter and a total of 35 species of breeding birds (over the two day survey period). Presence of Brown Hare was detected in some of the fields, no significant bat roosts have been detected and the surveys have not identified use of the habitats within the site boundary by a significant number or diversity of foraging bats (although it is accepted that the properties, woodland margins and Pendleton Brook corridor outside the site boundary are favourable habitats and attract foraging).

It is important to bring to Members' attention a duty of the Local Planning Authority under the 1994 Regulations for European Protected Species with Circular 06/05 Biodiversity and Geological Conservation – Statutory Obligations and their impact within the planning system which state at paragraph 116 that: *“when dealing with cases where a European Protected Species may be affected, a planning authority ... has a statutory duty under Regulation 3(4) to have regard for the requirements of the Habitats Directive in the exercises of its functions. Further the Directives provisions are clearly relevant in reaching planning decisions, and these should be made in a manner which takes them fully into account ...”* As such it is necessary to give consideration to the three derogation tests contained in the species protection provisions of the 1994 Regulations when deciding whether to grant planning permission for a development which could harm a European protected species as follows:

- the activity must be for imperative reasons of overriding public interest or for public health and safety;
- there must be no satisfactory alternatives; and

- favourable conservation status of the species must be maintained.

Natural England have commented that they do not object to the proposed development in respect of protected species but have stated it is up to the Local Planning Authority to consider whether the permission would offend against Article 12(1) of the Habitats Directive. The proposed development is likely to affect bats with a single common Pipistrelle roost detected in one of the farm buildings to be converted. Any demolition or reroofing of this (building G) will destroy that roost. Thus consideration has been given to the three tests above and the following conclusion drawn. Firstly, in respect of overriding public interest the site is identified in the emerging Core Strategy as the strategic site for the borough to deliver a mixed use scheme. As such it represents a fundamental part of the authority's chosen option for development in the borough to meet needs over the plan period (2008 – 2028) and thus there are considered to be overriding public interest issues and beneficial consequences to the borough by the provision of employment opportunities. In respect of whether there is a satisfactory alternative, there is no alternative to the redevelopment/conversion of the building concerned. The do nothing option approach to this building would eventually lead to the dilapidation and loss of the building and its bat roost. Finally, in terms of the favourable maintenance of the conservation status of the species a mitigation strategy has been devised in connection with works at Higher Standen and mitigation and compensation for the common Pipistrelle summer roost is feasible within the scope of the permission. Thus I am satisfied that due consideration has been given to the habitats directive in respect of European Protected Species in order for the Local Planning Authority to discharge its duty.

Details submitted in support of the application conclude that designated nature conservation sites in the surrounding area will not be adversely affected as a result of this development. Within the site only 8% of the length of existing hedgerows and tree lines are indicated to be lost to the development owing to road junctions, with existing vegetation supplemented by compensatory planting of native hedgerows and woodland belts elsewhere in this site. It is proposed that a buffer will be implemented along Pendleton Brook to restrict construction activities in this area and protect its conservation status to ensure no fragmentation or destruction of the habitat along the brook will occur. A stand of Japanese Knotweed on the banks of the brook will be eradicated reducing the risk of this invasive species spreading along the course of the watercourse. The loss of arable and semi improved grassland is not considered to be significant as this is not a particularly sensitive or valuable habitat. Potential effects on vegetation and habitats in the locality from construction works for example dust, can be controlled through the use of conditions. It is considered that a sympathetically designed and implemented development proposal can secure opportunities to enhance nature the conservation interests of areas of the site by habitat creation and appropriate sustainable management over the long term. The measures described within the technical documentation submitted seek to ensure a net gain for biodiversity in accordance the principles of the NPPF and in summary these include the use of native species in landscape planting schemes, installation of sustainable drainage system and associated habitat creation for biodiversity, habitat creation for nesting birds, habitat creation and roosting opportunities for bats, conversion of improved grassland to favourable habitat use by farmland birds, encouragement of an increase in area of calcareous grassland and the application of long term management in accordance with nature conservation and biodiversity objectives.

The Council's Countryside Officer has commented that he does not consider there to be sufficient detail submitted in the ecological report in order that a comprehensive assessment can be made of the impacts on biodiversity were this scheme to proceed. He is of the opinion that at present the proposals show a significant loss to biodiversity and thus in his opinion it is

contrary to the provisions of the NPPF. However, as stated none of the site is designated as an International, National or locally important site due to environmental or ecological importance and consideration has been given to the three derogation tests of the 1994 Regulations.

The significance of the potential impacts of this development on nature conservation grounds 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 Masterplan and supporting documents indicate that landscape corridors are maintained. The Environment Agency have commented that the Illustrative Masterplan denotes a proposed pond/SUDS attenuation feature within the proposed B1 employment area and that this would be better incorporated into the green corridor/open space areas where it would be better suited. This is a matter to secure at reserved matters stage.

Mitigation measures are recommended within the Ecological Impact Assessment and these can be secured by the imposition of conditions. In order to reduce the potential biodiversity impact of this scheme, it should also be remembered that this is a development that will be phased over a number of years and this will enable habitat creation and connectivity to be appropriately phased over the duration of the build programme.

Thus having carefully assessed the impact of this development on nature conservation interests I am of the opinion that whilst the development is likely to have some impact this is not considered to be significant and mitigation and compensation is feasible.

Heritage/Cultural

Reference has been made within this report to the three roles of sustainable development as identified within the NPPF. The environmental role means contributing to protecting and enhancing the built and historic environment. Indeed conserving heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations is a core planning principle. Significance derives not only from a heritage assets physical presence, but also from its setting. The heritage interest may be archaeological, architectural, artistic or historic.

As Members will note from the site location section of this report, Standen Hall (a Grade II* listed building) and its grounds and the Grade II The Old Bothy lie to the south of the site with the Grade II listed buildings of numbers 1-9 (odd) and numbers 11-15 (odd) Littlemoor and Little Moor House set to the north/northwest corner of the site. There is also the line of a Roman road traversing the site in a northeast/southwest direction.

In considering the heritage impacts of the proposal Members are reminded of the need to have regard to the statutory tests outlined earlier within this report.

Turning in the first instance to the archaeological interests of the site, Policy ENV14 of the DWLP²⁵ concerns itself with areas considered to be of high archaeological potential and Key Statement EN5 and Policy DME4 of the emerging Core Strategy²⁶ follow these principles forward. ENV14 is considered to be NPPF compliant. Regard should also be had to paragraph

²⁵ See full text of policy at Appendix 1h.

²⁶ See full text at Appendix 2f and 2u.

141 of the NPPF²⁷ which advises LPA's should require developers to record and advance understanding of the significance of any heritage asset to be lost in a manner proportionate to their importance. The application has been submitted with an archaeological desk based assessment and subsequent geophysical survey undertaken of the postulated line of the Roman road. The archaeological unit at LCC have been consulted on this application and have commented that whilst in the first instance, they would prefer this to remain as preserved by not developing this part of the site for housing (as depicted on the Illustrative Masterplan), if such a modification were not possible then the complete length of surviving earthworks associated with the road should be recorded. As such they have not raised an objection to the development but suggested an appropriately worded condition to secure a programme of works prior to the commencement of development. Having regard to the comments of LCC I am satisfied that they have assessed the significance of the archaeological interests of the site and concluded that subject to satisfactory safeguards regarding recording of remains there is nothing in principle from an archaeological perspective to prevent development of the site.

Next it is important to consider the site's relationship with the aforementioned listed buildings and in particular:

- (a) the significance of heritage asset(s);
- (b) contribution made to that significance by their setting;
- (c) the effect of the proposed development on their setting; and
- (d) the effect of the proposed development on the significance of the heritage asset and on the appreciation of that significance.

The application was initially submitted with a Cultural Heritage Assessment that focussed on the archaeological interest within the site itself and in terms of an assessment on designated heritage assets referred to the Grade II* hall and Grade II properties on Littlemoor with a conclusion given that there will be no significant effects on those as a result of the development. As Members will see from the consultation responses received from the numerous civic amenity bodies such an approach was questioned as the details originally submitted did not sufficiently address the requirements of Section 12 of the NPPF which concerns itself with conserving and enhancing the historic environment. In particular paragraph 128 and 129 require planning applicants and LPA's to assess the significance of any heritage asset affected, including any contribution made by their setting²⁸. The level of detail should be appropriate to the assets' importance and no more than sufficient to understand the potential impact of the proposal on their significance. Thus the applicants provided a supplement to the Environmental Statement on 27 March 2013 in the form of a Heritage Impact Assessment for all designated and undesignated assets adjacent to or within the site. The report submitted provides an historic and architectural analysis of the listed buildings, and an understanding of their development based on research and recording. A statement of significance identifying the principal features of interest in the listed buildings and undesignated assets and the contribution of setting to their significance is included, together with an assessment of potential impact on significance and setting of the buildings in the context of the NPPF.

Setting is defined as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the assets and their surroundings evolve. Elements of setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

²⁷ See full text of paragraph 141 at Appendix 3.

²⁸ See section headed Conserving and Enhancing the Historic Environment in Appendix 3.

Policy ENV19 of the DWLP²⁹ is one of the policies that concerns itself with listed buildings and comments that: “*development proposals on sites within the setting of buildings listed as being of special architectural or historic interest which cause visual harm to the setting of the building will be resisted.*” It then goes on to list a number of factors to be taken into account in the decision-making process. The supporting text notes that setting may be limited to ancillary land but may often include land some distance away. The setting of individual listed buildings very often owes its character to the harmony provided by a particular group of buildings and to the quality of the spaces created between them. This is carried through into the Key Statements and Policies of the emerging Plan that deal with heritage assets (EN5 and DME4). The setting is not limited simply to visual links however, and an important part of applying the NPPF is to determine whether the setting makes a positive/negative/neutral contribution to significance. Furthermore it is important to consider whether elements of the setting affect the ability to appreciate that significance. When considering the impact of a proposal on the significance of a designed heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

There has been lengthy dialogue between the applicant, LPA and English Heritage regarding this proposal in order to assess the significance of heritage assets that may be affected by the scheme and in turn an assessment of the effect on their setting. The statutory remit of English Heritage means they have focussed their observations on the Grade II* Standen Hall and they have clearly stated within their correspondence that impacts on the Grade II listed buildings are for the LPA to appropriately assess. They have raised no objection in principle to the development on the basis of impact on the setting of the hall and contribution this makes to its significance. Discussions have focussed on the potential for safeguards as part of any planning conditions and in particular the creation and retention of a more substantial buffer zone within the application site boundary north of Pendle Brook – Jubilee Wood. It is important to point out to Committee that whilst English Heritage have stated they have no objection in principle to the relationship of the development site with Standen Hall, the Lancashire Gardens Trust consider there should be a thorough assessment of the grounds of the hall. The grounds themselves have no formal statutory designation but the LGT approach is that the grounds are a heritage asset based on their existence and association with the listed hall. I have sought further clarification from English Heritage on this matter and they have advised that as the gardens are part of the setting of the Hall they could be defined as a heritage asset. I am however mindful of the advice of the English Heritage “The Setting of Heritage Assets” revision note July 2012 which advises in para 2.4 that setting is not a heritage asset nor a heritage designation. In terms of undertaking an assessment of the gardens the issue in determining the current application (from an historic environment perspective) is whether there is sufficient information available to the LPA to understand the significance of the heritage asset ie the grounds to the hall in order to understand the impact of the proposals on that significance (paras 128 and 129 of NPPF).

Standen Hall is identified in a local list of Lancashire Unregistered Historic Designed Landscapes 2013 produced by Lancashire Gardens Trust, Manchester Metropolitan University and LCC. It builds on an earlier study undertaken in 1998 by Bennis and Dyke and aims to identify five categories of significance of site with national at the highest ie those with potential to be registered by English Heritage. Standen is categorised as of regional/county significance and a rural estate mediaeval landscape from 1757. The report defines historic designed landscapes as “*any pre late 20th century landscape of historic significance which was created*”

²⁹ See full text at Appendix 1i.

with a clear intention to alter or manipulate landscape features for specific aesthetic and/or functional purposes.” It is important to remember that these are not statutory designated heritage assets and thus the tests of NPPF in terms of significance are not as onerous. However as English Heritage have qualified the grounds to the hall can be deemed to be a non-designated heritage asset and I consider them in that context as follows.

As stated, information submitted in support of the application considers the significance of heritage assets and this includes reference to historic associations. When the applicants have considered the grounds, it has been in the context that the setting to the hall comprises principally the landscaped grounds surrounding the hall together with parkland visible to the west and the woodland belt to the north and east. If taking the stance that the grounds to the hall are indeed to be classed as a non-designated heritage asset, then regard should be had to para 135 of the NPPF. This requires a balanced judgement to be taken having regard to the scale of any harm or loss and the significance of the asset. In this instance the development proposal is outside of what I consider to be the physical boundary of the grounds to Standen Hall and therefore the scale of potential harm is reduced. As the scheme would not directly affect the asset consideration should be given to potential indirect impacts. The significance of the asset, ie the grounds, in this instance derives from its association with the Grade II* hall. They form the setting to the hall and their historic association with it is well referenced in the submitted documentation. Indirect impacts include impacts to the setting of the asset and if treating the grounds as an asset in themselves then building in fields to the north of the garden boundary could be seen to affect its setting. However in this respect I do not consider that the scale of any harm would be so significant as to suggest that permission should be resisted on heritage grounds and that the impact on setting (if the grounds are to be classed as a non-designated heritage asset) would be less than substantial.

This view concurs with the impact on significance provided by the applicant in the Heritage Impact Assessment which outlines that the impact on significance of Standen Hall will be slight adverse (see Assessment Methodology of Heritage Impact Assessment for definition of these terms).

The Council's Design and Conservation Officer has been consulted on these proposals and in comments dated January 2013, he identified three concerns as follows:

- i) Littlemoor Hamlet and its immediate environment (to brow of hill) is a unique and unharmed historic area that should be deleted from the development.*
- ii) Insufficient information concerning the significance of heritage assets (including the grade II* listed Standen Hall) has been submitted. Most importantly the Borough Council cannot consider its legal duties under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*
- iii) The outline nature of the application means that even if (ii) above is resolved, the Borough Council is unlikely to have sufficient information to consider the appropriateness of the development and questions of mitigation.*

It is noted that these comments were received prior to the submission of additional information in March that included more detailed assessments on cultural heritage. This work explores the relationship of the Littlemoor Hamlet with the development site and identifies that mitigation measures by way of a landscape buffer and variations in density can be used to minimise the loss of openness to the rear of these listed buildings. The additional information submitted provides a comprehensive analysis of impacts of the development and therefore notwithstanding the comments made in (ii) and (iii) above by the Council's Design and

Conservation Officer, I am of the opinion that sufficient information now exists in order that the scheme and its potential impacts on heritage assets can be properly assessed. In addition to the relevant sections of NPPF that have already been quoted within this report, it is also important to have regard to guidance contained within the Historic Environment Planning Practice Guide (HEPPG) that *'... the key to sound decision making is the identification and understanding of the differing, and perhaps conflicting, heritage impacts accruing from the proposals and how they are to be weighed against both each other and any other material planning considerations that would arise as a result of the development proceeding'*. Paragraph 79 of HEPPG outlines a number of potential heritage benefits that could weigh in favour of a proposed scheme and amongst other things this cites it makes a positive contribution to economic vitality and sustainable communities. Reference has already been made to the three dimensions of sustainable development as outlined within the NPPF and it is important to have regard to these when considering this particular aspect of the proposal. Given English Heritage have focused their response on a grade II* Hall, it is now necessary to consider other designated assets as follows:

The NPPF advises that as heritage assets are irreplaceable any harm or loss should require clear and convincing justification. Substantial harm should only be permitted exceptionally. The Heritage Impact Assessment submitted in support of this application has made assessments and concluded the harm to Grade II*, Grade II listed buildings and undesignated heritage assets to be less than substantial. It has also made reference to the relationship of the site with Clitheroe Castle and reached the same conclusion ie less than substantial harm. I have discussed the site's relationship with the Castle with English Heritage who whilst not raising this as an issue comment that the site could be considered to be within the setting of the Castle (following this argument you could argue the whole of Clitheroe would be). However, there are no designated or formal vistas of specific historic significance. Views of the Castle will still be available and English Heritage agree that the development would not cause harm to the significance of the Castle by altering its setting. Views can be enclosed within the development to make best advantage of the Castle as a landmark but this is a detailed matter to be addressed in subsequent applications should planning consent be forthcoming.

Turning to the various Grade II listed structures, the submitted Heritage Impact Assessment carries out analysis of impacts on setting of these and concludes that at worst without any mitigation the impact on significance of stated listed structures will be moderate adverse. With appropriate mitigation, this could be reduced to slight adverse. The fact that a view will change is not itself harmful, it is the degree to which the change of environment would impact on the value of the asset that is the important consideration. Regard should be had not only to the physical structure but to the fact that at night there would be lighting on the new street and in houses where there is currently none, and car movements would contribute to a rise in noise levels. I am of the opinion that the layout put forward on the Illustrative Masterplan has been designed to conserve the Grade II assets in a manner appropriate to their significance. A green buffer is provided to the rear of buildings on Littlemoor and to the Old Bothy and the incorporation of these has had due regard to the setting and significance of these listed structures.

To summarise I am of the opinion that saved and emerging heritage policies and guidance within the NPPF do not indicate that this development should be resisted in principle. In reaching this conclusion on the impact of this development on heritage assets regard has been had to paragraph 134 of NPPF which outlines that *"where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm would be weighed against the public benefit of the proposal, including securing its optimum viable use."*

This and the statutory duty under Section 66(1) Planning (Listed Building and Conservation Areas) Act 1990 are important factors when weighing the balance with other material considerations as decision-makers are required to do in accordance with paragraph 14 of the NPPF and this is a matter which I turn to later within this report.

Education

This is a subject raised by objectors 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 £2,566,177 towards primary provision and as a worst case scenario potentially £1,503,734 towards secondary places ie a total of £4,069,911. However, it is noted that the response outlines that as the figures represent a claim within a range, a recalculation would be required at the point at which the scheme goes before Committee. I have clarified this with officers at LCC who have outlined that as this is an outline application and thus the number of bedrooms for properties are not fixed, it would be appropriate to draft any Section 106 Agreement in such a way that recalculations are carried out to a fixed methodology at such time as phased payments are due, based on bedroom sizes. This approach was adopted by LCC in relation to the recent Public Inquiry concerning 504 dwellings at Barrow Lands and given the size of this development and the fact it will come forward on a phased basis over an extended period, careful drafting of clauses in any such legal agreement will be required to ensure the phased payment of contributions to match delivery of dwellings and wider needs. The applicant is aware of the need to make a financial contribution towards both primary and secondary provision and has included this within the draft Section 106 Agreements heads of terms that are covered elsewhere within this report.

The LCC Planning Obligations in Lancashire Education Methodology Paper states that when a development is of a significant scale and when it is not feasible to expand one or more existing local schools, LCC will seek a school site to be provided by the developer. Thus, the application also identifies a 2.1 hectare primary school site which is positioned to the north western boundary backing on to properties that front on to Gills Croft and Pagefield Crescent. There is a public right of way that crosses the application site and the land set aside for the school would be set between this and the site boundary. The property team at LCC have determined that the size of site would be sufficient to accommodate a two form entry school as prescribed by building bulletin 99 (details provided in the design and access statement by the applicant have assumed a 7 classroom single form primary school). LCC have commented that as the proposed site has a small gradient towards the north west boundary, this could affect how a new building is located and that as a number of bungalows back on to the north western boundary of the site, any development for a school would have take into account impact on these properties. Clearly details of design of the proposed school building are a matter for submission at reserved matters stage but the applicant has indicated they would be agreeable to the imposition of a condition stating that a school building would not exceed 9m in height and be located a minimum of 21m from the rear boundary to properties that butt the proposed school site as detailed on the illustrative masterplan. However, it is important to remember that it may be LCC who build the school and thus comments have been sought from them on this matter. They consider that the measurements shown both in the scale parameters and conditions are generally acceptable. In respect of the difference of opinion between themselves and applicant regarding the site size being able to accommodate a two form entry school comment that the site size may appear more than adequate due to the irregular shape as it is bounded by a public right of way. They remain of the view that the site is capable of supporting more than one form of entry but this is a matter which would be resolved in the future with detailed applications for consent and future expansion if required.

In terms of the actual delivery of the school, initial thoughts had been to specify that such details come forward in phase 1 of the development and be conditioned as such. After discussing this with LCC, who could be the developers of this aspect, it is considered that a trigger mechanism incorporated into any legal agreements to ensure it is delivered at the right time having regard to the needs of not only this development but also the wider catchment area it would serve is the most appropriate approach to take. Subject to agreement over the clauses within the legal agreement, there are no objections raised in principle from officers at LCC to the proposed educational aspects of this proposal.

Flooding/Drainage/Water Supply

Members will note that in terms of representations received relating to infrastructure provision, concerns have been raised regarding water and waste water services as it is felt by objectors that these are already at maximum capacity.

United Utilities were consulted on this application and there has been an ongoing dialogue with them in order that they can fully assess potential implications of this development on the existing network. It is clear that as a result of this, they have considered the impact of the proposals on their network and concluded that subject to the imposition of a series of very stringent conditions being imposed on any consent granted, they raise no objections to the scheme.

The Local Planning Authority has also undertaken consultation with the Environment Agency in respect of this scheme which is located predominantly within the flood zone 1, with a small part of the site located in flood zones 3 and 2 adjacent to Pendleton Brook. In order to ensure the proposed development will not be at risk of flooding or exacerbate flood risk elsewhere, the submitted information in support of the proposal identifies that areas identified as flood zones 3 and 2 will have their use restricted to water compatible uses ie amenity open space areas, and attenuate surface water un-off to existing greenfield rates through the use of SUDs. The Environment Agency have stated that they are satisfied that the proposed measures will ensure that the development will not be at an unacceptable risk of flooding or exacerbate flooding elsewhere. This is on the proviso that any future development proceeds in accordance with the recommendations of the Environmental Statement and thus it is important to ensure that appropriately worded conditions are imposed should Committee be minded to approve the application to secure this.

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 in the submitted forms and supporting technical documentation would not lead to significant issues in respect of flooding, drainage and water supply.

Layout/Scale/Visual Amenity

I have already made reference elsewhere within this report to the purpose of the planning system being to contribute to the achievement of sustainable development to which there are three dimensions. These give rise to the need for the planning system to perform a number of roles and with respect to the environmental role, this means contributing to protecting and enhancing our natural, built and historic environment.

Reflecting the environmental role, the core principles of NPPF include the following:

- *taking account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside; and*
- *contributing to conserving and enhancing the natural environment.*

In that context the planning system should contribute to and enhance natural environment by protecting and enhancing valued landscapes.

Valued landscapes are not defined in the NPPF and paragraph 113 of the Framework advises Local Planning Authorities to set criteria based policies against which proposals for any development on or affecting protecting landscape areas will be judged. It states further that *great weight should be given to conserving landscape and scenic beauty in national parks, the broads and areas of outstanding natural beauty, which have the highest status of protection in relation to landscape and scenic beauty.*

The application site is not a designated landscape (paragraphs 113 and 115 NPPF³⁰). It is characterised as undulating lowland farmland, lying outside any defined settlement boundary and thus in landscape terms Policy ENV3 of the Districtwide Local Plan³¹, Key Statement EN2 and Policy DME2 of the emerging Core Strategy³² apply. In essence these seek to ensure that the development proposals do not undermine the inherent quality of the landscape and that the open countryside is protected from inappropriate development. However, Members should note that as ENV3 is applicable to areas outside of defined settlement limits and this report has already recognised that there is a need to extend out beyond these boundaries onto green field land. Thus the weight be afforded to that particular Policy is reduced.

The application contains as part of the ES a Landscape and Visual Assessment (LVIA). Additional information was submitted in March 2013 to supplement this by way of a series of photo montages of a representative view from Pendle Hill AONB, a footpath on Pendleton Moor and Clitheroe Castle denoting existing views and those that would be evident in years 5, 10 and 15.

The LVIA has been carried out following recognised guidance and the assessment preceded publication of the third edition of the Landscape Institute's guidelines for Landscape and Visual Impact Assessment. Regard has been had to a number of landscape character analysis documents in the production of the LVIA as follows:

- National – Natural England Landscape Character Map of England, National Joint Character Area JCA33, Bowland Fringe and Pendle Hill;
- Regional – North West Regional Landscape Character Framework, Countryside Commission, August 2009;
- County – Lancashire Landscape Character Assessment, Lancashire County Council December 2000;
- Forest of Bowland Area of Outstanding Natural Beauty, Landscape Character Assessment Natural England September 2009.

From these the LVIA identifies the landscape characteristics of the area in which the application site is set and of particular note are:

³⁰ See full text of paragraphs 113 and 115 at Appendix 3.

³¹ See full text of policy at Appendix 1d.

³² See full text at Appendix 2c and 2s.

- Undulating lowland farmland lies between the major valleys and moorland fringes;
- Some of the most picturesque stone villages of the county lie within this landscape type but the towns of Clitheroe and Longridge, which also occur within this type are not typical of the settlement pattern;
- There is a high density of farms and scattered cottages outside the clustered settlements linked by a network of minor roads;
- It is a particularly well settled area and provides a corridor for communication routes along the valley. The A59 runs the length of the area. This communication structure has encouraged built development and industry;
- The landscape pattern within this landscape character area is dominated by the large town of Clitheroe which is situated at the convergence of major road and railway corridors. These corridors introduce a source of noise and visual intrusion and disturb the overall sense of tranquillity.

The LVIA provides an assessment on landscape condition, value and sensitivity and in terms of landscape value, identifies that the site has value as part of the countryside surrounding Clitheroe. Furthermore, *its development will expand the periphery of Clitheroe bringing the urban edge close to other areas of countryside through its value is partially diminished by the starkness of the existing urban edge bounding the site. The development of the site will result in a reduction in the overall quantity of the countryside. The landscape is not of high value as it is not part of the Bowland Fells AONB. The landscape is not of low importance as the footpath through it has recreational value and it forms the edge to the urban area of Clitheroe.*

In terms of the landscape sensitivity of the site, the LVIA refers to the Forest of Bowland AONB Landscape Character Assessment interpretation which states that the landscape character and visual sensitivity of this landscape is considered to be moderate. Consideration is then given to predicted effects and their significance both during construction and 15 years post development. This scheme will replace undeveloped fields in the lowland character type with development which is change which will be noticeable but it is argued not uncharacteristic having regard to the landscape character studies mentioned previously. During construction the LVIA acknowledges that the likely significance of landscape effect could be described as significant and 15 years post development not significant. Equally, it is acknowledged that there will be some impact on the nearby AONB but that it will be limited due to the distances involved. Consideration is also given in the report to effects on public rights of way, effects on settlements and properties and on recreational facilities and heritage sites.

The proposed development will have an effect on the landscape and the submitted study has considered the effects of the development on the character of the landscape both as a site and in the wider surrounding area. The overriding conclusions reached are that whilst change to the landscape would occur, there is no significant visual intrusion – that is change which leads to an uncharacteristic element within the view.

As Members are aware, Standen is the strategic site in the emerging Core Strategy and that document has been subject to a Sustainability Appraisal report. The SA report dated September 2011 considered an option for the proposed development strategy that would have focused 50% of the growth for the borough at a strategic site in Clitheroe and the remaining 50% being evenly distributed against the borough (option D). One of the key strengths of this approach was seen as being the strategic site would avoid the most environmentally sensitive area of the borough but equally a key weakness that the scale of this strategic had the potential to result in local landscape and visual intrusion including views from the AONB towards

Clitheroe. The strategic site has been reduced in size since that time by up to a third and as Members are aware, a hybrid approach adopted of the initial draft strategy options to address a number of concerns raised in the SA report.

Hyder who had undertaken the initial SA work identifying potential issues with the larger strategic site were again commissioned to revisit the conclusions of the 2011 report in light of the reduced site size. A site visit was undertaken in March 2013 with the Council's Head of Regeneration and Housing and the AONB Officer from LCC – Members will note that the latter raised concerns in relation to the development proposal in respect of lack of visualisations of the development scheme in the wider landscape (subsequently submitted as additional information). That visit corroborated the findings of the earlier report which identified that the Standen site would affect the local landscape and would be visible from particular locations within the AONB, particularly during the construction phase. The setting of the AONB could therefore potentially be affected at this stage of development. However, through careful mitigation and design of any proposed masterplan, the effects on the setting and views from the AONB would become insignificant in the long term. They consider it is, therefore, essential that a masterplan for the site is developed very carefully with the following further suggestions made:

Potential effects on the local landscape would be unavoidable although these could also be minimised in the long-term through careful design. The development of the site would result in a large greenfield area being lost between the urban fringes of Clitheroe and the parkland landscape associated with Standen Hall to the south. This may potentially have an effect on the local setting of Clitheroe and would be visible from tourist attractions such as the Castle. Again, following careful masterplanning and establishment of landscape mitigation over time, the impacts on the local landscape would become less significant in the longer term.

A number of specific mitigation measures have been suggested to add to those mentioned in broad terms in the SA Report:

- *The edges of the development should be softened to integrate into the surrounding greenfield land. This is particularly important at the sides of the development that are visible from the AONB.*
- *Green corridors should be incorporated throughout the development to break up the appearance of a large block of development and avoid a large-scale roof-scape. Again, views from the AONB should be considered when designing where and how to incorporate these corridors.*
- *The built form should be integrated with the green corridors and the spaces should be retained for the purpose of landscape integration. Such green spaces and corridors could serve a dual function as recreational space, walking/cycling routes, drainage and/or as wildlife corridors.*
- *Appropriate materials should be used that both reflect the local style but also that reduce the visual impact on the landscape – bright colours should be avoided and natural materials such as slate roofs and stone facing should be encouraged, again, particularly on buildings and facades which are visible from the AONB and other important viewpoints. Similarly, the scale of buildings should be appropriate to the surrounding area and tall structures should be avoided.*

It would be necessary for any proposed masterplan and planning application to be designed with considerable care to take these recommendations into account in order to minimise the effects on the local landscape and the AONB. Any such application should be accompanied by a robust landscape and visual impact assessment which meets the requirements of the

Landscape Institute's guidance. It is recommended that RVBC formalise these recommendations in a design guide for the site.

At the same time as undertaking the above, Hyder were asked to carry out a review of the LVIA submitted as part of the ES that accompanies this planning application. That identifies the LVIA could be made more robust and transparent and notes that the assessment is based on a higher level of character type assessment than on site specific landscape characterisation. As such, it does not in their opinion fully consider the landscape character of the surrounding landscape which could potentially be affected by the proposed development, including the setting to the nearby AONB. They have also commented that it is not clear to them how the findings of the LVIA have been fed into the design and development of the illustrative masterplan and in particular how the density, scale and form of the outline development blocks may be influenced by their relationship with the AONB and also views from Clitheroe Castle. In respect of the latter the potential impact of this development on the Castle has been discussed with English Heritage and a commentary provided elsewhere within this report. Having regard to the site's relationship with the AONB guidance has been sought from the Principal AONB Officer at LCC. He has confirmed that the additional information provided by the applicant has satisfied his initial concerns and goes further to state that subject to robust conditions being set for the applicant to address those concerns expressed previously about improving design/layout and landscaping to mitigate the impact on views from within the AONB he would not object to the consenting of this outline application. Therefore from a landscape protection stance I am of the opinion that the development of this site would not in principle be at conflict with the relevant planning policies.

Moving from the overarching landscape impact to more detailed site specific considerations as stated previously this is an outline application with all matters reserved for future submission. 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 Masterplan and Parameters Plans showing various parameters have been submitted to provide an indication of how the proposal could be configured within the development site. In respect of the actual layout of the scheme Members are reminded that the layout as put forward is illustrative and thus only indicative at this stage. The submitted D&A statement includes a design code framework and design principles that underline the Illustrative Masterplan and which can be used to inform future reserved matters applications. The approach to urban form suggests a range of rectilinear blocks to assimilate with surrounding street patterns formed to create a series of character areas including the range of landscaped spaces. The character areas as defined are formed to respond to their siting within the overall development site breaking it down into a series of neighbourhoods. Density and height plans set out where suggested densities are considered appropriate. A number of views both out and through the site are identified as of importance as is a street hierarchy approach. Overall, it promotes a design approach which seeks to create varying street/area typologies within the development site that respects the existing townscape features of Clitheroe and seeks to create a new quality townscape. The layout of the proposal has been informed by the aim to retain as much of the existing landscape features on site as possible including field boundaries, trees and water courses, the route of the former Roman Road across the site, relationship of proposed built form with existing properties to the north and west with buffer zones to create visual separation from adjacent buildings. The detailed matters of design are reserved for future

submission, Members should use the indicative layout and scale as a guide in the determination of this application.

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 north of the site are residential properties on Shays Drive, Pagefield Crescent and Gills Croft, the playing fields of Ribblesdale School, Lingfield Avenue and Hillside Close to the north and north west. Standen Hall and dwellings surrounding The Old Bothy lie to the south of the site with properties fronting onto Littlemoor and Little Moor House to the north/north western corner of the site. To the east of the site is Four Lane Ends Cottage which lies to the opposite side of Worston Old Road.

The proposed school site is to be set to the east of properties fronting Gills Croft and Pagefield Crescent. The Design and Access Statement provides details of indicative maximum heights of buildings and in respect of the school this shows 9m. At this outline stage again I am of the opinion that in terms of separation distances between the existing built form the distances are acceptable (a minimum of 21m between the rear boundary of properties has been agreed by the applicant) and that detailed consideration can be given to matters of overlooking and overshadowing when precise details of the buildings design are submitted at reserved matters stage. I am also mindful of the potential noise implications from a school building in proximity to residential properties and have discussed this with the Council's Head of Environmental Services. There will undoubtedly be some noise generated by this aspect of the overall development by the dropping off/picking up of children and use of external areas for play. In respect of the latter an acoustic fence could be erected along the site boundary with affected properties to protect downstairs rooms and garden areas from any adverse noise impacts. Having regard to the traffic associated with the start and close of the school day it will be important to ensure that any reserved matters application provides for sufficient drop-off facilities in an appropriate location.

I am mindful of the topography of the site and fact that site levels range from 114.1m AOD in the far east to 79.7m AOD in the far west. No site sections have been submitted to show the relationship between new built form and those surrounding although it is noted that the D & A makes reference to the scale of buildings proposed being considered within the topography of the site. The predominant scale across the site will be 2 storeys but a parameters plan accompanying the application denotes areas where development shall not exceed 1.5 storeys in height with a proposed stand-off distance from the site boundary to proposed rear building lines of 15m. Since submission the applicants have offered to qualify this further by indicating they are agreeable to a condition (should committee be minded to approve the application) stating that no buildings above 6 metres in height (1.5 storeys) shall be located within 21 metres of the boundaries of properties in Lingfield Avenue, Hillside Close, Shays Drive, Brett Close, Pagefield Crescent and Gills Croft.

Additionally, the revised Illustrative Masterplan includes provision for areas of open space/green corridors that serve to lessen any visual impact upon the dwellings on Littlemoor, Four Lane Ends Cottage and the properties on the Standen Hall Estate. I am of the opinion that on the basis of the information submitted there would be sufficient distance to respect privacy levels but this will be a detailed matter to finalise as part of any reserved matters application.

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. The visual impact of built form to be sited on the rising gradient sections are likely to be afforded a higher level of visibility within the landscape but due to their distance from existing dwellings I do not consider they would be of significant detriment to the residential amenities of existing occupiers by virtue of their scale or proximity. If consent were to be granted conditions could be imposed requiring submission of any intention to raise or lower existing land levels in order to properly assess the potential impact on adjoining areas in respect of both visual amenity and impact upon residential amenity. As it is likely that this development will come forward in phases it will be important to ensure that any such conditions are phrased appropriately in order to ensure that such details are consistent across the entire site.

In respect of the internal relationship of the development site, the Illustrative Masterplan and design principles set out in the D & A indicate that properties will be outward facing to ensure natural surveillance over streets and spaces.

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 and general arrangements there would be scope for repositioning of the proposed dwellings to achieve a greater separation distance if considered necessary at a later detailed stage.

Miscellaneous

Given the proximity of the site to the A59 and the uses proposed in proximity to residential properties that bound the site, consideration has been given to noise as part of the assessment of this application. It has been concluded that in terms of effects from construction suitably worded conditions can be imposed in order to protect existing residential amenities of properties in close proximity to the site. Similarly suggestions for glazing and boundary treatments have been made and following discussions between the applicant and the Council's Head of Environmental Services, there are no objections raised to the principle of development on noise grounds. Air Quality Management has also been considered and no significant impacts raised by officers in this respect.

Section 106 Agreement Content

The purpose of planning obligations is to make acceptable development which would otherwise be unacceptable in planning terms. Accordingly regards has to be had to Circular 05/2005, the statutory tests in Regulation 122 of the Community Infrastructure Levy Regulations and paragraph 204 of the National Planning Policy Framework, namely:

Planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

The Local Planning Authority needs to be satisfied that these tests are met. Evidence provided to enable this assessment to be made is likely to include:

- The relevant development plan policy or policies, and the relevant sections of any SDP or SPG
- Quantified evidence of the additional demands on facilities or infrastructure which are likely to arise from the proposed development
- Details of existing facilities or infrastructure, and up-to-date, quantified evidence of the extent to which they are able or unable to meet those additional demands
- The methodology for calculating any financial contribution which is shown to be necessary to improve existing facilities or infrastructure, or provide new facilities or infrastructure, to meet the additional demands
- Details of the facilities or infrastructure on which any financial contribution will be spent.

In respect of this there are various component parts to the legal agreement some of which are RVBC functions (affordable housing and public open space) and some are Lancashire County Council functions (education and highways). Therefore, the following observations are offered in this respect.

The Ribble Valley Districtwide Local Plan policy on legal agreements G10 was not saved. However, the Council prepared an evidence base paper for the emerging Core Strategy concerning legal agreements and outlined that contributions sought would be for matters associated with affordable housing, education, highways and public open space. These contributions are now featured in DMI1 of the emerging Core Strategy document which states that obligations will be negotiated on a site by site basis. It reaffirms that the contributions sought will be affordable housing, improvements sought for highway safety, open space and education.

Affordable Housing

Affordable housing is an on-site contribution of 30% of the site being for affordable housing purposes in accordance with plan policy expressed in the Council's Housing document in place which sets the quotas for the provision on affordable housing on qualifying sites –the Affordable Housing Memorandum of Understanding AHMU). This is a document that has been approved by the Council's Housing Committee (the appropriate service committee for that function) and agreed by Planning and Development Committee to be treated as a material planning consideration in the determination of planning applications. The requirements of the Addressing Housing Needs document have been incorporated into the Regulation 22 Submission Draft of the Core Strategy (H3 & DMH1).

Public Open Space

In relation to the financial contribution for public open space the policy basis for this is within RT8 of the Ribble Valley Districtwide Local Plan (carried forward as DMB4 in the emerging Core Strategy). A sum of £800,000 has been agreed to enhance provision at the existing Ribblesdale School facility that immediately abuts the site. This is a location that has been identified in the recently undertaken sports facilities audit as one of the 4 sporting hubs throughout the borough where enhanced provision is to be provided. The establishment of these hubs was as a direct result of an audit of existing provision throughout the borough and an identification of areas where improvements are required due to a lack of facilities. The scale of this development means that whilst there are 3 on site play areas proposed on the Illustrative Masterplan, as well as the proposed creation of ecological trails, these are not considered sufficient in themselves to adequately serve a development site of this size. Therefore the option of a contribution to an

enhanced facility immediately adjacent to the development site that can be used by its residents is considered to meet the test of being directly related to the development. Reference has been made elsewhere within this report to the dialogue which has taken place between the applicant, RVBC (Head of Leisure and Cultural Services) and Ribblesdale School regarding the level of facilities that could be accommodated on this particular site to serve this development as well as the school and the wider community. As there will be mixed usage of the proposed facilities at Ribblesdale by not only residents from this development but the school and wider area there has been a need to ensure that any contribution sought from this development is proportionate in scale and kind in order to meet the relevant tests outlined above. Having given careful consideration to the matter it is concluded that the sum is fairly and reasonably related in scale and kind to the development and thus the contribution meets the appropriate tests.

Education and Highways

These are functions of Lancashire County Council and the sums requested by them are based on their Council document entitled 'Planning Obligations In Lancashire Policy' and subsequent revisions to the subject matter therein. The paper puts forward principles, methods and good practice with the aim of developing a consistent and robust approach to planning obligations across Lancashire. It is considered that the contributions sought by them in terms of education are necessary to make the development acceptable in planning terms due to the projected shortfall in school places being directly related to this proposal to mitigate the impact arising directly from the number of new dwellings, and fairly and reasonably related in scale and kind to the development based on the anticipated number of bedrooms created. Further negotiation on the exact clauses within the legal agreement will enable a mechanism for review to be incorporated into the agreement when the exact number of bedrooms is established at subsequent reserved matters stages. There is also an obligation proposed in respect of highways contributions and on the basis of the scale and type of development, having regard to LCC guidance on relevant contribution requests in the aforementioned document it is again considered that the sums requested meet all of the appropriate tests.

Jubilee Wood

The applicant has proposed that the management of the woodland known as jubilee wood be included within the planning obligation. The woodland runs between the site and Standen Hall which is Grade II* listed. Discussions with English Heritage has reaffirmed the importance of a buffer zone between the site and the listed hall and thus the appropriate management of this is necessary to make the development happen, is reasonably related in scale and kind and directly related to the development. For these reasons it is considered to be an appropriate inclusion within the proposed legal agreement.

The proposed agreement will provide for the key following aspects, some of which will require further negotiation should Committee be minded to approve this application eg reservation period for school land:-

1. Affordable Housing

- i. 30% of the housing units to be affordable ("the Affordable Provision")
- ii. 15% to be reserved for elderly persons of which one half will be within the Affordable Provision and one half within the remaining market provision.

2. Sport and Leisure

- i. A contribution of £800,000 (50% of current estimate) towards the provision of additional/improved sport and leisure facilities to serve the development.

3. Education contributions

A commuted sum of [to be agreed] to be paid to LCC as the statutory education authority for the specific purpose of funding local education requirements arising from the proposed development (such requirements to be assessed) in respect of both primary and secondary provision.

4. School Land

A site of up to 2.1ha for primary school. This site area is made up of a parcel of 1.09ha (Primary School Land) and a balance of 1.01ha for possible future expansion (Primary School Extension Land).

The Primary School Land shall be reserved and held by the Owner for the Reservation Period of [x] years solely for the construction and operation of a Primary School.

The Section 106 Agreement shall set out the terms of any transfer of, and the consideration for, the Primary School Land.

In the alternative, the Owner may enter into a contract for the transfer of the Primary School Land to a non-profit company limited by which has entered into a Funding Agreement with the Secretary of State to establish a Free School (Academy). If this happens the right of the County Council to call for the transfer of the Primary School Land shall terminate.

The Primary School Land and the Primary School Extension Land will be released from the S106 obligations if the Reservation Period expires without the County Council calling for the land or upon the Owner transferring the land to a non-profit company for the establishment of a Free School.

If the Primary School Land is transferred to the County Council or a non-profit company for the establishment of a Free School, then the Reservation Period for the Primary School Extension Land shall expire five years after the opening of a school on the Primary School Land.

5. Transportation and Travel Plan

A contribution towards funding a Travel Plan relating to the Development payable by annual instalments of Twenty Five Thousand pounds for a period of 20 years commencing on the occupation of the first residential unit on the Site. There will be provision for unspent monies from any year to be repaid or offset against Travel Plan costs in the following year.

The sum of £1.7m shall be payable in twenty equal annual instalments commencing upon the occupation of the 75th residential Unit on the Site. Such monies along with any revenue or income derived from the relevant bus services shall be applied to subsidise Public Transport Services serving the development on the Site for a period of twenty years from

the due date of first payment and any part of the annual subsidy not so expended in any year shall be repaid to the Developer.

6. Jubilee Wood

The owner will procure the management Jubilee Wood shown in accordance with a management plan to be agreed with the Council.

The agreement will include provisions relating to the date trigger points in the development when sums are to be payable, with provisions for phasing where appropriate, and for repayment of unused monies.

Planning Balance

This report has set out that the proposal as submitted can be judged to represent well planned and beneficial sustainable development as set out in paragraph 7 of the NPPF and the associated policies in paragraphs 18 to 219. As such the presumption in favour of sustainable development unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits ie the test of the 1st bullet to the 2nd dagger of paragraph 14³³ of the Framework comes into play.

In support of the application the applicant has submitted a detailed note which sets out the potential benefits associated with and potentially resultant from the proposal should planning consent be granted. Members are referred to the file for full details of all the information submitted which I have taken into account along with the submission documentation and substance of this report in considering the overall planning balance of this application as follows.

Assessed Harm

Issues of potential harm have been identified in this report by way of impact on the spatial vision in the emerging Core Strategy, highway considerations, impact on the setting and significance of heritage assets, landscape character, loss of habitats and impacts on biodiversity.

In terms of prematurity, this is point made by third parties and as Members will note this is acknowledged by officers as a development that could prejudice the Core Strategy process. However, there remain uncertainties over the spatial vision, overall housing numbers and apportionment of growth within the emerging plan as unresolved objections remain and these will be considered as part of the Examination process. Thus there is limited weight to be attached to those policies at this time. Having regard to Government guidance on such matters as expressed in the General Principles document and more recently on the draft National Planning Practice Guidance website it is concluded that such circumstances would not justify a refusal of planning permission on such grounds. It is concluded that the prejudice to the Core Strategy process that has been identified should not be afforded significant weight and should be weighed in the planning balance against other factors such as the current existing unmet need for housing.

It is clear from the observations of the County Surveyor that concerns are raised regarding the access strategy proposed. However as explained within the highway safety/accessibility section of this report that is not presented as an evidence based objection on highway safety matters

³³ See full paragraph 14 text at Appendix 3.

moreover a concern about traffic congestion. Thus whilst recognising this as an adverse impact of the development in attaching weight to this issue alone in the planning balance I do not attach significant weight to it but say it carries a moderate level of weight ie a level lower than significant in recognition of the safety –v– congestion arguments advanced previously. I am also mindful that ultimately it is for the Local Planning Authority, and not the LHA, to balance any adverse highway impacts (and any other adverse impacts) against the benefits of the proposal.

After careful consideration of the documentation submitted in respect of heritage assets and the various consultation responses received, I am of the opinion that the proposal would not have any adverse effects upon the significance of the heritage assets identified and thus I attach limited weight to this in the planning balance.

In terms of landscape character greenfield development can seldom take place without landscape character change and visual effect. It is important to remember that none of the application site has a special/protected landscape designation and the site and its immediate surroundings are not recognised as being highly sensitive to landscape change. In this regard I am mindful of the proximity of Pendle Hill AONB but the overriding conclusion reached in this respect is that whilst there will be an effect on the landscape there will be no significant visual intrusion and thus I attach limited weight to this in the planning balance.

Having regard to habitats and biodiversity, the technical documentation and surveys submitted indicate that whilst development of this greenfield site would have an impact on wildlife and arboricultural interests, this would not be significantly detrimental and mitigation measures can be put in place to compensate for any loss as a direct result of these works taking place. Thus I attach limited weight to this in the planning balance.

Benefits

The development will provide local facilities, a school site, business village, bus stops, leisure walks and play areas within the site in an acceptable walk distance of the new homes and work places (and for some of those already resident locally). It is widely accepted that the housing industry has a critical role to play in terms of the national economic recovery. This has been extensively reported through Ministerial Statements and the Government's Growth Agenda.

The creation of an additional 1040 dwellings and associated uses is likely to create 410 permanent jobs on the site of which 310 would be in the proposed business village, 50 in the school and 50 in the community/retail site. In addition there would be another 90 'indirect' jobs in the local economy and up to 180 construction jobs on site per year for 12 years (*'Laying The Foundations: A Housing Strategy for England', HM Government, 2013 states that for every new home built, up to two new jobs are created for a year. Assumption for this site - 90 homes per year for 12 years.*)

It is likely that approximately £9.8m in New Homes Bonus would be generated over a six year period from completion of the development (80% [7.84m] to RVBC and 20% [1.96m] to LCC. As members will be aware the bonus is not ring-fenced and it is for the Local Authority to decide how to spend this money. It should also be noted that the payment of new homes bonus is currently subject to Government consultation with the payment to be made to Local Authorities likely to be reduced.

This application helps to achieve the economic role of sustainable development through these direct construction related benefits, indirect economic benefits, local socio-economic benefits, growing labour force, enhanced local spending power and public revenue for investment in community services but also through the provision of new infrastructure including a new school and improvements to the existing highway network.

Clitheroe is a Key Service Centre within the Borough and a settlement identified to accommodate residential growth in a sustainable manner over the Plan period.

This application seeks permission for 1040 new homes including 312 affordable homes which will make a positive contribution towards meeting the housing need in the area – a social benefit of the proposal. It is also of note that 15% of the whole 1040 dwellings will be for over 55s (156 – half of which [78] will be affordable).

As well as the social benefits of having ready access to services in the settlement, future residents at Standen will also have ready access to the surrounding countryside, encouraging a healthy lifestyle. Integration with the town and planned for sustainable travel modes, permeable with connections to and through the site for pedestrians, cyclists and public transport services, enhanced foot and cycle links between Clitheroe and countryside to the east and south will be provided as a part of the development. The applicant is also offering contributions towards sports facilities locally as well as the provision of 3 play areas on site.

A key further social benefit is that land will be made available for a new primary school on the site which will enable local children to obtain a high quality education in a location close to where they live. A high quality education is of integral importance to future economic growth. The proposed school site is also in a location that is easily accessible for existing and future residents and addresses an identified need. This is in addition to financial contributions towards new school places at a primary and secondary school level.

A key part of the social role of sustainable development is to ensure that housing is provided to meet the needs of the present generations as well as those in the future. Development at the Standen site will help achieve this in a new high quality built environment, with accessible local services that reflect the community's needs. Of note is that the land is in single ownership and available for development and thus in terms of deliverability notwithstanding the size of the development it should come forward in a cohesive, comprehensively planned manner.

Additionally, the scheme will also deliver a package of highways and transport improvements including:

- A new modern standard roundabout to replace the dangerous staggered junctions between Pendle Road and A59.
- The quantum of development is sufficient to support the provision of £2.2m funding for new bus services to serve the development and enhance existing provision within Clitheroe.

Overall Conclusion

This report has made reference to several planning policies within the Districtwide Local Plan, emerging Core Strategy and NPPF. The Districtwide Local Plan has saved Policies and whilst some have been highlighted as being consistent with the NPPF there are others that are not (see para 215 of NPPF for weight to be attached to these) and are now considered out of date.

The reasons for those Policies being out of date are twofold:

- i) They were formulated in the late 1990's and the Plan has expired.
- ii) Green field development is required so these Policies must be breached.

A key consideration is also that the Local Planning Authority is unable to demonstrate a five year supply of sites (see paragraphs 49, 47 and 14 of NPPF for implications).

In respect of the emerging Core Strategy reference has been made to Key Statements and Policies, some of which have unresolved objections, and all of these are yet to be tested through the EiP process. Therefore the weight which can be attached to them is I consider limited.

The proposal before Members therefore falls to be determined against the principles of the NPPF and the decision making framework therein of paragraphs 196, 197, 14 and 6. The development as outlined in the submitted documents has been assessed against the Policies in the framework and whilst it will undoubtedly have some negative impacts when considering paragraphs 18 – 219 taken as a whole and the economic, social and environmental roles of the planning system as laid out in paragraph 7 of the framework, this scheme is considered to represent sustainable development.

With regard to adverse effects identified I do not consider prematurity to carry any significant weight in the planning balance. There will be impacts on the highway network but I do not consider these severe in NPPF terms to carry substantial weight in the planning balance. As stated previously the Council is unable to demonstrate a five-year supply of housing and this factor can have a bearing on whether other areas of objection/concern can be overcome. Given the concern expressed by LCC is one of congestion and as I outline this can be considered to be a step lower down than highway safety on the tests of severity, I am of the opinion that the congestion concern is in this instance outweighed by the lack of a five-year supply. The effect of the development upon setting and significance of heritage assets has been considered. It is concluded that there is no harm identified such that the scheme falls foul of the LPA's statutory duty under the relevant Act(s) or the requirements of the NPPF. In respect of landscape and visual impacts the application proposes development at the edge of a settlement – the largest settlement in the borough. As such, the development will result in change from undeveloped fields to new homes, a primary school, local retail, service and community facilities and bespoke business village but it will do so in a sustainable way. There will be some effects on ecological considerations but the submitted documentation indicates appropriate mitigation can be secured. There is no evidence to suggest that the potential impacts of the development will lead to significant adverse harm. Of those limited impacts that have been identified, these do not in my opinion significantly and demonstrably outweigh the benefits of the development, in accordance with paragraph 14 of the NPPF.

In contrast to this there are a number of important socio-economic benefits that would be derived as a result of this scheme coming forward. This absorption of much needed mixed use development in a location and manner that has significant benefits and limited change is the most environmentally responsible way of accommodating the growth that is required. The development carries the full weight of the Framework delivering sustainable economic growth and boosting significantly the supply of housing.

In my opinion having regard to the submission documents and representations received the overall conclusion reached is that Clitheroe is a Key Service Centre within the Borough and a settlement identified to accommodate residential growth in a sustainable manner over the Plan period. It is recognised that the scheme will have some impacts on the town but fundamentally

it is not considered that the harms identified significantly and demonstrably outweigh the benefits. For this reason the scheme should be given favourable consideration subject to the necessary departure procedures (the scheme is not in accord with the saved policies of the Districtwide Local Plan and is a development outside the town centre which includes retail and office uses with a floor space that exceeds the threshold in Circular 02/2009), subject to the imposition of conditions and a S106 Agreement to secure the measures identified in brief above.

SUMMARY OF REASONS FOR APPROVAL

The proposal in that it represents an appropriate form of development would not result in visual detriment to the surrounding countryside, nor would it have a significant visual impact on the setting of listed buildings, nor would it have an adverse impact on nearby residential amenity or be to the detriment of highway safety.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Community Services for approval following the conclusion of departure procedures, the satisfactory completion of a Legal Agreement within 3 months from the date of this decision and subject to the following conditions:

Details

1. The development hereby permitted shall not be carried out except in substantial accordance with the principles and parameters described and identified in the Design and Access Statement dated October 2012 and Parameters Plan drawing number SP(90)14D.

REASON: For the avoidance of doubt to define the scope of the permission.

2. The following drawings are authorised by this planning permission:
Site Boundary Application Plan Drawing SP(90)15D
Parameters Plan Drawing SP(90)14D

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

Phasing

3. Prior to the submission of any reserved matters application, a phasing plan including the parcels which shall be the subject of separate reserved matters applications shall be submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include details of the maximum number of dwellings other land use types and other supporting infrastructure developments (within and external to the site) to be implemented in each phase of development. The development shall be carried out in accordance with the approved phasing plan.

REASON: To ensure the satisfactory phasing of the development and to ensure that the development, including affordable housing, open space, employment and community uses is delivered with supporting infrastructure in a co-ordinated, planned way.

Design Codes

4. Prior to the submission of the first reserved matters application for each phase, a detailed Design Code for that phase shall have been submitted to and approved in writing by the

Local Planning Authority. The detailed Design Code shall demonstrate how the objectives of the Design and Access Statement will be met, including the Character Areas, Landscape Framework and Building in Context principles set out in Appendix 1 thereto, and shall take account of the drawings referred to in Condition 2 above. The development hereby permitted shall be carried out in accordance with the approved Design Code. The Design Code shall include the following:

- a) principles for determining quality, colour and texture of external materials and facing finishes for roofing and walls of buildings and structures including opportunities for using locally sourced and recycled construction materials;
- b) accessibility to buildings and public spaces for the disabled and physically impaired;
- c) sustainable design and construction, in order to achieve a minimum Code for Sustainable Homes Level 3 (or other such equivalent sustainability standard as may be agreed in writing by the Local Planning Authority) for residential buildings and a 'very good' Building Research Establishment Environmental Assessment Method (BREEAM) rating for non-residential buildings, maximising passive solar gains, natural ventilation, water efficiency measures and the potential for home composting and food production;
- d) measures which show how energy efficiency is being addressed to reflect policy and climate change, and show the on-site measures to be taken to produce at least 10% of the total energy requirements of the development hereby permitted by means of renewable energy sources;
- e) built-form strategies to include architectural principles, lifetime homes standards, character areas, density and massing, street grain and permeability, street enclosure and active frontages, type and form of buildings including relationship to plot and landmarks and vistas;
- f) principles for hard and soft landscaping including the inclusion of important trees and hedgerows;
- g) structures (including street lighting, floodlighting and boundary treatments for commercial premises, street furniture and play equipment);
- h) design of the public realm, including layout and design of squares, areas of public open space, areas for play and boundary treatments;
- i) open space needs including sustainable urban drainage;
- j) conservation of flora and fauna interests;
- k) provision to be made for art;
- l) a strategy for a hierarchy of streets and spaces;
- m) alignment, width, and surface materials (quality, colour and texture) proposed for all footways, cycleways, bridleways, roads and vehicular accesses to and within the site (where relevant) and individual properties;
- n) on-street and off-street residential and commercial vehicular parking and/or loading areas;
- o) cycle parking and storage;
- p) means to discourage casual parking and to encourage parking only in designated spaces;
- q) integration of strategic utility requirements, landscaping and highway design.

REASON: In order that a high standard of design is secured for the details to be submitted as part of the reserved matters as the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft–Post Submission Version (including proposed main changes).

5. No more than 1040 dwellings shall be constructed on the site pursuant to this planning permission.

REASON: The development was supported by an Environmental Statement which took account of the particulars of the application.

Reserved Matters and Implementation

6. Approval of the details of the access, layout, scale, design and external appearance of any part of the residential development within each phase of the development hereby permitted and the landscaping associated with it ('the residential reserved matters') shall be obtained in writing from the Local Planning Authority before that part of the residential development is commenced within that phase. The development shall not be carried out otherwise than in accordance with the approved details.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

7. Approval of the details of the access, layout, scale, design and external appearance of any part of the non-residential development within each phase of the development hereby permitted and the landscaping associated with it ('the non-residential reserved matters') shall be obtained in writing from the Local Planning Authority before that part of the non-residential development is commenced within that phase. The development shall not be carried out otherwise than in accordance with the approved details.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

8. Application for approval of the residential reserved matters and non-residential reserved matters in respect of Phase 1 of the development hereby permitted on the Pendle Road frontage (including the ancillary retail and community uses and access by any mode) shall be made to the Local Planning Authority before the expiration of 2 years from the date of this permission.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

9. Phase 1 of the development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 1 year from the date of approval of the last of the residential reserved matters or the non-residential reserved matters (as the case may be) to be approved in respect of that phase, whichever is the later.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

10. Application for approval of the residential reserved matters and non-residential reserved matters in respect of each subsequent phase of the development hereby permitted shall be made to the Local Planning Authority before the expiration of 8 years from the date of this permission.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

11. Subsequent phases of the development hereby permitted shall be begun either before the expiration of 9 years from the date of this permission, or before the expiration of 1 year from the date of approval of the last of the residential reserved matters or the non-residential reserved matters (as the case may be) to be approved in respect of that phase, whichever is the later.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

12. Plans and particulars submitted pursuant to Conditions 6 and 7 above shall include the following details:

- a) the existing and proposed ground levels on the development site and on neighbouring land, and the slab levels of neighbouring buildings and proposed buildings;
- b) any proposed access road(s) detailing the levels of the proposed roads including details of horizontal, vertical alignment and drainage (to an adoptable standard);
- c) layout, specification (including drainage) to an adoptable standard and construction programme for (1) any internal roads not covered by (b) above, (2) footway and cycle way links to the existing built up area, footpaths and cycleways beyond the site, (3) vehicle parking, turning and loading/unloading areas within the site (including visibility splays), (4) secure and sheltered cycle facilities including cycle parking areas and storage facilities (5) access facilities for the disabled, (6) individual accesses, (7) car parking and (8) school drop off and pick up;
- d) the positions, design, materials and type of boundary treatment (including all fences, walls and other means of enclosure) to be provided;
- e) details for all hard landscaped areas, footpaths and similar areas, including details of finished ground levels, all surfacing materials, and street furniture, signs, lighting, refuse storage units and other minor structures to be installed thereon;
- f) contours for all landscaping areas, together with planting plans and schedules of plants, noting species, sizes and numbers/densities, details of all trees, bushes and hedges which are to be retained and a written specification for the landscape works (including a

- programme for implementation, cultivation and other operations associated with plant and grass establishment);
- g) details of compliance with the principles set out in the Design Code as approved pursuant to Condition 4;
 - h) lighting to roads, footpaths and other public areas;
 - i) provision for buses so that they can circulate through each completed part or phase of the development and ultimately between Pendle Road and Littlemoor when all phases have been completed;
 - j) a Waste Minimisation Statement;
 - k) full details of water butts to serve each dwelling; and
 - l) a scheme for the provision of fire hydrants, to be served by mains water supply, and a timetable for their installation;
 - m) public open space / play facilities
 - n) a heritage impact assessment

REASON: To ensure that the development integrates with the locality and In order that the Local Planning Authority shall be satisfied as to the details because the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Parameters

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order and subsequent re-enactments and amendments with regard to permitted development rights for dwellings, no buildings (other than those ancillary outbuildings allowed by the above Order without an express consent) shall be erected within 15 metres of the boundaries of properties in the following streets: -

- Lingfield Avenue
- Hillside Close
- Shays Drive
- Brett Close
- Pagefield Crescent
- Gills Croft

REASON: To reduce the impact on existing properties in the interests of residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

14. No buildings above 6 metres in height (1.5 storeys) shall be located within 21 metres of the boundaries of properties in the following streets: -

- Lingfield Avenue
- Hillside Close
- Shays Drive
- Brett Close
- Pagefield Crescent
- Gills Croft

REASON: To reduce the impact on existing properties in the interests of residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

15. The school building(s) hereby permitted shall not exceed 9 metres in height and shall be located a minimum of 21 metres from the rear boundary to properties in:

- Lingfield Avenue
- Hillside Close
- Shays Drive
- Brett Close
- Pagefield Crescent
- Gills Croft

REASON: To reduce the impact on existing properties in the interests of residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

16. None of the other non-residential buildings on the site (ie those not affected by the above condition) shall exceed 9 metres in height in respect of the retail and community buildings or 12m in height for the employment buildings.

REASON: To reduce the impact on visual amenity and in the interests of residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Commercial and Community Uses

17. The Ancillary Retail and Community buildings hereby permitted shall not exceed 1500m² gross floorspace in total.

REASON: The development was supported by an Environmental Statement, which took account of the particulars of the application

18. The Employment (Class B1) buildings hereby permitted shall not exceed 5575m² gross floorspace in total.

REASON: The development was supported by an Environmental Statement, which took account of the particulars of the application

19. The primary school hereby permitted shall not exceed 1285m² gross floorspace.

REASON: The development was supported by an Environmental Statement, which took account of the particulars of the application.

Heritage and Archaeology

20. A buffer of land shall be kept clear of any buildings or vehicular highways for a distance of 15 metres from the deer fence which marks the north boundary of the new woodland known as Jubilee Wood. For the avoidance of doubt, the surface water drainage system is not affected by this condition.

REASON: To reinforce the screening between the application site, Standen Hall, listed buildings in accordance with Policies G1 and ENV19 of the Ribble Valley Districtwide Local Plan, Key Statement EN5 and Policies DMG1 and DME4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

21. Notwithstanding the Green Buffer Zone to the east of 1 – 15 (odd) Littlemoor and to the north of The Old Bothy shown on the Parameters Plan (IBI Taylor Young Drawing SP(90) 14D) submitted with the application, there shall be no buildings or vehicular highways for a distance of 10 metres and 20 metres respectively from the boundary of the application site which abuts those Buffer Zones. For the avoidance of doubt, the surface water drainage system is not affected by this condition.

REASON: To mitigate the impact of the development on the setting of no's 1 – 15 (odd) Littlemoor and The Old Bothy, a listed buildings in accordance with Policies G1 and ENV19 of the Ribble Valley Districtwide Local Plan, Key Statement EN5 and Policies DMG1 and DME4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft–Post Submission Version (including proposed main changes).

22. Notwithstanding conditions 4, 20 and 21 above or those under the heading 'Landscaping' below (conditions 27-30) for the whole site, no development shall commence until full details of the planting of the buffer in condition 20 and buffer zones in condition 21 have been submitted to and approved by the Local Planning Authority in writing.

The details shall include:

- planting details (including species, numbers, planting distances/densities and plant sizes);
- within the planting details - express identification of all supplementary and compensatory planting of native trees and hedgerows which shall be over a greater area than any trees or hedges to be lost (as a minimum of ratio of 3:1);
- boundary treatments;
- a programme for the implementation of the landscaping works including all boundary treatments.

The development shall be implemented in accordance with the approved details. The planting thereby approved shall be implemented within the first planting season after the start date of the first phase or any part of the development.

REASON: To reinforce the screening between the application site and Standen Hall, a listed building and to mitigate the impact of the development on the setting of The Old Bothy, a listed building in accordance with Policies G1 and ENV19 of the Ribble Valley Districtwide Local Plan, Key Statement EN5 and Policies DMG1 and DME4 of the Core Strategy 2008 to

2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

23. Any grassed areas, plants or trees forming part of the landscape works approved under Condition 22 above (for the avoidance of doubt, this includes retained trees and grassed areas) which with a period of 5 years from the completion of the approved landscaping scheme for that part of the site, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season. Replacement trees and plants shall be of a similar size and species to those lost, unless the LPA gives written approval of any variation.

REASON: To ensure the effectiveness of screening between the application site and Standen Hall and The Old Bothy, listed buildings in accordance with Policies G1 and ENV19 of the Ribble Valley Districtwide Local Plan, Key Statement EN5 and Policies DMG1 and DME4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

24. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological investigation. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To enable the appropriate archaeological recording, excavation and analysis of any surviving upstanding earthworks and buried below-ground archaeological remains of interest in accordance with Policies G1 and ENV14 of the Ribble Valley Districtwide Local Plan, Key Statement EN5 and Policy DME4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

- 25: No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To enable appropriate records to be made of the historic farm buildings at Higher Standen Farm in accordance with Policies G1 and ENV14 of the Ribble Valley Districtwide Local Plan, Key Statement EN5 and Policy DME4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

26. No part or phase of the development hereby permitted shall begin until a scheme for screening the site during construction relating to such part or phase has been submitted and approved by the LPA in writing

REASON: To minimise the impact on heritage assets in accordance with Policies G1 and ENV19 of the Ribble Valley Districtwide Local Plan, Key Statement EN5 and Policies DMG1 and DME4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Landscape and Open Space Strategy/Play Space

Landscaping

27. Notwithstanding the provision of Condition 4 above no development shall take place on any part or phase of the development until full details of both hard and soft landscaping works relating to such part or phase have been submitted to and approved by the LPA in writing.

These details shall include:

- planting details (including species, numbers, planting distances/densities and plant sizes);
- within the planting details - express identification of all supplementary and compensatory planting of native trees and hedgerows which shall be over a greater area than any trees or hedges to be lost (as a minimum of ratio of 3:1);
- surfacing;
- street furniture;
- signage;
- boundary treatments;
- a programme for the implementation of the landscaping works including all boundary treatments.

The development shall be implemented in accordance with the approved details.

REASON: To enhance the appearance of the development in the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

28. All landscaping schemes approved (pursuant to conditions 6 & 7 of this permission) for each phase of development (as approved under condition 3 of this permission) shall be fully implemented in the first complete planting and seeding season following the occupation of the dwellings, or non-residential uses within that phase or the completion of the phase to which they relate, whichever is the sooner.

Any grassed areas, trees or plants (for the avoidance of doubt, this includes retained trees and grassed areas) which, within a period of five years from completion of the relevant development phase die, are removed or become seriously damaged or diseased shall be replaced in the next planting season. Replacement trees and plants shall be of a similar size and species to those lost, unless the LPA gives written approval of any variation.

REASON: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft– Post Submission Version (including proposed main changes).

29. No more than one bridge shall cross the unnamed watercourse on the site.

REASON: To minimise the impact on local biodiversity to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core

Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

30. Prior to commencement of development within a phase a Play Space Management Plan including long term design objectives, timing of the works, management responsibilities and maintenance schedules for the play areas within that phase, shall be submitted to and approved in writing by the Local Planning Authority. The Play Space Management Plan shall also provide precise details of all play equipment in that phase and its maintenance and indicate a timescale when the play spaces shall be provided and made available for use within that phase. The Play Space Management Plan shall be carried out in accordance with the details so approved.

REASON: In the interests of providing an appropriate environment for the end users of the development and to comply with Policies G1 and RT8 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMB4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Ecology and Biodiversity

31. No site clearance, site preparation or development work shall take place within a phase until a Long Term Landscape and Ecological Management Plan to include long term design objectives post completion management responsibilities and maintenance schedules for all landscaped/habitat areas (other than privately-owned domestic gardens) including any areas of public open space not covered by condition 30 and the buffer zones in conditions 20 and 21 such as grasslands, hedges, trees, swales, reed beds and other sustainable drainage features within that phase has been submitted to and approved in writing by the Local Planning Authority. The Long Term Landscape and Ecological Management Plan shall include (but not be limited to):

- monitoring of the establishment of all landscape planting and habitat planting;
- aftercare of all landscape planting and habitat enhancement in accordance with conservation and biodiversity objectives;
- monitoring and treatment of invasive species;
- monitoring of condition of and maintenance of footpaths to encourage use and avoid the creation of informal footpaths that may damage other habitats;
- monitoring and maintenance of bat and bird boxes;
- maintenance of SUDS; and
- appropriate timings of management works to ensure avoidance of bird nesting seasons etc.

The Long Term Landscape and Ecological Management Plan shall be informed by the details contained within Chapter 7 Volume 1 of the Environmental Statement (October 2012) lodged with the planning application prepared by Amec. The Long Term Landscape and Ecological Management Plan shall be carried out as approved.

REASON: To minimise the impact on ecology and the enhancement of ecology post development in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan

for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

32. No part or phase of the development shall begin until full details of the following have been submitted to and approved in writing by the Local Planning Authority:
- 1) A vegetated buffer zone no less than 8 metres wide between Pendleton Brook and any construction activities.
 - 2) A vegetated zone no less than 5 metres wide between any other watercourse or ditch to be retained.

The width of the buffer zones shall be measured from the top of the banks of the watercourses and shall be kept free of structures, hard standings and fences and shall be planted with locally native plant species of UK generic provenance.

REASON: To protect local biodiversity to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

33. No part of the zones referred to in condition 32 shall contain the curtilages to any buildings.

REASON: To maintain the character of the watercourses and provide undisturbed refuges for wildlife using the corridors thereby protecting local biodiversity to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

34. No development shall commence on any part of a bridge over the unnamed watercourse on the site until full details have been submitted to and approved in writing by the Local Planning Authority. The crossing shall comprise a single clear span structure. The details shall demonstrate that the location of the structure would be sited as far away from Pendleton Brook as possible. In addition, the details shall demonstrate that the structure has been designed to be as narrow as possible.

REASON: To minimise the impact on local biodiversity to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

35. No development shall take place within a phase until details of the provisions to be made for bat roosts on suitable trees, plots and building elevations within that phase and details of artificial bird (species) nesting sites/boxes on suitable trees, plots and building elevations within that phase have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented before the development in that phase is first brought into use.

REASON: In the interests of enhancing local biodiversity to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Construction Environmental Management Scheme

36. No part or phase of the development shall begin until a Construction Environmental Management Scheme relating to such part or phase has been submitted to and approved in writing by the Local Planning Authority.

Where relevant, the Construction Environmental Management Scheme for each Phase shall contain (but not be limited to): -

- i. Tree and hedgerow protection measures in accordance with BS5837:2012;
- ii. Measures to be applied to protect nesting birds during tree felling/ vegetation clearance works, or other works that may affect nesting birds (including buildings or other suitable breeding bird habitat which are to be removed as part of the proposals;
- iii. Watercourse and ditch protection measures including location and type of protective demarcation fencing along Pendleton Brook (and the calcareous grassland) and other important habitats identified in Volume 3 of the Environmental Statement (October 2012) lodged with the planning application such as Ditch 1;
- iv. A method statement for the protection of bats at the trees and buildings identified in Volume 3 of the Environmental Statement (October 2012) lodged with the planning application including licensing requirements;
- v. Construction lighting scheme;
- vi. A method statement for the protection of Brown Hare (particularly during the breeding season);
- vii. Pollution Prevention Guidelines (PPG) and protocol including surface water monitoring along the Ditches and Pendleton Brook; and
- viii. Eradication Management Plan for Japanese Knotweed

The Construction Environmental Management Scheme shall be carried out as approved.

REASON: To ensure that the environmental impact is minimised in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Tree Protection

37. No part or phase of the development shall begin until an Arboricultural Method Statement, Tree Protection Plan and Tree Protection Monitoring Schedule relating to such part or phase has been submitted to and approved in writing by the Local Planning Authority before the site works are begun within that phase.

The development shall be implemented in accordance with the approved details.

REASON: In order to ensure that any trees/hedgerow affected by the development considered as being of visual, amenity value are afforded maximum physical protection from the potential adverse effects of development in order to comply with policies G1 and ENV13 of the Districtwide Local Plan and Key Statement EN2 and Policies DMG1 and DME2 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

38. The particulars submitted pursuant to Condition 36(i) and 37 above shall include:

- a) a plan showing the location of, and allocating a reference number to, each existing tree on the site identifying which trees are to be retained and the crown spread of each retained tree;
- b) details of the species, diameter, approximate height and an assessment of the health and stability of each retained tree;
- c) details of any proposed topping or lopping of any retained tree;
- d) details of any proposed alterations in existing ground levels and of the position of any proposed excavation within the crown spread of any retained tree;
- e) The root protection zone for each tree which shall be agreed in writing by the Local Planning Authority before the development begins in that phase and the agreed tree protection measures shall remain in place until all the approved works have been completed within that phase and all excess materials have been removed from the site including soil/spoil and rubble;
- f) 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;
- g) No tree as identified to be retained in (a) above shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work);
- h) If any tree identified to be retained at (h) is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

REASON: In order to ensure that any trees/hedgerow affected by the development considered as being of visual, amenity value are afforded maximum physical protection from the potential adverse effects of development in order to comply with policies G1 and ENV13 of the Districtwide Local Plan and Key Statement EN2 and Policies DMG1 and DME2 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Construction Management

39. Before each phase of development hereby permitted is commenced a Construction Method Statement/Management Plan in respect of that phase shall have been submitted to and approved in writing by the Local Planning Authority. Construction of each phase of the development shall not be carried out otherwise than in accordance with each approved Construction Management Plan. Each Construction Management Plan shall include the following matters:

- a) the routing of construction and delivery vehicles using restricted routes thereby avoiding minor lanes/roads and the centre of Clitheroe;
- b) programme of works (including measures for traffic management and operating hours) parking and turning for vehicles of site personnel, operatives and visitors;
- c) loading and unloading of plant and materials;
- d) storage of plant and materials used in constructing the development;

- e) erection and maintenance of security hoarding and lighting;
- f) wheel washing facilities and a programme for cleaning;
- g) a Management Plan to control the emission of dust and dirt during construction identifying suitable mitigation measures;
- h) a scheme for recycling/disposing of waste resulting from construction works (there shall be no burning on site;)
- i) a Management Plan to control noise and vibration during the construction phase (in accordance with BS : 5228 : 2009 code of Practice titled 'Noise and Vibration Control on Construction and Open Sites') The Noise Management Plan for each part or phase of the development shall include details of acoustic heavy duty fencing and locations; location of site offices, compounds and storage and operation of the wheel wash;
- j) details of lighting to be used during the construction period which should be directional and screened wherever possible

REASON: In the interests of protecting the residential amenities of the locality and highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Energy/Sustainability

40. Before development begins within a phase a scheme (including a timetable for implementation) to secure at least 10% of the energy supply of the development hereby permitted within that phase from renewable or low carbon energy sources shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and retained as operational thereafter.

REASON: In order to encourage renewable energy and to comply the with Key Statement EN3 and Policy DME5 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

41. The dwellings hereby permitted shall achieve a Level 3 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

REASON: In order to reduce carbon emissions and to comply with Key Statement EN3 and Policies DMG1 and DME5 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

42. The non-residential buildings hereby permitted shall achieve a BREEAM “very good” rating or above. No part of any non-residential building hereby permitted shall be occupied until a copy of a post-construction completion certificate, verifying that that building has achieved a “very good” rating, has been submitted to the Local Planning Authority.

REASON: Reason: In order to reduce carbon emissions and to comply with Key Statement EN3 and Policy DME5 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Noise

43. No part or phase of the development shall begin until a scheme to mitigate noise during construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that noise levels during periods of construction will not exceed 65dB LAeq.12hr at any properties beyond the site. The works shall thereafter be carried out in accordance with the details so approved.

REASON: To minimise the impact of noise during construction phases in the interests of residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

44. No part or phase of the development involving non-residential buildings hereby permitted shall begin until details of any fixed noise sources have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the details so approved and thereafter retained.

REASON: To minimise the impact of noise post construction in the interests of amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

45. No part or phase of the development shall begin until a suitable scheme of glazing/ventilation for buildings within that phase has been submitted to and approved in writing by the Local Planning Authority. The buildings shall be constructed in accordance with the details so approved with the glazing/ventilation thereafter retained.

REASON: In the interests of amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

46. Construction on any part or phase of the development shall be restricted to the following hours:

- Monday to Friday 0800 – 1800
- Saturday 0900 – 1300

For the avoidance of doubt, no construction shall take place on Sundays or public holidays.

REASON: In the interests of protecting residential amenity whilst construction works are in progress in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

47. No deliveries or vehicles involved in construction shall arrive or depart from the site other than between the hours set out in condition 46 above.

REASON: In the interests of protecting residential amenity whilst construction works are in progress in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

48. Construction on any part or phase of the development shall be undertaken in accordance with the mitigation measures as described in Section 10.5.1 of the Environmental Statement dated October 2012.

REASON: In the interest of environmental health to protect amenity whilst construction works are in progress in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

49. All parts or phases of the development shall achieve a noise rating level for fixed items of plant of no more than 5 dB below existing background noise levels as indicated in 10.8.1 of the Environmental Statement of October 2012.

REASON: In the interests of protecting residential amenity whilst construction works are in progress in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Highways and Parking

Construction access

50. No development shall take place until full details of the access onto Pendle Road have been submitted to and approved in writing by the Local Planning Authority which is in accordance with the final junction layout (with development). Furthermore no construction activities shall take place until that access has been constructed to base course standard (to an adoptable standard and in accordance with the approved plans) for a distance of 30 metres beyond the current access point into the site or up to the first internal junction whichever is the greater.

REASON: In the interests of road safety to ensure that a proper site access has been created for construction traffic in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Transport and highways

51. No development shall be commenced until a scheme of off-site works of highway improvement has first been submitted to, agreed in writing by the Local Planning Authority and delivered in line with agreed trigger points. To include A59/Whalley Road roundabout, junctions around and served by either Waterloo Road and Pendle Road.
52. No part or phase of the development comprising the non-residential buildings hereby permitted shall begin until a Travel Plan Framework relating to such part or phase has been submitted to and approved in writing by the Local Planning Authority.

REASON: To promote sustainable travel patterns and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft– Post Submission Version (including proposed main changes).

53. Prior to the occupation of the first dwelling within a phase (as approved under Condition 3) a Travel Plan based upon the submitted Framework Travel Plan to improve accessibility by sustainable modes for residents of dwellings within that phase shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:
- a) appointment of a named Travel Plan Co-ordinator;
 - b) details of initiatives to encourage sustainable travel patterns and a mechanism to ensure they can be fully delivered/funded;
 - c) a scheme for the management and implementation of the Travel Plan;
 - d) targets for modal shift;
 - e) implementation timescales;
 - f) a strategy for marketing and proposed incentives;
 - g) arrangements for monitoring and review.

The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved Travel Plan for development within that phase for a period of time not less than 5 years following completion of the final parcel of development in that phase (as approved under Condition 3).

REASON: In the interests of sustainability and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft– Post Submission Version (including proposed main changes).

54. The new estate roads within a phase of the development hereby permitted shall be constructed in accordance with a detailed scheme (including a timetable for implementation) which shall be submitted to and approved in writing by the Local Planning Authority before development commences within that phase. The estate roads shall be constructed to adoptable standards in accordance with the Lancashire County Council Specification for Construction of Estate Roads and the scheme shall be implemented in accordance with the approved details and timetable.

REASON: In the interests of highway and pedestrian safety and sustainability and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

55. No part or phase of the development shall begin until full details of the footpath and cycle way accesses from beyond the site (including a timetable for implementation) relating to such part have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be implemented in accordance with the approved details and timetable.

REASON: To minimise the environmental impact of the development and integrate it with the existing built up area to comply with Policy G1 of the Ribble Valley Districtwide Local

Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

56. Means of vehicular access shall be from Pendle Road and Littlemoor. In the case of Littlemoor the access shall only be used for buses and emergency vehicles.

REASON: To minimise the environmental impact of the development and integrate it with the existing built up area to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

57. No part or phase of the development shall begin until full details of the vehicular access from Pendle Road up to such part or phase have been submitted to and approved by the LPA in writing and the access and road has been constructed to base course standard.

REASON: In the interests of road safety and to ensure those roads to an acceptable standard are provided within the development in line with the construction of buildings and use of the site to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

58. No part or phase of the development to the south and west of the unnamed water course within the site shall begin until full details of the emergency and bus only vehicular access from Littlemoor relating to such part or phase have been submitted to and approved by the LPA in writing and the access and road has been constructed to base course standard.

REASON: To enhance permeability for buses, cyclists and pedestrians and enhance the sustainability of the development as a whole to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

59. No part or phase of the development shall begin until full details of all footpath and cycle linkages relating to such part or phase (including a timetable for implementation) have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be implemented in accordance with the approved details and timetable.

REASON: To ensure that the development integrates with the local area in a sustainable manner to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

60. Development shall not be commenced for any part or phase until full details of the proposed bus stops have been submitted to and approved in writing by the Local Planning Authority.

REASON: To promote sustainable travel to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A

Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

61. No dwellings to be built in any part or phase of development shall be occupied until all of the bus stops shown on the plans to be submitted have been constructed are available for use within that phase.

REASON: To promote sustainable travel to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

62. Not more than 50% of the dwellings to be built shall be occupied until the employment site hereby permitted has been provided with vehicle, pedestrian and cycling accesses to adoptable standard and all three are available for public use.

REASON: To promote sustainable travel to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

63. The 200 dwellings to be built shall not be occupied until the local retail centre hereby permitted has been provided with vehicle, pedestrian and cycling accesses to adoptable standard and all three are available for public use.

REASON: to promote sustainable travel to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 – A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

64. No part of phase of the development hereby permitted shall commence, including site preparation works, until the proposed roundabout at the junction of the A59 and Pendle Road has been constructed and is open for use as part of the public (adopted) highways.

REASON: To enhance accessibility between the site and the principal road network to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Lighting

65. Prior to commencement of development within a phase (approved pursuant to Condition 3) details of a scheme for artificial public street/road/footway lighting for that phase shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details to demonstrate how artificial illumination of important wildlife habitats (boundary vegetation of the site and bat commuting routes identified across the site) is minimised. The approved lighting scheme shall be implemented in accordance with the approved details.

REASON: In the interests of the amenities of nearby residents, ecology and to avoid light pollution to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies

DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Drainage and Flooding

General

66. At the same time as the submission of the first Reserved Matters application for a phase or part of a phase of the development hereby permitted a Foul and Surface Water Drainage Strategy shall be submitted to the Local Planning Authority for approval in writing. Such strategy to include the following details as a minimum:

- i. the proposed foul connection points to existing public sewerage infrastructure for the entire site. This shall clearly show the points of connection for the foul flows into the existing public sewerage network from all phases of development defined under condition 3;
- ii. the details of any additional off-site drainage infrastructure required as a result of the entire development; and
- iii. any drainage infrastructure connections (foul and surface water) between the different phases of the development defined by condition 3. Where drainage infrastructure connects development from different phases, it will be necessary to show how much development will be served by the connecting drainage infrastructure.
- iv. The existing Greenfield surface water run-off rate for the entire site and details demonstrating how the combined phases of development discharging to Pendleton Brook and its tributary within the site will not exceed the existing Greenfield rate as identified.

At the same time as the submission of each subsequent Reserved Matters application for a phase or part of a phase, an updated Foul and Surface Water Drainage Strategy shall be submitted to the Local Planning Authority for approval. (Such Strategy to include as a minimum the details listed above.

Unless otherwise agreed in writing with the Local Planning Authority there shall be no foul and surface water connections between phases of development defined (and as may be amended from time to time) by condition 3 other than in accordance with the connections identified and approved under item (iii) above. The detailed drainage schemes for each phase of development required by conditions 67, 68 and 69 shall be submitted for approval in writing in accordance with the foul and surface water drainage details approved under this condition.

No development shall be commenced on any phase or part of any phase of the development hereby permitted unless and until the Foul and Surface Water Drainage Strategy submitted with the relevant Reserved Matters application has been approved in writing by the Local Planning Authority.

REASON: To ensure a holistic approach to the construction of the detailed drainage infrastructure for the site so that the drainage infrastructure which is constructed is able to cope with the foul and surface water discharges from the entire development site to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Key Statement DMG1 of the

Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

67. For the avoidance of doubt, surface water shall drain separately from the foul. Unless otherwise agreed in writing, no surface water shall discharge directly or indirectly into the public foul, combined or surface water sewerage systems in accordance with the Foul and Surface Water Drainage Strategy submitted and approved pursuant to condition 65 above and with the details contained in the submitted application form, Flood Risk Assessment prepared by Amec Environment and Infrastructure dated October 2012, and the Foul Water and Surface Water Management Strategies for the whole site produced by Amec in January 2013.

REASON: To reduce the risk of flooding & pollution to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Foul Drainage

68. Prior to commencement of any phase or part of any phase of the development hereby permitted, full details of the foul drainage scheme for that phase including full details of any connections to the foul sewer network and any necessary infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details for each part or phase must be consistent with the Foul and Surface Water Drainage Strategy submitted and approved pursuant to condition 65 above and with the principles of the Flood Risk Assessment prepared by Amec Environment and Infrastructure dated October 2012 and the Foul Water and Surface Water Management Strategies for the whole site produced by Amec in January 2013. No housing or other development shall be occupied for that phase until the approved foul drainage scheme for that phase has been completed in accordance with the approved details and written notice of this fact has been sent to the Local Planning Authority.

REASON: To promote sustainable development, secure proper drainage and to reduce the risk of flooding & pollution to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

Surface Water Drainage

69. Prior to the commencement of each phase or part of the development hereby permitted, full details for a surface water regulation system and means of disposal for that phase or part phase, based wholly on sustainable drainage principles and evidence of an assessment of the hydrological and hydrogeological context of the development for that phase (inclusive of how the scheme shall be maintained and managed after completion and any necessary infrastructure) shall be submitted to and approved by the Local Planning Authority in writing. The drainage scheme shall demonstrate that the surface water run off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the existing undeveloped site and following the corresponding rainfall event. The details for each phase must be consistent with the Foul and Surface Water Drainage Strategy submitted and approved pursuant to condition 65 above and with the principles of the Flood Risk

Assessment prepared by Amec Environment and Infrastructure dated October 2012 and the Foul Water and Surface Water Management Strategies for the whole site produced by Amec in January 2013. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To promote sustainable development, secure proper drainage and to reduce the risk of flooding & pollution to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft– Post Submission Version (including proposed main changes).

70. No part of phase of the development shall begin until full details of the method to delay and control surface water discharged from that part or phase of the development; and the measures taken to prevent pollution of the receiving ground waters have been submitted to and approved in writing by the Local Planning Authority.

REASON: To prevent pollution and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

71. Prior to the commencement of each phase or part phase of the development hereby permitted, a Sustainable Drainage, Construction, Maintenance and Management Plan (CMP) for the lifetime of that phase or part phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include arrangements for permanent adoption by a SuDs approving body (SAB), Statutory Authority or other relevant party of any sustainable drainage features including any outfalls into local water courses, structures, ponds and bridges. Each phase shall be completed maintained and managed in accordance with the approved details.

REASON: To prevent flooding and pollution to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

72. The discharge of surface water into Pendleton Brook and its tributary within the site shall not exceed the Greenfield run-off rate as identified in the Foul and Surface Water Drainage Strategy.

REASON: To prevent flooding and pollution to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft– Post Submission Version (including proposed main changes).

73. The development hereby permitted shall conform in its entirety to the Foul and Surface Water Drainage Strategy submitted and approved pursuant to condition 65 above and to the recommendations in the Flood Risk Assessment produced by Amec in October 2012 as updated by the Foul Water and Surface Water Management Strategies for the whole site produced by Amec in January 2013. More particularly where not referred to elsewhere in this decision notice:

In submitting the full details of the sustainable surface water drainage systems for each phase of the development they shall include some re-profiling of the site to remove local low points and ensure that all run-off from the site enters the proposed SuDS drainage system and does not concentrate temporarily along overland flow paths.

All finished floor levels (FFLs) shall be at least 150mm above the local ground level at each development plot.

A 10 metre wide access corridor shall be kept clear at all times along the lower 800 metres of the unnamed on site water course from its confluence with Pendleton Brook.

All surface water run-offs from the entire development shall be managed and attenuated on site using a combination of underground surface water storage devices and sustainable urban drainage (SuDS) structures such as geocellular structures beneath roads, attenuation ponds, swales and filter drains.

REASON: To prevent flooding and pollution to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

INFORMATIVES

1. This permission shall be read in conjunction with the accompanying legal agreement which for the avoidance of doubt covers matters associated with affordable housing (mechanisms for its delivery); education (contributions towards local education facilities; the provision of a new primary school on the site and provisions for adjusted contributions); sports and recreation (contributions towards the provision of facilities at Ribblesdale School, Clitheroe or otherwise as agreed); Jubilee Wood (management) and transport (contributions towards the provision of public transport and a Travel Plan)
2. Dwellings should achieve the water credits required to meet Code level 3 of the Code for Sustainable Homes.
3. For non-residential development where the development is being assessed against BREEAM the Environment Agency suggests that buildings should achieve the maximum number of water credits in accordance with the requirements of the relevant BREEAM scheme with the exceptions of credits awarded for grey water/rainwater systems. These systems should be installed where cost effective and the system is designed to ensure that energy user and carbon emissions are minimised.
4. Developers should consider:
Water management in the development including dealing with grey water;
Using sustainable forms of construction including the recycling of materials;
Energy efficient buildings.
5. Any waste to be used on site requires an appropriate waste exemption or permit from the Agency.
6. The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable for any off-site movements of wastes. Developer as waste producers therefore have a duty of care to ensure that all materials removed go to an appropriate permitted facility and all relevant documentation is completed and kept in line with regulations.

7. Developers are advised to contact the Environment Management Team in the Agency's Preston office; 01772 7614198
www.environment-agency.gov.uk/subject/waste
8. Consideration should be given to opening up of any piped or culverted watercourses and the removal of weirs.
9. Flood Defence Consents (FDCs) will be required for the outfall structures draining any SuDS ponds into the local watercourses and for any bridges.
10. Only FDCs for necessary and appropriately designed structures will be approved.
11. Attention is drawn to the law with regard to the sensitivities of breeding birds.
12. A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999.
13. The applicant should contact United Utilities Service Enquiries on 0845 746 2200 regarding connection to the water mains/public sewers. The provision of a mains water supply could be expensive.
14. Water mains will need extending to serve any development on this site. The applicant, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 & 43 of the Water Industry Act 1991.
15. United Utilities offer a fully supported mapping service at a modest cost for our water mains and sewerage assets. This is a service, which is constantly updated by our Property Searches Team (Tel No: 0870 7510101). It is the applicant's responsibility to demonstrate the exact relationship between any assets that may cross the site and any proposed development. Please note, due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction, please contact a Building Control Body to discuss the matter further.
16. The granting of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpaths 11 and 14 in the parish of Clitheroe affects the site.
17. The Local Planning Authority has endeavoured to work proactively and positively to resolve issues and considered the imposition of appropriate conditions and amendments to the application to deliver a sustainable form of development.

Districtwide Local Plan – Saved Policies

GENERAL POLICIES – DEVELOPMENT CONTROL

1a POLICY G1

All development proposals will be expected to provide a high standard of building design and landscape quality. Development which does so will be permitted, unless it adversely affects the amenities of the surrounding area.

In determining planning applications the following criteria will be applied:

- (a) Development should be sympathetic to existing and proposed land uses in terms of its size, intensity and nature.
- (b) The likely scale and type of traffic generation will be assessed in relationship to the highway infrastructure and the proposed and existing public transport network. This will include safety, operational efficiency, amenity and environmental considerations.
- (c) Developments should make adequate arrangements for car parking (see Policy T7).
- (d) A safe access should be provided which is suitable to accommodate the scale and type of traffic likely to be generated.
- (e) 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.
- (f) Developments should provide adequate arrangements for servicing and public utilities.
- (g) Developments should provide adequate daylighting and privacy.
- (h) Materials used should be sympathetic to the character of the area.
- (i) Developments should not result in the loss of important open space including public and private playing fields.
- (j) Developments should not damage SSSI's, County Heritage Sites, Local Nature Reserves or other sites of nature conservation importance.
- (k) Development should not require culverting, artificial channelling or destruction of a watercourse. Wherever possible watercourses should be maintained within a reasonable corridor of native vegetation.
- (l) Developments should be economic in the use of land, water and aggregates and should not prejudice future development which would provide significant environmental and amenity improvements.

- (m) Where it is the intention to rely upon a private water supply, developments should provide an adequate means of water supply which will not derogate existing users.

In certain cases additional factors may be taken into account

1b POLICY G5

Outside the main settlement boundaries and the village boundaries planning consent will only be granted for small scale developments which are:

- i) essential to the local economy or the social wellbeing of the area; or
- ii) needed for the purposes of agriculture or forestry; or
- iii) sites developed for local needs housing (subject to Policy H20 of this plan); or
- iv) small scale tourism developments and small scale recreational developments appropriate to a rural area subject to Policy RT1; or
- v) other small scale uses appropriate to a rural area which conform to the policies of this plan.

CRIME PREVENTION

1c POLICY G11

In its consideration of development proposals the Borough Council will take full account of the need to design, layout and landscape development in a manner which makes crime more difficult to commit, increases the risk of detection and provides people with a more secure environment.

ENVIRONMENT – AREA OF OUTSTANDING NATURAL BEAUTY

1d POLICY ENV3

In the open countryside the AONB and areas immediately adjacent to it, development will be required to be in keeping with the character of the landscape area and should reflect local vernacular, scale, style, features and building materials. Proposals to conserve, renew and enhance landscape features, will be permitted, providing regard has been given for the characteristic landscape features of the area.

AGRICULTURAL LAND

1e POLICY ENV 6

The Borough Council will safeguard the best and most versatile agricultural land (as classified by the Ministry of Agriculture) unless it can be shown that the need for development overrides agricultural considerations:

- (a) any agricultural land taken should be the minimum required to meet essential needs; and

- (b) land of a higher quality will not be taken for development where suitable land of a lower quality is available; and
- (c) In upland areas proposals involving the loss of agricultural land of Grades 3b, 4 and 5 will be assessed on the value of the land on the rural economy and the management of individual farms; and
- (d) the severance and fragmentation of viable farm holdings and areas of uninterrupted farmland will be avoided wherever possible.

SPECIES PROTECTION

1f POLICY ENV7

Development proposals which would have an adverse effect on wildlife species protected by law will not be granted planning permission, unless arrangements can be made through planning conditions or agreements to secure the protection of the species.

LANDSCAPE PROTECTION

1g POLICY ENV13

The Borough Council will refuse development proposals which harm important landscape features including traditional stone walls, ponds, characteristic herb rich meadows and pastures, woodlands, copses, hedgerows and individual trees other than in exceptional circumstances where satisfactory works of mitigation or enhancement would be achieved, including rebuilding, replanting and landscape management.

THE BOROUGH'S ARCHAEOLOGICAL AND HISTORIC HERITAGE

1h POLICY ENV14

In considering development proposals, the Borough Council will apply a presumption in favour of the preservation of ancient monuments and other nationally important archaeological remains and their settings. The case for preservation of archaeological remains will be assessed having regard to the intrinsic importance of the remains which will be weighed against the need for the proposed development.

LISTED BUILDINGS

1i POLICY ENV19

Development proposals on sites within the setting of buildings listed as being of special architectural or historic interest which cause visual harm to the setting of the building will be resisted. In assessing the harm caused by any proposal the following factors will be taken into account:

- i) The desirability of preserving the setting of the building.
- ii) The effect of the proposed development on the character of the listed building.
- iii) Any effect on the economic viability of the listed building.
- iv) The contribution which the listed building makes to the townscape or countryside.

- v) The extent to which the proposed works would bring substantial benefits to the community including economic benefits and enhancement of the environment.

HOUSING - DWELLINGS IN THE OPEN COUNTRYSIDE

1j POLICY H2

Outside the settlement boundaries, as defined on the proposals map, residential development will be limited to:

1. Development essential for the purposes of agriculture or forestry or other uses wholly appropriate to the rural area.
2. The appropriate conversion of buildings to dwellings, provided they are suitably located and their form, bulk and general design are in keeping with their surroundings. Buildings must also be structurally sound and capable of conversion without the need for complete or substantial reconstruction, (see Policies H15, H16 and H17 for further advice).
3. Residential development specifically intended to meet a proven local need. (see Section 5.14 for further advice).

The impact of proposals on the countryside will be an important consideration in determining all applications. Development should be appropriately sited and landscaped. In addition, scale, design and materials used must reflect the character of the area, and the nature of the enterprise.

POLICIES APPLIED TO LARGE DEVELOPMENTS IN MAIN SETTLEMENTS AND ALLOCATED SITES

1k POLICY H19

The Borough Council will promote the provision of affordable housing throughout the Borough in areas where need is clearly identified. In main settlements identified in Policy G2 and villages referred to in Policy G3 and on allocated sites, this will be achieved by negotiating for the inclusion of a proportion of affordable housing in all new planning consents, including the renewal of lapsed consents, for suitable sites. This includes sites allocated in Policy H1 of the Plan.

In assessing the suitability of sites, the following factors will be taken into account:

- (a) in settlements with a population of 3,000 or fewer the policy will only be applied to developments of 25 or more dwellings, or to any residential site of 1 or more hectare irrespective of the number of dwellings, and elsewhere to developments of 40 or more dwellings or residential sites of 1.5 hectares or more;
- (b) the proximity of local services and facilities and access to public transport; and
- (c) whether there will be particular costs associated with development of the site and whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in development of the site.

Affordable housing will be expressly for people who cannot afford to occupy houses generally available on the open market within the following groups:

- (i) first time buyers currently resident in the Ribble Valley;
- (ii) elderly people resident in the Ribble Valley;
- (iii) those employed or about to be employed within 5 miles of the proposed development but living more than 5 miles from their place of employment who need affordable housing;
- (iv) those who have lived in the Borough for any 5 of the last 10 years, having left to find suitable accommodation elsewhere, and also with close family remaining in the Borough;
- (v) people needing to move to the area to help support and care for a sick, elderly or infirm relative; and
- (vi) other groups that may be considered on the basis of exceptional circumstances.

Information as set out in Policy H21 (ii) will be required in respect of the affordable housing element of applications dealt with under Policy H19. Affordable housing in applications relating to exceptions sites (ie those which would not conform to Policies G2, G3 or G4) will be subject to Policy H21.

POLICY APPLIED TO ALL PROPOSALS OUTSIDE SETTLEMENTS. AND ON ALL SITES OTHER THAN INFILL SITES WITHIN VILLAGES BOUNDARIES

11 POLICY H20

On sites other than infill sites within the village boundaries and on land identified as open countryside planning permission will only be granted for 100% affordable needs housing developments which are intended to meet a proven local need.

Affordable needs housing granted under this policy will be expressly for the following groups of people:

- (a) first time buyers currently resident in the parish or an adjoining parish;
- (b) elderly people currently resident in the parish or an adjoining parish;
- (c) those employed in the parish or an immediately adjoining parish but currently living more than 5 miles from their place of employment;
- (d) those who have lived in the parish for any 5 of the last 10 years having left to find suitable accommodation and also with close family remaining in the village;
- (e) those about to take up employment in the parish;
- (f) people needing to move to the area to help support and care for a sick, elderly or infirm relative.

In addition to those groups of people others may have special circumstances which can be applied. These will be assessed on their individual merits.

Although this policy relaxes the normally restrictive elements of policies G4, this is a reflection of the special needs only. The proposed development must still show a high quality of design and use materials appropriate to the area. In particular the principles of Policy G1 will be strictly applied. Proposals should ideally be an extension to the village, or take on unprotected land within the settlement boundary.

The affordable needs element of any application will be subject to Policy H21 of this plan.

1m POLICY H21

All applications for development promoted to meet local needs housing must be accompanied with the following information:

- (i) details of who the accommodation will be expected to accommodate. This should 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;
- (ii) details of the methods by which the accommodation will be sold or let, managed and retained as suitable for its original purpose.

INDUSTRY/EMPLOYMENT - THE CONVERSION OF BARNs AND OTHER RURAL BUILDINGS FOR EMPLOYMENT USES

1n POLICY EMP9

Planning permission will be granted for employment-generating uses in barns and other rural buildings, provided all of the following criteria are met:

- (i) The proposed use will not cause unacceptable disturbance to neighbours in any way;
- (ii) The building has a genuine history of use for agriculture or other rural enterprise;
- (iii) The building is structurally sound and capable of conversion for the proposed use without the need for major alterations which would adversely affect the character of the building;
- (vi) The impact of the proposal or additional elements likely to be required for the proper operation of the building will not harm the appearance or function of the area in which it is situated;
- (v) The access to the site is of a safe standard or is capable of being improved to a safe standard without harming the appearance of the area;

- (vi) The design of the conversion should be of a high standard and be in keeping with local tradition, particularly in terms of materials, geometric form and window and door openings.

RECREATION AND TOURISM - OPEN SPACE PROVISION

1o POLICY RT8

On all residential sites of over 1 hectare, the layout will be expected to provide adequate and usable public open space. The Council will also negotiate for provision on smaller sites, or seek to secure a contribution towards provision for sport and recreational facilities or public open space within the area where the overall level of supply is inadequate. Levels of provision will be based on figures provided in relation to Policy RT9.

FOOTPATHS AND BRIDLEWAYS

1p POLICY RT 18

Improvement of public rights of way, bridleways and byways/unsurfaced, unclassified roads in the plan area will be permitted. The Borough Council will also seek to ensure the retention and maintenance of by-ways and unsurfaced, unclassified roads as part of the public rights of way network.

1q POLICY RT 19

Development that prejudices footpaths which:

- i) provide a link between the towns/villages and attractive open land;
- ii) link with the Ribble Way footpath;
- iii) are associated to the Local Nature Reserves; and
- iv) are heavily used;

will not be permitted.

TRANSPORT AND MOBILITY - DEVELOPMENT PROPOSALS

1r POLICY T1

In making decisions on development proposals the local planning authority attach considerable weight to:

- the availability and adequacy of public transport to serve those moving to and from the development;
- the relationship of the site to the primary route network;

- the provision made for access to the development by pedestrian, cyclists and those with reduced mobility.
- proposals which promote development within existing developed areas at locations which are highly accessible by means other than the private car;
- proposals which locate major generators of travel demand in existing centres which are highly accessible by means other than the private car;
- proposals which strengthen existing town and village centres which offer a range of everyday community shopping and employment opportunities by protecting and enhancing their viability and vitality;
- proposals which locate developments in areas which maintain and improve choice for people to walk, cycle or catch public transport rather than drive between homes and facilities which they need to visit regularly;
- proposals which limit parking provision for developments and other on or off street parking provision to discourage reliance on the car for work and other journeys where there are effective alternatives.

PARKING PROVISION

1s POLICY T7

All development proposals will be required to provide adequate car parking and servicing space.

POLICIES APPLIED IN CLITHEROE

1t POLICY S2

Proposals for shopping development outside the main shopping centre, as defined on the Proposals Map, will be considered on a sequential basis. Development of sites on the edge of the centre will be allowed, provided:

- (a) the development could not reasonably be undertaken on a site within the defined main shopping centre;
- (b) the site is close enough to the town centre to be readily accessible by foot;
- (c) the site is accessible by means of public transport;
- (d) the proposal would not seriously affect the vitality or viability of the town centre;
- (e) the proposal would contribute towards meeting local shopping needs; and
- (f) the proposal conforms to the other policies of the Plan, with particular regard to environmental impact and arrangements for vehicular movement and parking.

Only if no suitable edge-of-centre sites are available will shopping development on out-of-centre sites be allowed, and these will be subject to criteria (a) and (c)-(f).

Core Strategy 2008 – 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes)

2a KEY STATEMENT DS1: DEVELOPMENT STRATEGY

The majority of new housing development will be concentrated within an identified strategic site located to the south of Clitheroe towards the A59 and the principle settlements of Clitheroe, Longridge and Whalley. Strategic employment opportunities will be promoted through the development of the Barrow Enterprise Site as a main location for employment, and the Samesbury Enterprise Zone. New retail and leisure development will be directed toward the centres of Clitheroe, Longridge and Whalley.

In addition to the identified strategic site at Standen and the borough's principle settlements, development will be allocated to defined settlements listed in this policy. In general, the scale of planned housing growth will be managed to reflect existing population size, the availability of, or the opportunity to provide facilities to serve the development and the extent to which development can be accommodated within the local area. Specific allocations will be made through the preparation of a separate allocations DPD.

The defined settlements are:

Barrow	Downham	Mellor Brook	Sawley
Billington	Dunsop Bridge	Newton	Slaidburn
Bolton-by-Bowland	Gisburn	Osbaldeston	Tosside
Brockhall	Grindleton	Pendleton	Waddington
Calderstones	Holden	Read & Simonstone	West Bradford
Chatburn	Hurst Green	Ribchester	Wilpshire
Chipping	Langho	Rimington	Wiswell
Copster Green	Mellor	Sabden	Worston

In allocating development, the Council will have regard to the AONB, Green Belt and similar designations when establishing the scale, extent and form of development to be allocated under this policy. The relevant constraints are set out as part of the strategic framework included in this plan.

Development that has recognised regeneration benefits, is for identified local needs or satisfies neighbourhood planning legislation, will be considered in all the borough's settlements, including small-scale development in the smaller settlements that are appropriate for consolidation and expansion or rounding-off of the built up area.

Through this strategy, development opportunities will be created for economic, social and environmental well-being and development for future generations.

2b KEY STATEMENT DS2: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy

Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- specific policies in that Framework indicate that development should be restricted.

2c KEY STATEMENT EN2: LANDSCAPE

The landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area.

The landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced.

As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.

2d KEY STATEMENT EN3: SUSTAINABLE DEVELOPMENT AND CLIMATE CHANGE

The Council will seek to ensure that all development meets an appropriate recognised sustainable design and construction standard where viable to do so, in order to address both the causes and consequences of climate change. In particular, all development will be required to demonstrate how it will contribute towards reducing the Borough's carbon footprint. The Council will assess applications against the current Code of Sustainable Homes, Lifetime Homes and Buildings for Life and BREEAM standards.

In adapting to the effects of climate change it is expected that proposals for development will demonstrate how sustainable development principles and sustainable construction methods, such as the use of sustainable drainage systems, will be incorporated.

New development in vulnerable areas should ensure that risks can be managed through suitable measures, including through the conservation of biodiversity, improvement of ecological networks and the provision of green infrastructure.

All development should optimise energy efficiency by using new technologies and minimising the use of energy through appropriate design, layout, material and landscaping and address any potential issues relating to flood risk.

Ribble Valley Borough Council will liaise with the County Council over development within Mineral Safeguarding Areas (MSAs) in both proposing future site allocations and in determining planning applications. This liaison will include consideration of the issue of preventing the unnecessary sterilisation of mineral resources within MSAs and, where feasible and practicable, the prior extraction of mineral resources.

On larger schemes, planning permission will only be granted for developments on sites that deliver a proportion of renewable or low carbon energy on site based on targets elaborated within the relevant Development Management policy and also incorporate recycled or reclaimed materials or minimise the use of energy by using energy efficiency solutions and technologies. Where developments fail to achieve any of these, it must be demonstrated why this cannot be achieved.

2e KEY STATEMENT EN4: BIODIVERSITY AND GEODIVERSITY

The Council will seek wherever possible to conserve and enhance the area's biodiversity and geodiversity and to avoid the fragmentation and isolation of natural habitats and help develop green corridors. Where appropriate, cross-Local Authority boundary working will continue to take place to achieve this.

Negative impacts on biodiversity through development proposals should be avoided. Development proposals that adversely affect a site of recognised environmental or ecological importance will only be permitted where a developer can demonstrate that the negative effects of a proposed development can be mitigated, or as a last resort, compensated for. It will be the developer's responsibility to identify and agree an acceptable scheme, accompanied by appropriate survey information, before an application is determined. There should, as a principle, be no net loss of biodiversity.

These sites are as follows:

- Sites of Special Scientific Interest (SSSIs)
- Local Nature Reserves (LNRs)
- Local Biological Heritage sites (CBHs)
- Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)
- Local Geodiversity Heritage Sites
- Ancient Woodlands
- Lancashire Biodiversity Action Plan priority habitats and species
- European Directive on Protected Species and Habitats - Annexe 1 Habitats and Annexe II Species
- Habitats and Species of Principal Importance in England

With respect to sites designated through European legislation the Authority will be bound by the provisions of the relevant Habitats Directives and Regulations.

For those sites that are not statutorily designated and compensation could be managed through a mechanism such as biodiversity off-setting via conservation credits.

2f KEY STATEMENT EN5: HERITAGE ASSETS

The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important

contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.

This will be achieved through:

- Recognising that the best way of ensuring the long term protection of heritage assets is to find an optimum viable use that strikes the correct balance between economic viability and impact on the significance of the asset.
- Keeping Conservation Area Appraisals under review to ensure that any development proposals respect and safeguard the character, appearance and significance of the area.
- Carefully considering any development proposals that adversely affect a designated heritage asset or its setting in line with the Development Management policies.
- Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place.
- The consideration of Article 4 Directions to restrict permitted development rights where the exercise of such rights would harm the historic environment.

2g KEY STATEMENT H1: HOUSING PROVISION

Land for residential development will be made available to deliver 5,000 dwellings, estimated at an average annual completion target of 250 dwellings per year over the period 2008 to 2028 in accordance with baseline information.

The Council will identify through the relevant “Strategic Housing Land Availability Study” (SHLAA), sites for residential development that are deliverable over a five-year period. By reference to the Housing Land Monitoring report and where appropriate Strategic Housing Land Availability Assessments, the Council will endeavour to ensure housing land is identified for the full 15 year period and beyond.

A ‘plan-monitor-manage’ approach will be adopted and a monitoring report will be the key tool in tracking the five-year rolling land supply. The overall housing requirement will be subject to a formal review within five years from the date of adoption of the Core Strategy to ensure it remains the appropriate strategic figure with which to plan.

2h KEY STATEMENT H2: HOUSING BALANCE

Planning permission will only be granted for residential development providing it can be demonstrated that it delivers a suitable mix of housing that accords with the projected future household requirements and local need across the Ribble Valley as a whole as evidenced by the Strategic Housing Market Assessment.

Determination of planning applications for residential development will be informed by the most recent Housing Needs Surveys, Addressing Housing Needs Statement and the most recently adopted SHMA, to identify the type, tenure and size of residential dwellings, required at different locations throughout the borough as well as reference to relevant housing market information as appropriate.

2i KEY STATEMENT H3: AFFORDABLE HOUSING

Affordable housing is broadly defined as that which is accessible to people whose income does not enable them to afford to buy or rent property suitable for their needs in the open housing market.

Within the settlement boundaries of Clitheroe and Longridge, on housing developments of 10 units or more dwellings (or sites of 0.5 hectares or more, irrespective of the number of dwellings) an element of affordable, local needs housing will be required on all schemes. The Council will seek affordable housing provision at 30% of units on the site.

The Council will use open book viability assessments, provided at the developer's cost, within its consideration of affordable housing provision. Particularly where thresholds are not being met.

In all other locations in the borough, on developments of 5 or more dwellings (or sites of 0.2 hectares or more irrespective of the number of dwellings) the Council will require 30% affordable units on the site.

The Council will only consider a reduction in this level of provision, to a minimum of 20% only where supporting evidence, including a viability appraisal fully justifies a lower level of provision to the Council's satisfaction.

Providing housing for the elderly is a priority for the Council within the Housing Strategy. Within the negotiations for housing developments, 15% of the units will be sought for elderly provision. Within this 15% figure a minimum of 50% would be affordable and be included within the overall affordable housing threshold of 30%. The remaining 50% (ie the remaining 50% of the 15% elderly-related element) will be for market housing for elderly groups.

All affordable housing provided must be made available to those in housing need and will remain affordable in perpetuity.

Developers will be expected to provide affordable housing on site as part of the proposed development unless Ribble Valley Borough Council and the developer both agree that it is preferable to make a financial or other contribution towards the delivery of affordable housing on another site.

2j KEY STATEMENT EC1: BUSINESS AND EMPLOYMENT DEVELOPMENT

The Council, in line with the evidence it has gathered, will aim to allocate an additional 9 hectares of land for employment purpose in appropriate and sustainable locations during the lifetime of this plan.

Land will be made available for employment use in order to support the health of the local economy and wider sustainable job creation. The expansion of existing businesses will, wherever appropriate, be considered favourably.

In considering the development of land for economic development and in determining where this land will be located, priority will be given to the use of appropriate Brownfield sites to deliver employment-generating uses including a preference for the re-use of existing employment sites before alternatives are considered.

New sites will be identified in accord with the development strategy where the health of the local and, in relevant cases, the wider economy support such release. Opportunities to identify land as part of appropriate mixed-use schemes within any strategic land release will be considered favourably.

Developments that contribute to farm diversification, strengthening of the wider rural and village economies or that promote town centre vitality and viability will be supported in principle.

Proposals that result in the loss of existing employment sites to other forms of development will need to demonstrate that there will be no adverse impact upon the local economy.

The Council considers, in line with neighbouring authorities and other bodies, that the BAe Samesbury site should be regarded as a regionally significant employment site with considerable potential to accommodate a variety of advanced knowledge based industries in the future. This has been recognised by the Government's creation of an Enterprise Zone at this location. As such the site is not considered part of the borough's general employment land supply.

The Council will therefore support the delivery of the Enterprise Zone and has produced a Local Development Order to achieve this.

POLICY STATEMENT TO BE UPDATED WITH REVISED EMPLOYMENT LAND REQUIREMENTS INCLUDING NON B1, B2 AND B8 USES TOGETHER WITH RELEVANT RETAIL FLOOR SPACE FOLLOWING CONSULTATION ON EVIDENCE BASE.

2k KEY STATEMENT EC2: DEVELOPMENT OF RETAIL, SHOPS AND COMMUNITY FACILITIES AND SERVICES

Development that supports and enhances the vibrancy, consumer choice and vitality and unique character of the area's important retail and service centres of Clitheroe, Longridge and Whalley will be supported in principle.

Proposals that have an adverse impact on existing community facilities would only be permitted as an exception where the proposed development would bring defined and demonstrable benefits.

The Council will put in place detailed development plans as appropriate to provide a strategic framework to guide the future development of the centres and support appropriate sustainable growth.

The Council will also continue to require robust evidence that much needed smaller retail and other facilities in the more rural parts of the area are no longer viable before considering other forms of use.

SUBJECT TO CONSULTATION ON THE EVIDENCE BASE, ADD NEW PARAGRAPH TO STATEMENT: Provision for new convenience retail floor space of up to 1815 sq m for Clitheroe, 140 sq m for Longridge and 250 sq m for Whalley will be allocated. Provision for new comparison retail floor space of up to 2630 sq m for Whalley will be allocated.

2I KEY STATEMENT DMI1: PLANNING OBLIGATIONS

Planning Obligations will be used as a mechanism to deliver development that contributes to the needs of local communities and sustainable development. Contributions can either be in kind or in the form of financial contribution with a clear audit trail of how any monies will be spent and in what time frame.

Obligations will be negotiated on a site-by-site basis. The Council has resolved to seek contributions in the following order of priority:

Affordable Housing (also taking into consideration the detailed Affordable Housing Key Statement)

Improvements required for highway safety that cannot be covered by planning condition or S278 Agreement

Open Space

Education

Where there is a question of viability the Council will require an open book approach to be taken when agreeing development costs, and developers will be required to meet the Council's costs for independent evaluation. The Council will develop, as appropriate, a Community Infrastructure Levy approach to infrastructure delivery.

2m KEY STATEMENT DM12: TRANSPORT CONSIDERATIONS

New development should be located to minimise the need to travel. Also it should incorporate good access by foot and cycle and have convenient links to public transport to reduce the need for travel by private car.

In general, schemes offering opportunities for more sustainable means of transport and sustainable travel improvements will be supported. Sites for potential future railway stations at Chatburn and Gisburn will be protected from inappropriate development.

Major applications should always be accompanied by a comprehensive travel plan.

2n THE STRATEGIC SITE

A strategic site at Standen, to the south east of Clitheroe will be developed in a comprehensive and sustainable manner as a mixed site to meet a significant proportion of the Borough's housing requirement in the plan period. The range of uses will include housing (including affordable housing), employment, community uses, local retail and service provision to serve the site, open space and recreational uses.

GENERAL

2o POLICY DMG1: GENERAL CONSIDERATIONS

In determining planning applications, all development must:

- Be of a high standard of building design which considers the 8 building in context principles (from the Cabe/English Heritage building in context toolkit).
- Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.
- Consider the potential traffic and car parking implications.
- Ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.
- Consider adequate day lighting and privacy distances.
- Consider the environmental implications such as SSSIs, County Heritage Sites, Local Nature Reserves, biodiversity Action Plan (BAP) Habitats and Species, Special Areas of Conservation and Special Protected Areas, protected species, green corridors and other sites of nature conservation.
- Consider the protection and enhancement of public rights of way and access.
- All development must protect and enhance heritage assets and their settings.
- With regards to possible effects upon the natural environment, the Council propose that the principles of the mitigation hierarchy be followed. This gives sequential preference to

the following: 1) enhance the environment 2) avoid the impact 3) minimise the impact 4) restore the damage 5) compensate for the damage 6) offset the damage.

- All new development proposals will be required to take into account the risks arising from former coal mining and, where necessary, incorporate suitable mitigation measures to address them.
- Achieve efficient land use and the re use and remediation of previously developed sites where possible.
- Have regard to public safety and secured by design principles.
- Consider the density, layout and relationship between buildings, which is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.
- Not adversely affect the amenities of the surrounding area.
- Not prejudice future development which would provide significant environmental and amenity improvements.
- Not result in the net loss of important open space, including public and private playing fields without a robust assessment that the sites are surplus to need.
- Use sustainable construction techniques where possible and provide evidence that energy efficiency has been incorporated into schemes where possible.
- Consider air quality and mitigate adverse impacts where possible.
- The code for sustainable homes and lifetime homes should be incorporated into schemes.
- Have regard to the availability to key infrastructure with capacity. Where key infrastructure with capacity is not available it may be necessary to phase development to allow infrastructure enhancements to take place.
- Consider the potential impact on social infrastructure provision.

In assessing this, regard must be had to the level of provision and standard of public open space in the area, the importance of playing fields and the need to protect school playing fields to meet future needs. Regard will also be had to the landscape or townscape of an area and the importance the open space has on this.

2p POLICY DMG2: STRATEGIC CONSIDERATIONS

Development should be in accordance with the Core Strategy Development Strategy and should support the spatial vision.

- Development proposals in defined settlements should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.

Outside the settlement areas development must meet at least one of the following considerations:

- The development should be essential to the local economy or social well being of the area.
- The development is needed for the purposes of forestry or agriculture.
- The development is for local needs housing which meets an identified need.
- The development is for small scale tourism or recreational developments appropriate to a rural area.
- The development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated.
- The development is compatible with the enterprise zone designation.

Within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build.

In protecting the designated Area of Outstanding Natural Beauty the Council will have regard to the economic and social well being of the area. However the most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area avoiding where possible habitat fragmentation. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build. Development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, design, use of material, landscaping and siting. The AONB Management Plan should be considered and will be used by the council in determining planning applications.

For the purposes of this policy the term settlement is defined in the glossary. Current settlement boundaries will be updated in subsequent DPD's.

2q POLICY DMG3: TRANSPORT AND MOBILITY

In making decisions on development proposals the Local Planning Authority will, in addition to assessing proposals within the context of the Development strategy, attach considerable weight to:

The availability and adequacy of public transport and associated infrastructure to serve those moving to and from the development:

- The relationship of the site to the primary route network and the strategic road network.
- The provision made for access to the development by pedestrian, cyclists and those with reduced mobility.
- Proposals which promote development within existing developed areas or extensions to them at locations which are highly accessible by means other than the private car.
- Proposals which locate major generators of travel demand in existing centres which are highly accessible by means other than the private car.
- Proposals which strengthen existing town and village centres which offer a range of everyday community shopping and employment opportunities by protecting and enhancing their vitality and viability.
- Proposals which locate development in areas which maintain and improve choice for people to walk, cycle or catch public transport rather than drive between homes and facilities which they need to visit regularly.
- Proposals which limit parking provision for developments and other on or off street parking provision to discourage reliance on the car for work and other journeys where there are effective alternatives.

All major proposals should offer opportunities for increased use of, or the improved provision of, bus and rail facilities.

All development proposals will be required to provide adequate car parking and servicing space in line with currently approved standards.

The Council will protect land currently identified on the proposals map from inappropriate development that may be required for the opening of stations at Gisburn and Chatburn. Any planning application relating to these sites will be assessed having regard to the likelihood of the sites being required and the amount of harm that will be caused to the possible implementation of schemes.

The Council will resist development that will result in the loss of opportunities to transport freight by rail.

ENVIRONMENT

2r POLICY DME1: PROTECTING TREES AND WOODLANDS

There will be a presumption against the clearance of broad-leaved woodland for development purposes. The Council will seek to ensure that woodland management safeguards the structural integrity and visual amenity value of woodland, enhances biodiversity and provides environmental health benefits for the residents of the borough. The Council encourages successional tree planting to ensure tree cover is maintained into the future.

Where applications are likely to have a substantial effect on tree cover, the Borough Council will require detailed arboricultural survey information and tree constraint plans including appropriate plans and particulars. These will include the position of every tree on site that could be influenced by the proposed development and any tree on neighbouring land that is also likely to be within influencing distance and could also include other relevant information such as stem diameter and crown spread.

The Borough Council will ensure that:

- The visual, botanical and historical value, together with the useful and safe life expectancy of tree cover, are important factors in determining planning applications. This will include an assessment of the impact of the density of development, layout of roads, access points and services on any affected trees.
- That a detailed tree protection plan is submitted with appropriate levels of detail.
- Site-specific tree protection planning conditions are attached to planning permissions.

2s POLICY DME2: LANDSCAPE AND TOWNSCAPE PROTECTION

Development proposals will be refused which significantly harm important landscape or landscape features including:

- Traditional stone walls
- Ponds
- Characteristic herb rich meadows and pastures
- Woodlands
- Copses
- Hedgerows and individual trees (other than in exceptional circumstances where satisfactory works of mitigation or enhancement would be achieved, including rebuilding, replanting and landscape management)
- Townscape elements such as the scale, form, and materials that contribute to the characteristic townscapes of the area
- Upland landscapes and associated habitats such as blanket bog
- Botanically rich roadside verges (that are worthy of protection).

2t POLICY DME3: SITE AND SPECIES PROTECTION AND CONSERVATION

Development proposals that are likely to adversely affect the following will not be granted planning permission. Exceptions will only be made where it can clearly be demonstrated that the benefits of a development at a site outweigh both the local and the wider impacts. Planning conditions or agreements will be used to secure protection or, in the case of any exceptional development as defined above, to mitigate any harm, unless arrangements can be made through planning conditions or agreements to secure their protection:

- Wildlife species protected by law
- SSSIs
- Priority habitats or species identified in the Lancashire Biodiversity Action Plan
- Local nature reserves
- County Biological Heritage Sites
- Special Areas of Conservation (SACS)
- Special Protected Areas (SPAS)
- Any acknowledged nature conservation value of sites or species.

Developers are encouraged to consider incorporating measures to enhance biodiversity where appropriate that will complement priority habitats and species identified in the Lancashire BAP.

With regard to sites designated under European legislation the authority will follow the relevant processes as defined within the habitats regulations 2010. Development will not be permitted unless either it is established that it is not likely to have a significant effect on any Ramsar site or natura 2000 site (including Special Protection Areas, Potential Special Protection Areas, Special Areas of Conservation, candidate special areas of conservation), either alone or in combination with other projects, or it is ascertained, following appropriate assessment, that it will not adversely affect the integrity of any Ramsar site or natura 2000 site. The Habitats Regulations include provision for development which may cause an adverse effect on integrity to be allowed under exceptional circumstances. These include where there are no alternative solutions, imperative reasons of overriding public interest can be demonstrated and appropriate compensatory measures are implemented. In terms of the protection of the soil resource and high quality agricultural land development and land management practices should seek to avoid soil erosion; avoid contamination of land and promote restoration, protect the peat resource and recognise the importance of peat in particular for its carbon sequestration value, water quality improvements for both drinking water and biodiversity, reduction of local flood risk and reduction of moorland wildfire risk. The important link between soil quality, the natural environment and the landscape should be recognised.

2u POLICY DME4: PROTECTING HERITAGE ASSETS

In considering development proposals the Council will make a presumption in favour of the protection and enhancement of heritage assets and their settings.

1. Conservation areas

Proposals within or closely related to Conservation Areas should not harm the area. This should include considerations as to whether it respects and safeguards the architectural and historic character of the area as set out in the relevant Conservation Area Appraisal. Development in these areas will be strictly controlled to ensure that it respects the character of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces.

In the Conservation Areas there will be a presumption in favour of the preservation of elements that make a positive contribution to the character or appearance of the conservation area.

2. Listed buildings and other buildings of significant heritage interest

Development proposals on sites within the setting of listed buildings or buildings of significant heritage interest, which cause visual harm to the setting of the building, will be resisted. Any proposals involving the demolition or loss important historic fabric from listed buildings will be refused unless it can be demonstrated that this is unavoidable.

3. Registered historic parks and gardens of special historic interest and other gardens of significant heritage interest

Proposals affecting registered historic park and gardens and other gardens of significant heritage interest, or their settings, should respect and safeguard their character.

4. Scheduled monuments

Applications for development that would impact a scheduled monument will need to demonstrate that they have taken the particular importance of the monument and its setting into account and that scheduled monument consent has either already been obtained or is likely to be granted. National policy gives additional policy guidance on dealing with both designated and undesignated heritage assets, and will be applied by the Council when determining proposals.

Proposals that affect such site as those mentioned above should also give adequate consideration of how the public understanding and appreciation of such sites could be improved.

In line with NPPF, Ribble Valley aims to seek positive improvements in the quality of the historic environment through the following:

- a) monitoring heritage assets at risk and;
 - i) supporting development/re-use proposals consistent with their conservation;
 - ii) considering use of legal powers (building preservation notices, urgent works notices) to ensure the proper preservation of listed buildings and buildings within the conservation areas.
- b) supporting redevelopment proposals which better reveal the significance of heritage assets or their settings.
- c) production of design guidance.
- d) keeping conservation area management guidance under review.
- e) use of legal enforcement powers to address unauthorised works where it is expedient to do so.

2v POLICY DME5: RENEWABLE ENERGY

The Borough Council will support the development of renewable energy schemes, providing it can be shown that such developments would not cause unacceptable harm to the local

environment or local amenity. In assessing proposals, the Borough Council will have particular regard to the following issues:

- The immediate and wider impact of the proposed development on the landscape, including its visual impact and the cumulative impacts of development.
- The measures taken to minimise the impact of the proposals on residential amenity
- The potential benefits the proposals may bring
- The visual impact of the proposals, including design, colour and scale
- The degree to which nuisance caused by noise and shadow flicker to nearby residential amenities, agricultural operations, recreational areas or the function of the countryside can be minimised
- National or local targets for generating energy from renewable sources and for reducing carbon emissions
- The potential impact on biodiversity.

In terms of the use of decentralised and renewable or low carbon energy in new development the authority will request that on new non-residential developments over 1000m² and all residential developments of 10 or more units that at least 10% of their predicted energy requirements should come from decentralised and renewable or low carbon sources unless the applicant can demonstrate that this is not feasible or viable. This target will be updated in line with national targets. Implementation of this requirement will be monitored and enforced by the planning authority. The Council will also have regard to the AONB renewable energy position statement 2011 in assessing proposals.

Development proposals within or close to the AONB, Sites of Special Scientific Interest, Special Areas of Conservation and Special Protection Areas, notable habitats and species, Local Nature Reserves, Biological Heritage Sites or designated heritage assets and their setting will not be allowed unless.

- The proposals cannot be located outside such statutory designated areas
- It can be demonstrated that the objectives of the designation of the area or site will not be compromised by the development
- Any adverse environmental impacts as far as practicable have been mitigated

Note that any development that impacts a scheduled ancient monument will also require scheduled monument consent – see policy DME4 above.

2w POLICY DME6: WATER MANAGEMENT

Development will not be permitted where the proposal would be at an unacceptable risk of flooding or exacerbate flooding elsewhere.

Applications for development should include appropriate measures for the conservation, protection and management of water such that development contributes to:

- Preventing pollution of surface and / or groundwater
- Reducing water consumption
- Reducing the risk of surface water flooding (for example the use of sustainable drainage systems (suds))

As a part of the consideration of water management issues, and in parallel with flood management objectives, the Authority will also seek the protection of the borough's water courses for their biodiversity value.

All applications for planning permission should include details for surface water drainage and means of disposal based on sustainable drainage principles. The use of the public sewerage system is the least sustainable form of surface water drainage and therefore development proposals will be expected to investigate and identify more sustainable alternatives to help reduce the risk of surface water flooding and environmental impact.

HOUSING

2x POLICY DMH1: AFFORDABLE HOUSING CRITERIA

Where proposals involve the provision of affordable housing units, the residential development must be expressly for the following groups of people:

- First time buyers currently resident in the parish or an adjoining parish
- Older people currently resident in the parish or an adjoining parish
- Those employed in the parish or an immediately adjoining parish but currently living more than 5 miles from their place of employment
- Those who have lived in the parish for any 5 of the last 10 years having left to find suitable accommodation and also with close family remaining in the village
- Those about to take up employment in the parish
- People needing to move to the area to help support and care for a sick, elderly or infirm relative.

In addition to these groups of people, others may have special circumstances that can be applied. These will be assessed on their individual merits.

This policy only relates to the affordable housing needs element. Proposals must also conform to policy DMG1 and any other relevant policy of this core strategy.

As mentioned above providing housing for older people is a priority for the council within the housing strategy, and has been for a number of years. However very little such accommodation has been developed by the market. Therefore, within the negotiations for housing developments, 15% of the units will be for elderly provision. Within this 15% figure a minimum of 50% would be affordable and be included within the overall affordable housing threshold of 30%. The remaining 50% (ie the remaining 50% of the 15% elderly-related element) will be for market housing for elderly groups.

Further detail is outlined within the Addressing Housing Needs in Ribble Valley statement and this policy is further evidenced within the Strategic Housing Market Assessment.

Any proposals for affordable housing must be accompanied with the following information:

- Details of who the accommodation will be expected to accommodate. This should 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.
- Details of the methods by which the accommodation will be sold or let, managed and retained for its original purpose.

BUSINESS AND ECONOMY

2y POLICY DMB1: SUPPORTING BUSINESS GROWTH AND THE LOCAL ECONOMY

Proposals that are intended to support business growth and the local economy will be supported in principle. Development proposals will be determined in accord with the Core Strategy and detailed policies of the LDF as appropriate.

The Borough Council may request the submission of supporting information for farm diversification where appropriate.

The expansion of existing firms within settlements will be permitted on land within or adjacent to their existing sites, provided no significant environmental problems are caused and the extension conforms to the other policies of the LDF.

The expansion of established firms on land outside settlements will be allowed provided it is essential to maintain the existing source of employment and can be assimilated within the local landscape. There may be occasions where due to the scale of the proposal relocation to an alternative site is preferable.

Proposals for the development, redevelopment or conversion of sites with employment generating potential in the plan area for alternative uses will be assessed with regard to the following criteria:

- The provisions of policy DMG1, and
- The compatibility of the proposal with other policies of the LDF, and
- The environmental benefits to be gained by the community, and
- The economic and social impact caused by loss of employment opportunities to the borough, and
- Any attempts that have been made to secure an alternative employment generating use for the site (must be supported by evidence (such as property agents details including periods of marketing and response) that the property/ business has been marketed for business use for a minimum period of six months or information that demonstrates to the Council's satisfaction that the current use is not viable for employment purposes.)

2z(i) POLICY DMB2: THE CONVERSION OF BARNs AND OTHER RURAL BUILDINGS FOR EMPLOYMENT USES

Planning permission will be granted for employment generating uses in barns and other rural buildings, provided all of the following criteria are met:

- The proposed use will not cause unacceptable disturbance to neighbours in any way.
- The building has a genuine history of use for agriculture or other rural enterprise.
- The building is structurally sound and capable of conversion for the proposed use, without the need for major alterations which would adversely affect the character of the building.
- The impact of the proposal or additional elements likely to be required for the proper operation of the building will not harm the appearance or function of the area in which it is situated.
- The access to the site is of a safe standard or is capable of being improved to a safe standard without harming the appearance of the area.
- The design of the conversion should be of a high standard and be in keeping with local tradition, particularly in terms of materials, geometric form and window and door openings.

- That any existing nature conservation aspects of the existing structure are properly surveyed and where judged to be significant preserved or, if this is not possible, then any loss adequately mitigated.

The conversion of buildings should be of a high standard and in keeping with local tradition. The impact of the development, including the creation of servicing, storage areas and car parking facilities (or other additions) should not harm the appearance or function of the area in which it is situated. The AONB Management Plan should be considered and will be used by the Council in determining planning applications.

Proposals for the conversion of buildings for employment purposes that include residential accommodation will be carefully assessed. The Council will require the submission of a business plan in support of the proposal where residential accommodation is required as part of the scheme in locations where the Council would otherwise restrict the creation of dwellings. In all cases the proportion of living accommodation to workspace must not exceed a level of 60:40, workspace to living accommodation, and should form an integral part of the layout and design of the conversion.

Proposals will be assessed in accordance with National Planning Guidance.

2z(ii) POLICY DMB4: OPEN SPACE PROVISION

On all residential sites of over 1 hectare, the layout will be expected to provide adequate and usable public open space. On a site-by-site basis, the council will also negotiate for provision on smaller sites, or seek to secure an off-site contribution towards provision for sport and recreational facilities or public open space within the area where the overall level of supply is inadequate. Any green infrastructure should be multi functional and encourage, where possible, walking and cycling opportunities

The Borough Council will refuse development proposals which involve the loss of existing public open space, including private playing fields which are in recreational use. In exceptional circumstances and following a robust assessment where the loss of a site is justifiable because of the social and economic benefits a proposed development would bring to the community, consent may be granted where replacement facilities are provided, or where existing facilities elsewhere in the vicinity are substantially upgraded. These must be readily accessible and convenient to users of the former open space areas.

It is important to protect existing recreational areas from development. Within defined settlements public recreational land will be identified on the proposals map.

2z(iii) DMB5: FOOTPATHS AND BRIDLEWAYS

The Borough Council will seek to ensure the retention, maintenance and improvement of by-ways and un-surfaced/unclassified roads as part of the public rights of way network. In situations where a public right of way will inevitably become less attractive (due to adjacent/surrounding development), the policy should require compensatory enhancements such that there is a net improvement to the public right of way network. The Borough Council will, unless suitable mitigation measures are made, protect from the development footpaths which:

- Provide a link between towns/villages and attractive open land;
- Link with the Ribble Way footpath;
- Are associated to the local nature reserves; and
- Are heavily used.

National Planning Policy Framework Extracts

Introduction

1. The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.
2. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. Planning policies and decisions must reflect and where appropriate promote relevant EU obligations and statutory requirements.

Achieving sustainable development

6. The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.
7. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:
 - **an economic role** - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
 - **a social role** - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
 - **an environmental role** - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

8. These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.

The Presumption in favour of sustainable development

11. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
12. This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.
14. At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.

For **plan-making** this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

For **decision-taking** this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably

outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

- specific policies in this Framework indicate development should be restricted. (For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.)

Core planning principles

17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:

- be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);

- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Delivering sustainable development

1. Building a strong, competitive economy

18. The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
19. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Supporting a prosperous rural economy

28. Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:
 - support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - promote the development and diversification of agricultural and other land-based rural businesses;

- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

Promoting sustainable transport

32. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:
- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
 - safe and suitable access to the site can be achieved for all people; and
 - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
34. Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.
38. For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.

Delivering a wide choice of high quality homes

47. To boost significantly the supply of housing, local planning authorities should:
- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
 - identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with

an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

- identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;
49. Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
52. The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities. Working with the support of their communities, local planning authorities should consider whether such opportunities provide the best way of achieving sustainable development. In doing so, they should consider whether it is appropriate to establish Green Belt around or adjoining any such new development.

Requiring good design

56. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
57. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
61. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
65. Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).

Promoting healthy communities

69. The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning. Planning policies and decisions, in turn, should aim to achieve places which promote:
- opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;
 - safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
 - safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.
70. To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
 - guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
 - ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
 - ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.
72. The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
- give great weight to the need to create, expand or alter schools; and
 - work with schools promoters to identify and resolve key planning issues before applications are submitted.

73. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

Conserving and enhancing the natural environment

109. The planning system should contribute to and enhance the natural and local environment by:
- protecting and enhancing valued landscapes, geological conservation interests and soils;
 - recognising the wider benefits of ecosystem services;
 - minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
 - preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
 - remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
113. Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.
115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important.
118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:
- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

- proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;
- development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- opportunities to incorporate biodiversity in and around developments should be encouraged;
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and
- the following wildlife sites should be given the same protection as European sites:
 - potential Special Protection Areas and possible Special Areas of Conservation;
 - listed or proposed Ramsar sites; and
 - sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

Conserving and enhancing the historic environment

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering

the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

131. In determining planning applications, local planning authorities should take account of:
 - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
 - the nature of the heritage asset prevents all reasonable uses of the site; and
 - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
 - the harm or loss is outweighed by the benefit of bringing the site back into use.
134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

141. Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Decision-taking

186. Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.
187. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Determining applications

196. The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions.
197. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Planning conditions and obligations

204. Planning obligations should only be sought where they meet all of the following tests:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
206. Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
215. In other cases and following this 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given).

NB: These are considered key paragraphs within the NPPF to bring to Members' attention. The policies in paragraphs 18 to 219 taken as a whole, which constitute the Government's view of what sustainable development means, have been taken into account in the determination of this planning application.

Guide to the Use Classes Order

The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'.

The following list gives an indication of the types of use which may fall within each use class. Please note that this is a guide only and it's for local planning authorities to determine, in the first instance, depending on the individual circumstances of each case, which use class a particular use falls into.

A1 Shops - Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.

A2 Financial and professional services - Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies and betting offices.

A3 Restaurants and cafés - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.

A4 Drinking establishments - Public houses, wine bars or other drinking establishments (but not night clubs).

A5 Hot food takeaways - For the sale of hot food for consumption off the premises.

B1 Business - Offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area.

B2 General industrial - Use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).

B8 Storage or distribution - This class includes open air storage.

C1 Hotels - Hotels, boarding and guest houses where no significant element of care is provided (excludes hostels).

C2 Residential institutions - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.

C2A Secure Residential Institution - Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.

C3 Dwellinghouses - this class is formed of 3 parts:

C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as

members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.

C3(b): up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.

C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.

C4 Houses in multiple occupation - small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

D1 Non-residential institutions - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non-residential education and training centres.

D2 Assembly and leisure - Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).

Sui Generis - Certain uses do not fall within any use class and are considered 'sui generis'. Such uses include: theatres, houses in multiple occupation, hostels providing no significant element of care, scrap yards. Petrol filling stations and shops selling and/or displaying motor vehicles. Retail warehouse clubs, nightclubs, launderettes, taxi businesses, amusement centres and casinos.

Scoping Request Response

RIBBLE VALLEY BOROUGH COUNCIL

please ask for: SARAH WESTWOOD
direct line: 01200 414516
e-mail: sarah.westwood@ribblevalley.gov.uk
my ref: SW/CMS
your ref: 29421P009/CP/tjasm
date: 8 November 2011

Council Offices
Church Walk
CLITHEROE
Lancashire BB7 2RA

Switchboard: 01200 425111
Fax: 01200 414487
DX: Clitheroe 15157
www.ribblevalley.gov.uk

Dear Mr Prydderch

RE: SCOPING OPINION IN ACCORDANCE WITH REGULATION 13 OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011
PROPOSAL: PREDOMINANTLY RESIDENTIAL DEVELOPMENT BUT ALSO PROVIDING SPACE FOR BUSINESS USE (CLASS B1), A PRIMARY SCHOOL, OPEN SPACE AND INFRASTRUCTURE
LOCATION: LAND SOUTH OF CLITHEROE

I refer to your request on behalf of the Trustees of the Standen Estate for a Scoping Opinion and the accompanying EIA Scoping Report received on 6 October 2011 for the above proposal.

The Local Planning Authority (LPA) has had regard to the suggested scope of work for the environmental statement (ES) in relation to the matters set out in your EIA scoping report, the matters raised in the Regulations 13(4) consultation responses and the requirements of paragraph 6 of Regulation 13 of the SI 2011 No.1824. The following details the LPA formal Scoping Opinion under Regulation 13 of the SI No.1824.

General Comments

The LPA firstly highlights that an ES must comply with the requirements of Part 1 and 2 of Schedule 4 to the SI 2011 No.1824, as they may be relevant.

The LPA consider the submitted Scoping Report to be broadly satisfactory in addressing the range of possible impacts due to the proposed development. Comments have been received from a number of consultees and specific concerns and recommendations raised in response and by the LPA are incorporated in the following comments under specific headings. The LPA advises that the recommendations provided below should be addressed by the ES.

Policy and Legislation

The LPA would question the need to refer to PPG2 Green Belts as the site is not located within or near the areas of green belt land within the Borough. In respect of the local planning policies referred to it is important to bear in mind that the site lies outside the

defined settlement limit of Clitheroe and therefore Policy H19 should be substituted with Policy H20, Policy G5 should be considered, Policy EMP7 is questioned as that relates to development within settlement limits or adjacent to existing employment uses (neither applies here) and Policy G6 is again queried as there are no sites designated essential open space within the red edge of the site put forward for consideration. I am mindful there is an adjacent site with such a designation which might be the reason for inclusion but at this stage would state that it is not immediately apparent why this reference has been included.

The Water Environment

In response to the Scoping Report the Environment Agency have reviewed the submitted documentation and have no objection to the proposed scope of the EIA. They have however made the following comments:-

Water Quality

For the water environment, Pendleton (Mearley) Brook plus associated drainage ditches has been identified as the main receptor. Consideration should be given to the Water Framework Directive status of this waterbody - currently MODERATE ecological status, predicted status moderate (2015). There should be **no deterioration** in water body status.

Foul drainage from the development of this site must be drained to the foul sewer. Surface water from any areas likely to be contaminated should be connected to the foul sewer for which the formal consent of United Utilities Limited is required. Liaison with the water undertaker is a given, to verify the capacity of the local sewer network. There are other significant development proposals in the area and although capacity may exist to treat the waste, the sewerage network will need to be assessed to ensure storm loads can be accommodated.

Additionally, we would emphasise the importance of close liaison between the developer and building control during both the construction and post construction phase. This is to ensure that foul connections are made to the appropriate drainage system. Misconnections of foul sewage into surface water drains are a significant source of urban diffuse pollution in those areas where a separate drainage system is used.]

We note that a Drainage Impact Assessment is to be undertaken. Every effort should be made to incorporate sustainable drainage systems (SUDS) into the development plans to mitigate the effects of both flood events and pollution from surface water run-off. The latter will be from the roadways, car parking and hardstanding areas generally which will generate dirty water carrying suspended solids, oils and other pollutants associated with motor vehicles. Attenuation systems in the form of interceptors, swales, soakaways, etc should be considered as part of the design such that there is no direct run-off via the highway or surface water system into Mearley Brook or its tributaries.

Opportunities should likewise be sought to 'de-culvert' any existing watercourses that are currently channelled through pipes or culverts.

Flood Risk

The site is predominantly located within Flood Zone 1, defined by Planning Policy Statement 25 as having little or no probability of flooding. However, there are some localised areas of Flood Zone 2 and 3 (medium and high probability of flooding) directly adjacent to Pendleton (Mearley) Brook.

As stated in the scoping report, a Flood Risk Assessment (FRA) should be undertaken in accordance with PPS25. The FRA should demonstrate that the proposed development will not be at an unacceptable risk of flooding and that flooding elsewhere will not be exacerbated. In this respect, surface water run-off should be restricted to existing rates, which should be determined in the FRA. Given the size of the development area, it is assumed any future development would be phased. The FRA should demonstrate how run-off will be managed to restrict surface water run-off to existing rates if a phased approach is to be taken.

Surface water run off can be attenuated through the use of Sustainable Drainage Systems (SUDS). Support for the SUDS approach to managing surface water run-off is set out in paragraph 22 of Planning Policy Statement (PPS) 1: Delivering Sustainable Development and in more detail in PPS 25: Development and Flood Risk at Annex F. Paragraph F8 of the Annex notes that "Local Planning Authorities should ensure that their policies and decisions on applications support and complement Building Regulations on sustainable rainwater drainage". These not only attenuate the rate of surface water discharged to the system but help improve the quality of the water. They can also offer other benefits in terms of promoting groundwater recharge and amenity enhancements. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands.

Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SUDS approach. Under Approved Document Part H the first option for surface water disposal should be the use of SUDS, which encourage infiltration such as soakaways or infiltration trenches. In all cases, it must be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Flow balancing SUDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at a scale where uncontrolled surface water flows would otherwise exceed the local greenfield run off rate. Flow balancing should seek to achieve water quality and amenity benefits as well as managing flood risk.

Further information on SUDS can be found in:

- PPS25 page 33 Annex F
- PPS25 Practice Guide
- CIRIA C522 document Sustainable Drainage Systems-design manual for England and Wales
- CIRIA C697 document SUDS manual
- The Interim Code of Practice for Sustainable Drainage Systems

The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on both the Environment Agency's website www.environment-agency.gov.uk and CIRIA's website www.ciria.org.uk

We recommend that the developer considers the following, as part of the scheme:-

- Water management in the development, including, dealing with grey waters
- Use of sustainable forms of construction including recycling of materials
- Energy efficient buildings

At the scoping stage of a proposed development such sustainable techniques can easily be incorporated into the overall design.

It is noted that you intend to contact United Utilities in respect of the ES with regard to capacity in the local sewer network and to gather any evidence of incidences of sewer flooding. I have contacted them myself as part of this process with a summary of their comments being as follows:-

Water and wastewater services are vital for the future health and well-being of your community and the protection of the environment. When developing your Local Development Framework [LDF] and future policies LPA should consider the impacts on the health and well-being its community, environment and ensure infrastructure capacity is available, if infrastructure deficiencies can be addressed, an alternative location and/or timescale should be sought where infrastructure capacity is available and it meets the LPA development needs.

4.1 National Policy Planning

The EIA must also address the requirements of PPS12: Creating strong safe and prosperous communities through Local Spatial Planning.

In particular, the impact of the development on Clitheroe WwTW and its receiving watercourse.

4.1.1 National Planning Policy Framework

The NPPF may be adopted before the proposed development reaches the planning application stage therefore the proposals made by the draft NPPF [presumption in favour of sustainable development] should be considered within the EIA

Their detailed comments are in part a response to this Scoping request but also make reference to the LDF process which is currently ongoing. To ensure you have a comprehensive review of all comments received I shall repeat the content of their letter in full but this may be something that you discuss with them further as part the ES process to establish their exact requirements.

UUW supports growth and sustainable development within the North West.

UUW would like to build a strong partnership with Local Planning Authorities [LPA] to aid development and growth.

Our aim is to proactively share our information; assist in the development of sound planning strategies, to identify future development needs and to secure the necessary long-term infrastructure investment.

Water and wastewater services are vital for the future health and well-being of your community and the protection of the environment. When developing your Local Development Framework [LDF] and future policies LPA should consider the impacts on the health and

well-being its community, environment and ensure infrastructure capacity is available. If infrastructure deficiencies can be addressed, an alternative location and/or timescale should be sought where infrastructure capacity is available and it meets the LPA development needs.

UUW would like to make the following specific comments and to be included in future consultations and if possible, the future development of the land to the south of Clitheroe and Ribble Valley Borough Council's development plans

National Policy

National Policy Planning

The EIA must also address the requirements of PPS12 Creating strong safe and prosperous communities through Local Spatial Planning.

In particular, the impact of the development on Clitheroe WwTW and its receiving watercourse.

National Planning Policy Framework

The NPPF may be adopted before the proposed development reaches the planning application stage therefore the proposals made in the draft NPPF [presumption in favour of sustainable development] should be considered within the EIA

UUW would like to the following comments to be incorporated into the EIA for the Land South of Clitheroe and Ribble Valley Borough Council's future policies:

General notes:

PPS12 - Infrastructure

The core strategy should be supported by evidence of what physical, social and green infrastructure is needed to enable the amount of development proposed for the area, taking account of its type and distribution.

This evidence should cover who will provide the infrastructure and when it will be provided. The core strategy should draw on and in parallel influence any strategies and investment plans of the local authority and other organisations.

[Reason: Satisfactory and sustainable development]

Infrastructure

To preserve the quality of life for the existing community and to prevent environmental damage; developments should not be permitted until infrastructure capacity is available.

UUW cannot confirm if capacity is available until the connection point/s, flows and completion dates are confirmed, therefore the LPA should work closely with UUW and other utility providers to ensure funding and infrastructure plans are secured with their Regulators before granting planning approval; failure may result in the deterioration of the community's quality of life and/or environmental damage.

The scale and type of development needs to be defined so the appropriate infrastructure is in place to ensure growth is sustainable.

UW has a number of recent examples where infrastructure has been provided based on identified growth, but not delivered; this has resulted in major operational issues; the treatment process is under loaded; it is failing to operate because it cannot reach its operational capacity.

Additional temporary engineer solutions are in place; this represents a significant risk to the exiting customers; the environment and UW; not forgetting the additional financial burden on UW's customers.

Ribble Valley Borough Council has a number of capacity issues; any additional developments in these and/or adjoining areas without firstly ensuring funding and infrastructure plans are implemented could result in an increased number and frequency of sewer flooding incidents.

[Reason: Ensure timely delivery of development and infrastructure to protect the good quality of life and the environment]

Responding Strategic Housing Land Availability Assessment [SHLAA]

Responding to an individual site identified in a SHLAA will not give a true reflection on impact on the existing infrastructure or provide a clear investment plan for the future.

A single plot will not be constructed, a number of plots will and therefore numerous build scenarios can be created from the list of sites identified in a SHLAA.

What if:

Plots A, B, C and Z are constructed

or

Plots B; C; D; Y and Z are constructed.

UW can not provide a true impact assessment on the development plots identified in your SHLAA, UW would prefer to meet a member of your team to discuss this in further detail.

[Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal and to provide satisfactory/sustainable development]

Water Resources Planning

Our Water Resources Management Plan published in 2009, sets out our strategy for water resources management for the next twenty-five years and highlights areas where there is likely to be a supply deficit and what activities will be put in place to mitigate any shortfall in supply.

The plan can be accessed here:

<http://www.unitedutilities.com/WaterResourcesPlan.aspx>.

We would encourage all developers and planners to contact UW at the earliest opportunity to enable identification of points of connection with least cost to the developer.

[Reason: To maintain the public water supply and to provide satisfactory/sustainable development]

Increased Water Capacity

The developer is required to pay for their increased capacity (up to the point of a treatment works) and they are only allowed to connect at specific points identified by U UW and following approval to connect.

Planners and Developer should obtain local capacity information from the U UW Area Teams\Connections who would be able to identify areas where there is current capacity for development; this would be on a case by case basis and developers are required to pay a fee for this service (a pre development enquiry).

[Reason: To maintain the public water supply and to provide satisfactory/sustainable development]

General Water Efficiency Guidance

United Utilities encourages the use of water efficient designs and development wherever this is possible. There are a number of actions developers can undertake to ensure that their developments are water efficient. The most up to date advice for water efficiency and water efficiency products can be found at Waterwise who have recently published a best practice guide on water efficiency for new developments. We would encourage utilisation of the following water efficiency activities:

Installing of the latest water efficient products, such as a 4.5l flush toilet instead of the 6l type.

- Minimise run lengths of hot and cold water pipes from storage to tap/shower areas. This minimises the amount of waste during the time the water goes from cold to hot.
- Utilising drought resistant varieties of trees, plants and grasses when landscaping.
- Install water efficient appliances such as dishwashers, washing machines.

[Reason: To maintain the public water supply and to provide satisfactory/sustainable development]

Carbon impact

LPA and developers should consider to the total carbon impact of future developments; not only the footprint of the development but also the carbon impact for additional infrastructure assets; their associated treatment processes and their future maintenance and operation requirements. To meet future reduction targets LPA and Developers should considered the wider carbon impact when determining the location of future developments.

[Reason: Satisfactory and sustainable development]

Surface Water

The treatment and processing of surface water [storm water; rainwater] is a not a sustainable solution; the sites' current natural discharge solution should be continued and/or mimicked; if the existing surface water does not have an existing natural solution, U UW questions the development of a flooded site.

Surface water should be managed at source and not transferred; if not this only transfers the issue to another location; generally to a single pinch point, generating further problems in that location.

Developments must drain on a separate sewerage system, with only foul drainage connected into the foul sewerage network.

Every option should be investigated before discharging surface water into a public sewerage network.

Connecting surface water to the public sewerage network is not a sustainable solution and LPA should discourage this practice.

- The priority options for the management of surface water discharges are:
- Continue and/or mimic the site's current natural discharge process
- Store for later use
- Discharge into infiltration systems located in porous sub soils
- Attenuate flows into green engineering solutions such as ponds; swales or other open water features for gradual release to a watercourse and/or porous sub soils
- Attenuate by storing in tanks or sealed systems for gradual release to a watercourse
- Direct discharge to a watercourse
- Direct discharge to a surface water sewer
- Controlled discharge into the combined sewerage network ~ this option is a last resort when all other options have been discounted.

Development on greenfield sites shall not discharge surface water into the public combined sewerage network and shall not increase the rate of run-off into the public surface water network ~ this statement does not replace the priority options for surface water management above.

On previously developed land, a reduction of at least 30% will be sought, rising to a minimum of 50% in critical drainage areas ~ this statement does not replace the priority options for surface water management above.

Any discharge to the public sewerage system must be via approved SUDS and will require an approved discharge rate.

Consideration should be given for green infrastructure, low carbon, soft engineering SUDS solutions, such as ponds; swales; wet land areas and detention basins etc.

A discharge to groundwater or watercourse may require the consent of the Environment Agency.

[Reason: To ensure that the surface water is properly discharged to prevent flooding or the overloading of the public sewerage network]

Development adjacent to infrastructure assets

The future expansion of infrastructure assets to meet the needs of future development and changes in legalisation could create a potential conflict with development plans, this may result in £Millions of customers money being spent in building a new infrastructure outside the locality; therefore developments adjacent to UuW assets should be discouraged by Local Planning Authority.

Water and sewerage companies have a legal right of access to their assets; this can be for their operational and/or maintenance therefore UuW will not permit the building over and/or near its infrastructure assets.

By their nature, wastewater processes generate odour levels, which the public may deem to be unacceptable; in addition, the filter processes attract flies.
To avoid any conflict historically these facilities have been sited away from the general population.

To protect the public from these by-products UUW would ask that the Environmental Health Authority be consulted in any future developments adjacent to wastewater infrastructure assets. In most cases, the distance of 400 metres from the WWTW is used as a guide, but this can differ due to local topography, climatic conditions, size and nature of the wastewater infrastructure asset and development in question.

[Reason: To protect existing infrastructure and maintain service]

Infill land

You should be aware that, on occasion, gaps are left between properties; this is due to the presence of underground utility assets. UUW will not allow the building over or near to these assets and development will not be acceptable in these locations.

[Reason: In order to allow sufficient access for maintenance and repair work at all times]

Climate change adaptation

Planners and Developers should consider that the impacts of climate change on future development, existing infrastructures and the environment.

Developments to be designed to reduce the impacts of climatic change on the development itself, the existing infrastructure and the environment; with consideration for hotter, drier summers, greater flood risk and more severe weather events.

To reduce the impacts of climate change on the existing infrastructure LA Planners should seek a significant reduction in the discharge from developments.

Paving over front gardens has potential contribution to flood risk and should be discouraged.
[Reason: To ensure that the development is properly drained; prevents flooding and environmental damage]

Green Infrastructure

Ribble Valley Borough Council should seek opportunities to use developer contributions and/or resources to meet common objectives.

Green and open space, sports and recreation provisions can be used to address surfacewater and climate change issues.

Building green infrastructure assets such as ponds, swales and wetlands will not only meet Ribble Valley Borough Council's Green Space needs but also their local existing and/or future surface water/ climate change issues.

Artificial pitches; cycle paths; play areas multi-use games areas and skate parks are can be to local underground civil engineering SUDS solutions.

SUDS solutions that incorporate irrigation systems will help support and maintain Ribble Valley Borough Council's allotments, parks and garden areas.

Ribble Valley Borough Council's should identify opportunities for the installation retro fitting SUDS.

[Reason: To ensure that the development is sustainable, properly drained; prevents flooding and environmental damage]

Air Quality and Noise

The Council's Head of Environmental Services has examined the submitted Scoping Report and is generally satisfied in respect of these issues. The only comment made is that we would welcome the opportunity to agree the proposed locations for the noise assessment measurements to be taken.

Ecology

Both the Environment Agency and the Council's Countryside Officer have examined the Scoping Report and offer the following observations.

Biodiversity

We (EA) have a duty to protect watercourses, other wetland habitats and their associated species. This includes ponds, lakes, wet hollows, wet grasslands, marshy areas, streams, ditches and their associated habitats.

The EIA should include a detailed ecological survey of all wetland habitats and species on the development site and within the surrounding area, undertaken at an appropriate time of year by a suitably qualified ecologist. This should include macroinvertebrate, macrophyte, and fish surveys including crayfish, as well as riparian mammals, birds and amphibians. It should;

- assess the importance of the identified wetland features at a local, regional and national level;
- identify the impacts of the scheme on those features;
- demonstrate how the development will avoid adverse impacts;
- propose mitigation for any adverse ecological impacts or compensation for loss and any limitations of this mitigation
- propose wildlife habitat enhancement measures

Characteristics of the potential impacts of the proposed development on these features include:

- direct damage to or loss of terrestrial and aquatic habitat and biodiversity associated with the proposed development
- direct and indirect impacts on species (including rare and sensitive) likely or possibly present at the development site
- impacts on surface water hydrology and quality

Assessments should have regard to the above and should address the effects that might occur during construction and post construction stages.

Any existing nature conservation features, within the development site, such as mature trees, hedgerows, watercourses, waterbodies and other wetland features should be incorporated into site design and protected from change. It is noted you intend to carry out an extended

Phase I Habitat Survey and detailed survey information will be required on trees/hedgerows with constraints plans being drawn to inform the masterplanning process. In addition details of the existing rights of way network will be required.

Any proposed layout or Masterplan should have regard to the biodiversity value of the site. Where footpath or road crossing points are intended over watercourses, clear span structures must be used. We are opposed to the culverting of watercourses as it destroys wildlife habitats, damages a natural amenity and interrupts the continuity of this linear habitat. It also has adverse effects on flood defence and land drainage. Destruction and fragmentation of riparian habitat invariably leads to a reduction in the ecological value of affected areas for the wildlife which they support, including important and protected species, and is not consistent with the Lancashire Biodiversity Action Plan (BAP).

Access along the watercourse may have a negative impact and may need to be sensitively designed and managed, or placed in a more appropriate location. Where development is proposed adjacent to a watercourse a substantial marginal strip of land along the course of should be maintained as a buffer zone, with existing trees and scrub retained and natural riparian vegetation encouraged. The permanent retention of a continuous unobstructed area is an essential requirement for the preservation of water corridor wildlife habitat. This buffer zone will also help to protect the receiving watercourse from the detrimental impacts of positive drainage of urban runoff.

We (EA) would encourage any informal open space be managed so as to foster a natural character, with retention of native trees and shrub species and any grass areas left un-mown to enhance the floristic and habitat value. Any proposed landscaping should also be carried out with native tree and shrub species of local origin.

Proposed dwellings should face watercourses, and gardens and buildings backing on to watercourses should be avoided. By incorporating watercourses as features of the development rather than hiding them behind it, this will avoid future harm to their quality and value.

Traffic and Transport

I have consulted Lancashire County Council in their capacity as the highway authority on the content of the Scoping Report and they have provided the following comments.

Lancashire County Council 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.

Location of Site and Access

The proposed development site is located to the west of the A59 which provides a link towards east Lancashire, Skipton and beyond, and Preston, other areas within Lancashire and the M6 to the southwest. The A671 runs north-south to the west of the proposed development provides access to the A59, Burnley, Accrington and the M65 to the south.

The report indicates that access will be provided from the proposed development to Clitheroe town centre by Pendle Road and Whalley Road (A671) to the east and west respectively. It must be noted that the development is approximately 2km from the train station.

The Masterplan includes the red edge however the detail (on its use) is unclear in the area which is in close proximity to the A59. This could influence the overall impact and safety for movement (motorised and non motorised) on and across the A59.

Development

The proposal is for up to 1500 dwellings, primary school, light industrial uses and other on site facilities. The EIA states that a Transport Assessment will be produced by Royal Haskoning Ltd., in-line with the DfT guidance (as it exceeds all thresholds).

Policy and Assessment Guidelines

It is important that this potential development site, if progressed in full or in part, is in line with/satisfies all relevant policy and guidance, including PPG13, PPS4, Transport Assessment Guidance etc.

Access Strategy

The TA to be provided will need to satisfy the existing and expected needs supporting the movement of people and goods. It is important that all existing and proposed accesses/junctions and routes/corridors within the influenced area (that will need to be agreed) are fully analysed in order to satisfy and accommodate the impacts of all existing, committed, expected and proposed movements and needs for all motorised and non motorised modes. As part of the overall assessment full consideration must be given to local amenity and where necessary supporting mitigation should be provided by the developer. I would note that a number of local roads beyond the site have narrow carriageways and suffer delay from transport related influences.

Current Census data indicates that as a district the use of sustainable modes is less than the average for Lancashire and that the site is located on the boundary of an existing built up area, with lesser opportunities to use sustainable modes when compared to other locations within the urban fabric. It is important to ensure that residents are not dependant on the use of the private car.

Site Access

It should be noted that any new access on to the highway network will need approval by the highway authority and must satisfy design, safety, capacity, movement and sustainable requirements for all motorised and non-motorised modes (including pedestrian/cyclist, car, public transport and service/emergency vehicles for residential areas and additional goods vehicles for industrial/commercial land uses). All changes to the highway/transport network, including junctions, links and supporting infrastructure should not be at the detriment to network efficiency, reliability or local amenity. It is expected that the junction with the A59 will require significant changes when compared to the existing.

The development site will require a minimum of two access points to allow for passenger transport and safety/emergency services provision. The agreed number of and type of access points would be ascertained following analysis of the surrounding highway network and other characteristics/needs/details of the development site such as topography, size, shape, number of dwellings, linked land uses, internal layout, safety, servicing, deliveries, parking proposals/provision, future expansion potential, road width, road lengths and sustainable provision.

Internal Site Layout

New highways within the site should not be designed to direct traffic onto unsuitable routes or encourage rat-running by providing short cuts for through traffic. Internal layouts should be designed to fully support direct public transport services through the site maximising site accessibility, whilst providing direct links for both pedestrians and cyclists within, through and external to the development. A manual for streets approach will be appropriate for this site.

Public Transport

It is important that the site should be supported by public transport, i.e. within an acceptable walking distance, linked by safe and direct footways which will require direct access into the site by bus services. Access and egress points into a site for bus routes ideally should be separated. Bus services should be at a frequency to support the needs of the site with links to a number of key suitable destinations.

Key requirements of major housing developments are;

- Provision of through route for buses to serve the development
- All housing to be within 400m walking distance of a regular / frequent bus service.

Public Transport proposals should also seek to provide a frequent service throughout the day and at weekends to a range of destinations. In order to secure the long term sustainability of the site any service provided needs to be viable once any initial funding period has past.

Access to high quality public transport services will be key to reducing dependence on the private car for users of this development.

Active Modes (walking, cycling)

It is important that the proposed development can promote the use of active and sustainable modes of transport (walking, cycling). New development should incorporate the improvement of pedestrian facilities along expected desire lines and the extension or creation of cycle paths/routes. This will support connectivity into the existing built environment.

Local Amenity

Local community facilities such as health and local retail should be satisfied through provision as part of the site or using existing facilities in the wider area (but within suitable walk distances). Consideration will need to be given to capacity at schools (both at a primary and secondary level) that could serve the proposed residential development.

There are existing PROW's within the overall site area connecting to Worston Road, Pendle Road and residential areas. These should be linked into the development site. There is footway provision along the westbound carriageway of Pendle Road, leading to bus stops and the centre of Clitheroe. Local speed limits will need to be reviewed in line with the site and amended, as the eastern section of Pendle Road is currently a 60mph speed limit.

It is noted that this site has advantages as it is located adjacent to the primary highway network. However this means that there is a further distance for sustainable modes such as pedestrians, cyclists and PT to travel to access existing town centre facilities.

Transport Assessment

In addition to that highlighted above.

Traffic Flows, Traffic Growth, Trip Generation, Trip Distribution,

To be agreed as part of the scoping of the Transport assessment. The distribution to be in line with expected employment opportunities.

Committed and Other Proposed Developments

It is important that all committed, emerging and expected developments are agreed with the LPA.

Parking Standards

To be in line with relevant standards.

Travel Plan

An interim and full TP will be required to support the application with challenging yet realistic targets for all elements of the proposed site.

Conclusion

The site is located in close proximity to the A59 which would be an advantage for motorised users. It is critical that the site fully satisfies accessibility and sustainability needs with strong connectivity into the existing built environment strengthening its presence and the sustainability of the area. Otherwise, the site could be car dependant and be disconnected from Clitheroe (failing a number of national policies).

Cultural Heritage

The Archaeology team at Lancashire County Council have been consulted on the Scoping Report and their comments are as follows:-

The EIA Scoping report does include a section (5.8) on Cultural Heritage, in which it is stated that the EIA Report will include further information on the archaeological potential of the site based on the results of a desk-based assessment and site walkover. LCAS is of the opinion that this would be a useful starting point for any assessment of the site, although it should be noted that the presence of the Roman road that runs across the site as well as the odd stray find of a similar date might well already be considered to indicate that there will be a need for further stages of archaeological investigation of the site. Whether this would take the form of any pre-determination work, or could be conditioned, would however very much depend on the results of the desk-based assessment and site walkover.

The Council's Design and Conservation Officer has made the following comments in respect of the Scoping Report.

Consideration of Clitheroe Conservation Area, including its setting and views into and out of (eg. Districtwide Local Plan Policy ENV16), does not appear to have been considered. There might also be an impact on the setting of other conservation areas eg. Pendleton.

http://www.ribblevalley.gov.uk/site/scripts/download_info.php?downloadID=3329

<http://www.english-heritage.org.uk/publications/setting-heritage-assets/>

<http://www.english-heritage.org.uk/professional/advice/advice-by-topic/setting-and-views/seeing-the-history-in-the-view/>

No account has been taken of non-designated heritage assets (including their settings). Whilst we do not have a local list, the impact on non-designated heritage assets (above and below ground; areas as well as structures/buildings) will be a material consideration. Importantly, PPS5 Annex 2: Terminology states that these can be 'assets identified by the local planning authority during the process of decision-making'. See also paragraph 15 of the HEPPG.

<http://www.communities.gov.uk/publications/planningandbuilding/pps5>

Where/what is the 'standing cross at Clitheroe Castle (SM 27747)' ? It is suggested that this is the nearest scheduled monument. I would suggest that careful consideration be made to the impact on all designated and non-designated (see the Lancashire HER and liaise with RVBC Conservation Officer) assets.

<http://www.english-heritage.org.uk/professional/protection/process/national-heritage-list-for-england/>

Policies ENV20 and ENV19 (listed buildings), ENV16 (conservation areas), ENV21 (historic park and gardens) and ENV14 (archaeology) and the adopted (3 April 2007) Clitheroe Conservation Area Appraisal appear most relevant and should be considered in the relevant planning policy section of the ES

Landscape and Visual Assessment

The submitted Scoping Report makes reference in paras 5.9.2 and 5.9.3 to the 'defined study area' and that 'all visual receptors will be agreed with the local authority'. The LPA would welcome an early opportunity to agree the extent of the 'defined study area' on a map base and the location of 'visual receptors' in order to ensure that the potential landscape and visual effects are appropriately considered in the ES.

Community and socio-economic effects

The LPA consider the proposal to be of such a scale and nature that is likely to generate significant levels of public interest. As such, the ES should contain a Statement of Consultation detailing engagement with the local community.

Additional Information

Whilst the submitted Scoping Report is generally extensive, the LPA consider it would be appropriate to include an energy and resource efficiency topic within the ES. Development of this scale should address energy issues. The LPA also raise concern in that there appears to be no chapter on sustainability and consider it would be expected that a development of this scale ought to address sustainability issues. Indeed this is a matter that is raised by LCC in relation to transport matters.

Further Information

The LPA has sought to be thorough in its assessment of the Scoping Report and has encompassed consultation comments where relevant. However, please note the issuing of this scoping opinion does not prevent the LPA from requesting further information at a later stage under Regulation 22 of the SI 2011 No.1824.

Further to the matters raised within the Scoping Opinion, the LPA would encourage Standen Estates to submit a formal pre-application enquiry at this stage. This will provide an opportunity to engage in discussions regarding the development proposals whilst the ES is being prepared.

I trust the above information will be of assistance. Should you wish to discuss any of the above comments further, please do not hesitate to contact me on the above number.

Yours sincerely

SARAH WESTWOOD
SENIOR PLANNING OFFICER

Mr C Prydderch
Senior Consultant
AMEC Environment & Infrastructure UK Ltd
Canon Court
Abbey Lawn
Abbey Foregate Shrewsbury SY2 5DE

From: Sarah Westwood
Sent: 11 November 2011 15:31
To: 'chris.prydderch@amec.com'
Cc: 'john.hall3@amec.com'
Subject: FW: SW/CMS EIA scoping request for land south of Clitheroe

Hi Chris

Please find attached the comments from Natural England on your scoping request which should be read in conjunction with the comments sent earlier this week dated 9 November. Please accept my sincere apologies for their omission from the formal response.

Regards

Sarah

From: Walsh, James (NE) [mailto:James.Walsh@naturalengland.org.uk]
Sent: 26 October 2011 16:00
To: Sarah Westwood
Subject: SW/CMS EIA scoping request for land south of Clitheroe

Dear Sarah

Please find attached Natural England's comments on the above.

Kind regards
James Walsh
Lead Adviser
Land Use Operations
Natural England
25 Queen Street
Leeds
LS1 2TW
Office: 0300 060 1832
Mobile: 07887 625570

26 October 2011

Our ref: 35994

Your ref: SW/CMS



Sarah Westwood
Senior Planning Officer
Ribble Valley Borough Council
Church Walk
Clitheroe Lancashire BB7 2RA

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Sarah

Planning consultation: EIA Scoping request
Location: Land south of Clitheroe

Thank you for your consultation dated 11 October 2011, which we received on 14 October 2011.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We offer the following advice on the scope of the Environmental Statement (ES).

1 General Principles

We would expect the final ES to include all necessary information as outlined in Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 1999, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal,

including all supporting infrastructure, with other similar proposals and a thorough assessment of the „in combination“ effects of the proposed development with any existing developments and new applications. A full consideration of the implications of the whole scheme should be included in the ES.

2 Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. [Guidelines for Ecological Impact Assessment \(EclA\)](#) have been developed by the Institute of Ecology and Environmental Management (IEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. EclA should include the following stages:

- scoping, involving consultation to ensure the widest possible input to all following stages (in practice this is iterative throughout the EclA process);
- identification of the likely zone of influence arising from the proposals;
- identification and evaluation of ecological resources and features likely to be affected. The IEEM guidance on Survey Methodology states that *“the importance of primary data collection in all survey work cannot be over-emphasised. Without good survey data the quality of an ecological assessment and any mitigation or compensation proposals will be compromised ... the need to report in an unbiased, clear and detailed manner is required by the Code of Professional Conduct”*. This IEEM guidance also makes reference to other key survey methodologies and standards, including key Natural England guidance available from [our website](#);
- identification of the biophysical changes likely to affect valued ecological resources and features;
- assessment of whether these biophysical changes will give rise to a significant ecological impact, defined as an impact on the integrity of the defined site or ecosystem(s) and/or the conservation status of habitats or species, including cumulative impacts;
- refinement of proposals to incorporate ecological enhancement measures and to avoid negative ecological impacts, reduce any impacts that cannot be avoided; and compensate for any significant adverse impacts that remain. Measures identified to address this should be agreed with the developer to facilitate their inclusion within the scheme at an early stage. They would then become part of the proposals and subject to detailed assessment. An options list of proposed mitigation at the end of an EclA is of very little value as it requires the competent authority to enter into discussion with the proponent to agree what will be implemented. An EclA is effectively meaningless if it provides an assessment of the significance of the residual impacts of a scheme based on the proposed mitigation measures being implemented even though these measures have not been agreed by the developer;
- provision of advice on the consequences for decision making of the significant ecological impacts, based on the value of the affected resource or feature; and
- provision for monitoring and following up the implementation and success of mitigation measures and ecological outcomes.

Key Principle (vi) of PPS9 *Biodiversity and Geological Conservation*, begins *“The aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests”* and the Royal Town Planning Institute (RTPI) *“Five Point Approach to Planning Decisions for Biodiversity”* (which are summarised within the joint Communities & Local Government, Defra and English Nature companion guide to PPS9, entitled *Planning for Biodiversity and Geological Conservation: A Guide to Good Practice*) are both relevant. The ES should aim to address these principles to assist the local planning authority in identifying whether they have been met by the proposals within the planning application.

2.2 Internationally and Nationally Designated Sites

The ES should thoroughly assess the impact of the proposals on designated sites, including Special

Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites and Sites of Special Scientific Interest (SSSI). Should a Likely Significant Effect on a European/Internationally designated site be identified, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2010 (the full process being termed Habitats Regulations Assessment), in addition to consideration of impacts through the EIA process.

Statutory site locations can be found at www.magic.gov.uk. Further information concerning particular statutory sites can be found on the [Natural England website](#).

2.3 Protected Species

The ES should assess the impact of all phases of the proposal on protected species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

Natural England has adopted [standing advice](#) for protected species. It provides a consistent level of basic advice which can be applied to any planning application that could affect protected species. It also includes links to guidance on survey and mitigation.

Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species.

2.4 Regionally and Locally Important Sites

The ES should thoroughly assess the impact of the proposals on non-statutory sites, for example Local Wildlife Sites (LoWS), Local Nature Reserves (LNR) and Regionally Important Geological and Geomorphological Sites (RIGS). Natural England does not hold comprehensive information on these sites. We therefore advise that the appropriate local biological record centres, nature conservation organisations, Local Planning Authority and local RIGS group should be contacted with respect to this matter.

2.5 Biodiversity Action Plan Habitats and Species

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed in the UK Biodiversity Action Plan (BAP). These Priority Habitats and Species are listed as “Habitats and Species of Principal Importance” within the England Biodiversity List, recently [published](#) under the requirements of S14 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available in the Defra publication “[Guidance for Local Authorities on Implementing the Biodiversity Duty](#)”.

PPS9 Paragraph 16 states “Planning authorities should ensure that these species (Habitats and Species of Principal Importance identified in the Countryside and Rights of Way Act 2000 section 74 list) are protected from the adverse effects of development...”. Government Circular 06/2005 adds that BAP species and habitats, “are capable of being a material consideration...in the making of planning decisions”. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

3 Landscape, Access and Recreation

The ES should address in an appropriately broad and detailed way any impacts on the landscape as well as access and recreation assets. This assessment should include thorough consideration of any impacts on National Parks, Areas of Outstanding Natural Beauty (AONB), Heritage Coasts and National Trails.

3.1 Landscape and Visual Impacts

Natural England expects the methodology of consideration of landscape impacts to reflect the approach set out in the *Guidelines for Landscape and Visual Impact Assessment* (The Landscape Institute, 2002), the *Landscape Character Assessment Guidance for England and Scotland* (Scottish Natural Heritage and The Countryside Agency, 2002) and good practice. The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England would expect the cumulative impact assessment to include those proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Characters Areas](#) which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

3.2 Access and Recreation

The ES should include a thorough assessment of the development's effects upon public rights of way and access to the countryside and its enjoyment through recreation. With this in mind and in addition to consideration of public rights of way, the landscape and visual effects on Open Access land, whether direct or indirect, should be included in the ES.

Natural England would also expect to see consideration of opportunities for improved or new public access provision on the site, to include linking existing public rights of way and/or providing new circular routes and interpretation. We also recommend reference to relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

4 Land use and soils

Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land. Whilst we appreciate that the majority of Planning Policy Statement (PPS) 7 has been superseded by PPS4, paragraphs 28 and 29 have been saved and therefore are relevant when considering the protection of BMV agricultural land.

We also recommend that soils should be considered under a more general heading of sustainable use of land.

The emphasis is now placed on the importance of soils as a natural resource, as enshrined in a number of important documents including the Soil Strategy for England, a successor to the First Soil Action Plan for England 2004-2006. This outlines the Government's approach to safeguarding our soils for the future. It provides a clear vision to guide long term policy development across a range of areas and sets out the practical steps that we will need to take

to protect the full range of functions (ecosystem services) that soils provide. Soil performs many vital functions, so their wise use and management is essential to sustainable development.

Development of buildings and infrastructure prevents alternative uses for those soils that are permanently covered, and also often results in degradation of soils around the development as result of construction activities. This affects their functionality as wildlife habitat, and reduces their ability to support landscape works and green infrastructure. Sealing and compaction can also contribute to increased surface run-off, ponding of water and localised erosion, flooding and pollution. Defra published a Code of Practice for the sustainable use of soils on construction sites (2009). The purpose of the Code of Practice is to provide a practical guide to assist anyone involved in the construction industry to protect the soil resources with which they work.

Yours sincerely

James Walsh
Land Use Operations

APPLICATION NO: 3/2013/0782/P (GRID REF: SD 360283 436019)
DEVELOPMENT OF 32 DWELLINGS INCLUDING AFFORDABLE HOUSING AND
ALTERATIONS TO EXISTING ACCESS FOLLOWING SITE CLEARANCE AT SPOUT FARM
PRESTON ROAD LONGRIDGE PR3 3BE

PARISH COUNCIL: Longridge Town Council have put forward comments regarding the application. Members are referred to the file for full details of their comments which can be summarised as follows:

- The council in principle have no objections to the proposed development as it offers 10 affordable dwellings.
- There are concerns in relation to the impact of traffic on the existing road network.
- The Town Council are aware of an existing sand bank for sand-martins and seek clarification that this will be relocated to another part of the site.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): The County Surveyor raised no objection in principal to the proposed development subject to relevant planning conditions being attached.

LCC CONTRIBUTIONS Lancashire County Council have requested no financial contribution in relation to Primary of Secondary school places within the area.

ENVIRONMENT AGENCY: No objection to the proposed subject to planning conditions.

LCC ECOLOGY Lancashire County Council Ecology department have raised some initial concerns in relation to the planning application. Members are referred to the file for full details of their comments which can be summarised as follows:

- There is evidence of Great Crested Newts within the wider area but not specifically the site in question. However no information has been submitted with the application in relation to existing habitat on site.
- Impacts upon bats are likely to be limited but there may be the opportunity to incorporate bat roosting opportunities within any proposed buildings however consideration will have to be given in relation to external lighting and this should be dealt with via planning condition.

- There exists the potential to enhance the opportunity for nesting birds on site potentially within the fabric of any proposed dwellings/buildings, it is suggested that these could be secured via planning condition.
- There are concerns that elements of the proposal could result in adverse impacts upon the biodiversity of the of the adjacent BHS whilst not being directly damaging to the site itself potentially through increased disturbance and increased predation by domestic pets. There are also concerns that additional tree planting could create predatory perches for birds of prey which may be of detriment to ground-nesting birds within the BHS.

ENVIRONMENT AGENCY

No objection to the proposal subject to the imposition of planning conditions.

ADDITIONAL REPRESENTATIONS:

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

- The proposal will be of detriment to highways safety.
- The proposal will add to congestion within Longridge.
- No demand for additional housing within the area.
- Loss of habitat and ecology.
- Over intensive development.
- Poor vehicular access.
- Cumulative effect of the development when taking into account existing permissions granted.

Proposal

This application seeks outline consent with all matters reserved save that of access for the erection of 32 dwellings including provision of affordable housing and alterations to an existing access at land at Spout Farm, Longridge.

The application has been subject to extensive pre-application negotiations in relation to layout, affordable housing provision and matters relating to landscape and ecology. Members will note that the submitted layout, whilst being largely informed by pre-application discussions, is for illustrative purposes only given outline consent is sought solely for access. The submitted details propose the erection of up to 32 dwellings arranged largely around a multiple-courtyard style layout with integral play area/public open space with associated hard and soft landscaping. The illustrative plans also propose a woodland footpath which would bound and run through the site for use by residents of the development and potentially the wider community.

Site Location

The proposal site is located on land previously associated with Spout Farm Nursery which has been used more recently as both an area for the storage of plant machinery in association with a tree-clearing business and for the growing of Christmas trees for sale within the adjacent

nursery. The site currently fronts Preston Road, being well sheltered by substantial existing boundary tree and hedgerow planting. The site is bounded to the north and east by the Alston Wetland Nature Reserve which is also an identified Biological Heritage Site and is located within the defined open countryside.

Relevant History

There is no planning history associated with the site that is relevant to the current application.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy H2 – Dwellings in the Open Countryside

Policy H20 – Affordable Housing – Villages & Countryside

Policy ENV3 – Development in open Countryside

Policy ENV13 - Landscape Protection.

Core Strategy 2008 – 2082 – a Local Plan for Ribble Valley Regulation 22 Consultation Draft

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DME2 – Landscape and Townscape Protection.

Policy DME3 – Site and Species Protection and Conservation.

Policy DMH3 – Dwellings in the Open Countryside

Policy DMH1 – Affordable Housing Criteria

National Planning Policy Framework (NPPF).

Environmental, AONB, Human Rights and Other Issues

The matters to be considered in the determination of this application relate to the principle of the development in policy terms; the potential impact of the development in visual terms; any potential effects upon ecology and trees; the potential impact on neighbouring residential amenities; highway safety; the mechanism by which the properties have been made affordable; and the matter of any financial contributions requested by Lancashire County Council.

Principle of Development

In assessing the proposal it is imperative to establish whether, in principle, the development would be considered acceptable in light of current and emerging policy considerations whilst fully considering the proposal against the aims and objective of the National Planning Policy Framework (NPPF).

The site lies within the currently defined Open Countryside but it should be noted that the current settlement boundaries of the District Wide Local Plan (DWLP) are out of date and as yet no replacement boundaries are in place. NPPF paragraph 55 emphasises that the development of isolated homes in the countryside should be avoided unless there are special circumstances. This involves a judgement as to whether the site is isolated. Given its location in relation to the main settlement of Longridge and the sites close proximity to existing dwellings and

extant/commenced planning consents for housing it would be difficult to consider such a development as isolated and therefore would not directly contradict paragraph 55.

In terms of five year land supply, the most recent published position at the time of writing is the Council's Housing Land Availability Schedule dated October 2013. This indicates a position of a 4.34 year supply, employing the Sedgefield approach which is the method Members confirmed to use at the 10th of October Meeting. Members are reminded that the position is subject to frequent change as applications are either approved or resolved to be approved subject to S106 Agreements being completed. Equally sites may be deemed to fall out of the five year supply as they lapse or evidence comes forward to demonstrate they will not be deliverable within the 5yr period.

A clear need to identify additional sites for the provision of housing was also identified in the Longridge Housing Needs Survey (February 2013) and it is considered that the application, as submitted would contribute to this.

I therefore consider that the level of development proposed as part of the development, in what is considered to be sustainable location would not be overly detrimental in planning policy terms.

Affordable Housing Provision

The applicant has put forward draft heads of terms proposed that 30% of the development be set aside for affordable housing provision equating to 10 units with 15% of this provision being suitable for elderly provision. The applicant is currently in negotiation with the Council's Housing Strategy Officer with regards to the detailed mix and tenure of the affordable housing and members will note that it is requested the application be deferred and delegated subject to further negotiation in relation to these matters.

Highways safety

The application proposes improvements to widen and alter the existing site access to serve the proposed development. The proposal also makes provision for a bus stop to the northwest extents of the site adjacent Preston Road which is directly accessed from the development by a proposed pedestrian footway. The County Surveyor raised no objection in principle to the proposed development subject to relevant planning conditions being attached.

Residential Amenity

In respect of potential impact upon residential amenity, given the isolated nature of the site in relation to adjoining/nearby dwellings, I consider the proposal as submitted would have no detrimental impact upon the residential amenities of existing/neighbouring occupiers. However it is imperative, in securing positive and well-designed/considered development, that I also consider the residential amenity of potential residents/occupiers of the development. Whilst the application is for Outline Consent with all matters reserved save that of access I consider the separation distances between the proposed dwellings, based on illustrative layout, satisfactory so as not to adversely impact upon the residential amenities of potential occupiers of the development.

I am therefore mindful of the relationship between the proposed dwellings and the existing properties/uses within the area and given the layout and spatial relationships as detailed on the submitted plans, consider the scheme acceptable

Layout

Given the submitted site layout is indicative only limited weight can be given in relation to its assessment as part of the application.

The submitted site layout has been largely influenced/informed by detailed pre-application comments and negotiations undertaken by the Local Authority.

Appearance & Visual Amenity

In respect of the appearance of the proposed dwellings, given the application is for all matters reserved save that of access matters of appearance and visual amenity cannot be considered as part of the current application.

Landscape

Given the location of the proposed development the applicant has submitted an indicative landscaping proposal which proposes extensive landscaping both integral to the layout of the housing development and in the form of boundary reinforcement through native tree and hedgerow planting. This will further aid in adding ecological and biodiversity value to the site whilst providing additional visual screening to the development, particularly when view on approach from the B6243 to the east.

Ecology

Given the sites proximity to the Alston Wetland Nature Reserve Biological Heritage Site (BHS), Lancashire County Council have made representations in relation to the application which have been summarised at the initial stages of this report. The applicants ecologist has responded to a number of these concerns/queries and I am satisfied that both the queries and issues relating to tree planting/landscaping and potential speculative indirect impacts upon the BHS have been addressed or can adequately be addressed and controlled through planning condition.

Financial Contributions Requested by LCC

Lancashire County Council Contributions officer have not requested a financial contribution towards Primary or Secondary School places. However, if any pending applications are approved prior to a decision being made on this development the claim for primary school provision could increase up to maximum of 7 places.

Other Matters

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. I shall attempt to address these issues below:

A number of objections/representations have been received in relation to the proposal relating to issues of highway safety, members will note that the County Surveyor has indicated that he

has no objection to the nature and location of the junction off Preston Road and has suggested conditions be attached regarding the detailed design of the proposed junction. The issue of a lack of a footpath on the eastern side of Preston Road has also been raised, given that a footpath exists on the western side of Preston Road I consider that adequate pedestrian provision is available to allow potential residents to access Longridge on foot.

The National Planning Policy Framework (NPPF) puts a clear emphasis on the need for Local Planning Authorities to consider the planning balance in assessing proposals and clearly states that in relation to sustainable development, applications should only be refused if impacts would significantly and demonstrably outweigh the benefits.

The proposal as presented clearly has a number of benefits in terms of economic development, with construction jobs likely to be created by the development and it is widely accepted that the Housing industry has a critical role to play in terms of the national economic recovery. This has been extensively reported through ministerial statements and the Government's Growth Agenda; Plan for Growth (3/11); Housing Strategy for England (11/11); Housing and Growth (9/12); and Growth and Infrastructure Act (4/13).

Members will also note that there is a considerable benefit associated with the proposal given it will provide 10 new affordable dwellings in the Longridge Area, 2 of which will be suitable for elderly accommodation.

Whilst it is recognized that there will be some level of measurable visual impact as a result of the development I consider, given the existing and proposed landscape screening and whilst taking into account long and short approach views to the development that the visual harm/impact associated with the development would be minimal.

Therefore, having carefully considered all of the above matters, and taking account of the planning balance, consider that in this case the benefits associated with the development clearly outweigh any harm associated with the development.

RECOMMENDATION: That the application be deferred to allow for further negotiation and subject to a satisfactory agreement being reached in relation to the mechanism by which affordable housing is secured as part of the development subject to the following condition(s):

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates.
 - (a) The expiration of three years from the date of this permission; or
 - (b) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. The submission of Reserved Matters in respect of layout, scale, appearance and landscaping and implementation shall be carried out in substantial accordance with the design principles and parameters contained within the Design & Access Statement (August 2013) and in substantial accordance with the submitted Site Layout (2623 Dwg:02 Rev D) and Outline Landscaping Proposals (1304-L-01 Rev 1A).

REASON: For the avoidance of doubt to ensure there is no ambiguity in the decision notice over what amount of development has been approved. In accordance with Policies G1, ENV3 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft ensuring a satisfactory standard of appearance and scale given its location.

3. No more than 32 dwellings (Use Class C3) are hereby permitted within the application site.

REASON: For the avoidance of doubt to ensure there is no ambiguity in the decision notice over what amount of development has been approved. In accordance with Policies G1, ENV3 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft ensuring a satisfactory standard of appearance and scale given its location

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge tree, shrub or other device.

The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point measured 2.4 metres measured along the centreline of the access from the continuation of the nearer edge of the carriageway of Preston Road to points measured 90metres in each direction along the nearer edge of the carriageway of Preston Road from the centreline of the access, and shall be constructed and maintained in accordance with the approved plan

REASON: To ensure adequate visibility splays are maintained at all times. In accordance with Policy T1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

5. No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to and approved by the planning authority in consultation with the highway authority.

REASON: To ensure adequate visibility splays are maintained at all times and to ensure the proposed Highways works are acceptable prior to the commencement of the development. In accordance with Policy T1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

6. No part of the development hereby approved shall be occupied until the approved scheme referred to in Condition 5. has been constructed and completed in accordance with the scheme details.

REASON: in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme /works. In accordance with Policy T1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

7. No development shall take place until a construction method statement has been submitted to and approved by the local planning authority in consultation with the highway authority.

The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i the parking of site operatives and visitors
- ii the loading and unloading of plant and materials
- iii the storage of plant and materials used in the construction of the development
- iv the erection and maintenance of security hoarding
- v wheel washing facilities
- vi measures to control the emission of dust and dirt during construction.
- vii the highway routing of plant and material deliveries to and from the site.

REASON: In the interests of protecting residential amenity from noise and disturbance in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft).

8. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON: To prevent the increased risk of flooding, both on and off site. In accordance with Policies ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

9. The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure a satisfactory means of drainage and that the development will not increase the risk of pollution to controlled water. In accordance with Policies ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

10. No development approved by this planning permission or such other date or stage in development as may be agreed in writing with the Local Planning Authority, shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site

- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure that the development does not pose a risk of pollution to controlled waters. In accordance with Policies ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

11. The reserved matters application(s) shall include details of the provision of a bus stop to Lancashire County Council Bus Stop Quality Standard within the site in accordance with such details as have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The bus stop shall be implemented in accordance with the approved details and be capable of being brought into use by a public bus service operator prior to the occupation of any dwelling on site.

REASON: To ensure that occupants of the development have adequate access to public and sustainable transport methods. In accordance with Policy T1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

12. Prior to the commencement of development, details of the proposed mitigation measures as identified in the submitted Extended Phase 1 Habitat Survey & Baseline Ecological Impact Assessment shall be submitted to and approved by the Local Planning Authority.

REASON: To ensure that the development does not pose a threat or undermine the existing ecological value of the site or the Alston Wetland Nature Reserve. In accordance with Policies ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

NOTES

1. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Ribble Valley District Highways Office, Lancashire County Council, Riddings Lane, Whalley BB7 9RW (tel. 0845 0530011) and quote the planning application number.
2. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning

authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this suspected contamination can be dealt with and obtained written approval from the Local planning Authority. The remediation strategy shall be implemented as approved.

APPLICATION NO: 3/2013/0851/P (GRID REF: SD 377133 435013)
PROPOSED DEMOLITION OF EXISTING DWELLING AND ERECTION OF 16 DWELLINGS
WITH ASSOCIATED ACCESS AND ANCILLARY WORKS AT THE WHINS, WHINS LANE,
READ BB12 7QY

PARISH COUNCIL: The Parish Council is satisfied that the amendments to the plan address highway issues and they reiterate their original response that this development on the edge of the settlement boundary is preferable to previously suggested sites at Hammond Field and Whalley Road.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): Comments that the details of this application are similar to those of the permission recently granted under reference 3/2012/1101 and that similar highway comments have therefore been made. Initial concerns expressed about insufficient parking provision for some of the 4 bedroomed dwellings and the need for a service strip to serve some of the dwellings, have been addressed on an amended plan. The County Surveyor therefore now has no objections to the application subject to a number of conditions.

LANCASHIRE COUNTY COUNCIL (PLANNING CONTRIBUTIONS): In respect of previous application 3/2012/1101 (also for 16 dwellings on this site) the County Council requested a contribution of £47,522 towards the provision of four primary school places with no contribution required in respect of secondary school places. The County Council has confirmed that it makes the same request for £47,522 in respect of this current application.

ENVIRONMENT AGENCY: Has not commented in relation to this current application but with regards to previous application 3/2012/1101 the Environment Agency had no objections subject to the imposition of conditions to ensure (1) that the development would be carried out in accordance with the Flood Risk Assessment submitted with that previous application, and (2) the submission for approval, prior to the commencement of development, of a surface water drainage scheme based on sustainable drainage principles; and the implementation of the approved scheme prior to the occupation of the dwellings.

The previous application was subject to two conditions to satisfy the Environment Agency's requirements. In the event of planning permission being granted in respect of this current

application, similar conditions would again be imposed.

**ADDITIONAL
REPRESENTATIONS:**

Three letters have been received from nearby residents who make comments and objections to the proposal which are summarised as follows:

1. Over development. Sixteen is too many houses for the size of the site.
2. Adverse effect on infrastructure such as local roads, schools, gas, electricity, water and sewerage.
3. Adverse effect on highway safety as Whins Lane is a narrow winding road. It is also a bus route and much used by pedestrians and cyclists. The access into the site is too close to a bend.
4. Adverse effect on wildlife.
5. The proposal will set a precedent for further development on the 'green fringe' of the village.
6. Noise pollution.
7. Light pollution.
8. Destruction of existing trees resulting in loss of privacy for neighbouring residents.
9. There is a triangular area at the southern end of the site that is covered with trees. These trees were shown to be retained on the previous application but this is not indicated on the current application plans.
10. A pumping station was sited further to the east on the previous application than it is on this current application. It is now immediately behind a house on Berkeley Drive and could result in a noise nuisance to neighbours.

Proposal

Full planning permission has previously been granted for a development of 16 dwellings on this site following the demolition of an existing bungalow that sits within a large curtilage (3/2012/1101). The permission was granted following the completion of a Section 106 Agreement that covers the matters of affordable housing provision, an education contribution to Lancashire County Council and a contribution to this Council towards off-site public open space provision.

The previously approved scheme includes five affordable houses (two shared ownership and three affordable rental). The other dwellings in the approved scheme are for open market sale and comprise a three bedroomed detached bungalow (plot 1) and 10 detached four and five bedroomed houses. In the approved scheme, the bungalow on plot 1 is to be served separately by the retained access at the western edge of the site frontage that presently serves the existing bungalow; and a new access is to be formed close to the eastern edge of the site frontage to serve the rest of the proposed dwellings. The new entrance leads to an internal estate road culminating as a cul de sac.

As previously approved, the built development is to be on the northern part of the site. An existing woodland area on the southern part of the site is to be retained free from any

development. As approved, the dwellings are to be constructed in reconstituted stone with grey tiled roofs and the windows are to be white UPVC.

As previously approved the majority of the existing hedge on the Whins Lane frontage of the site is to be retained. However, where hedge removal is required for entrance visibility, a new hedge would be planted in a setback position.

This current application is exactly the same as the approved scheme in relation to the number and type of dwellings; the number and tenure of the affordable dwellings; the means of access to the dwellings; the visibility splay provision at the main access to the site; the external materials; the retention/protection of existing trees and hedges; and the undeveloped retention of the southern wooded part of the site.

The only changes really relate to the use of the current applicant's (a house building company) own house types; the location of the affordable units on a different part of the site; and an amendment to the precise position of a pumping station.

The applicants have stated that they will comply with the requirements of the previous Section 106 Agreement in relation to the affordable housing provision, the education contribution to Lancashire County Council and the contribution to the Borough Council in respect of off-site open space provision.

Site Location

The site (including the woodland at its southern end) has an area of approximately 1.1 hectares. It is on the southern side of Whins Lane, Simonstone and is adjoined to the west by the rear elevations and private back gardens of detached houses on Berkeley Drive; to the east by Haugh Head Farm; and to the south by undeveloped agricultural land.

In addition to the woodland occupying the southern part of the site, there is extensive tree screening on both side boundaries and hedge/tree screening on the Whins Lane frontage of the site.

The site is within the settlement boundary of Simonstone as defined by saved Policy G3 of the Ribble Valley Districtwide Local Plan.

Relevant History

3/2012/1101/P – proposed demolition of existing dwelling and the construction of 16 dwellings. Approved subject to a Section 106 Agreement and a number of conditions.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control.

Policy G3 - Settlement Strategy.

Policy ENV10 - Development Affecting Nature Conservation.

Policy ENV13 - Landscape Protection.

Core Strategy Regulation 22 Submission Draft – Post Submission Version (including proposed main changes)

Policy DMG1 – General Considerations.
Policy DMG2 – Strategic Considerations.
Policy DME2 – Landscape and Townscape Protection.
Policy DME3 – Site and Species Protection and Conservation.

National Planning Policy Framework (NPPF).

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application relate to the principle of the development, and the effects of the proposal upon highway safety, ecology/trees, visual amenity and the amenities of nearby residents.

Principle of Development

This application is for basically the same development proposed by application 3/2012/1101/P. That previous application was the subject of a report to Planning and Development Committee on 11 April 2013 in which, amongst other things the application was considered in relation to the Council's housing supply situation, the relevant saved policies of the Local Plan, the relevant policies of the emerging Core Strategy and the requirements of NPPF. Following that consideration, it was concluded that the proposed development of 16 dwellings was acceptable in principle. Following the signing of an appropriate Section 106 Agreement full planning permission was therefore granted in respect of application 3/2012/1101/P on 24 July 2013.

In April 2013 based on a requirement of 200 dwellings per annum and using the residual method of calculation, the Council was in a position to demonstrate a five year supply of housing land. The previous application was still, however, considered to be acceptable. However, Planning and Development Committee resolved on 10 October 2013, that the figure of 250 dpa and the Sedgfield approach be adopted for decision making purposes. On this basis, the Council presently has a 4.34 year supply (Housing Land Availability Schedule October 2013).

The relevant saved policies of the Local Plan and the relevant policies of the emerging Core Strategy have obviously not changed since April 2013. Therefore, if anything, the changes in the housing land situation only serves to strengthen the conclusion that this site (which is within the settlement boundary of Simonstone) is acceptable in principle for housing development.

Highway Safety

With regards to its effects on the local highway network, the proposal does not differ from the previously approved development. The accesses into the site are as previously approved. Following the receipt of an amended plan that addresses his concerns about the parking provision on some plots and the provision of a service strip, the County Surveyor has no objections to this current application on highway safety grounds.

Ecology/Trees

An Ecological Survey and Evaluation Report by Pennine Ecological (dated October 2012) was submitted with previous application 3/2012/1101/P. The Council's Countryside Officer concurred with the findings of that report and had no objections to the previous application in relation to ecological matters subject to the imposition of a condition requiring the

implementation of appropriate mitigation measures. The previous permission was subject to such a condition. The same Ecological Survey and Evaluation Report by Pennine Ecological (now dated August 2013) has been submitted with this current application. Therefore, subject to a similar condition to that previously imposed, this current application is considered to be acceptable in relation to ecological considerations.

An Arboricultural Impact Assessment report by Bowland Tree Consultancy Ltd (Ref BTC344 dated 31 October 2102) was submitted with the previous application. The Council's Countryside Officer considered the Arboricultural Impact Assessment Report to be acceptable and had no objections to the previous application subject to conditions to ensure the implementation of the findings and recommendations in the report. The previous permission was subject to such a condition. That same Arboricultural Impact Assessment Report (now dated 27 August 2013) has been submitted with this current application. Therefore, subject to the previously imposed condition, this current proposal is considered to be acceptable in relation to arboricultural matters.

Visual Amenity

The site is well screened by existing trees and hedges, the majority and best of which are to be retained and substantially enhanced by a landscape planting and maintenance programme that will be required by a condition in the event that planning permission is granted. When viewed from outside the site, the proposal would have minimal effects upon visual amenity.

Within the site, the design and external materials of the dwellings are considered to be appropriate for the locality. With the exception of the five "affordable" units (that are required in accordance with the Council's current policies) the dwellings are of a scale and density that, in my opinion, is not dissimilar to nearby residential estates.

Overall, I consider the scale, density, design and external appearance of the development to be acceptable in relation to its effects upon the visual amenities of the locality.

Residential Amenity

The existing dwellings that could be affected by the proposed development are numbers 2-10 (evens) Berkeley Drive to the west of the site and Haugh Head Farm to the east. As in the previously approved scheme, the separation distances between the proposed dwellings and existing dwelling are in all cases in excess of the usual minimum requirements; additionally, there is existing substantial screening between the proposed and existing dwellings that is to be retained and enforced by new landscaping/screen planting.

In relation to the amenities of nearby residents, the only material difference between the approved scheme and this current application is that the proposed foul pumping station is now closer to the rear gardens of dwellings in Berkeley Drive.

The applicants have explained that this is due to the requirement of United Utilities that all pumping stations must be enclosed. It was considered that the pumping station could remain in its previously approved position but the required fencing could look unsightly in the area of public open space. The applicants have also commented that the proposed foul water pumping station is underground, including the associated pumps, so there would be no noise pollution.

I do not consider that the pumping station will have any detrimental effects upon the amenities of any nearby residents. In the interests of visual amenity, if planning permission is granted, a

condition would be imposed requiring precise details of any fencing associated with the pumping station to be submitted for the approval of the Local Planning Authority.

Overall, I do not consider that the proposed development would have any significant detrimental effects upon the privacy or other residential amenities of the occupiers of any nearby properties.

Flooding

In the event that planning permission is granted, a condition will be imposed requiring compliance with the requirements of the Flood Risk Assessment that was submitted with application 3/2012/1101/P.

Public Open Space

In the previously approved scheme, a large area at the southern end of the site is to be retained free from any development but this is primarily a woodland which is to be retained for its nature/visual qualities as opposed to being intended as a recreational area to be accessed by the public. As no public open space was to be provided elsewhere within the site, the previous permission was subject to a requirement within a Section 106 Agreement that the sum of £781 be paid to this Council towards the off-site provision/maintenance of public open space/equipment.

The applicants have agreed to the payment of the financial contribution as required in the previous permission.

Affordable Housing

The previous permission is subject to a requirement in the Section 106 Agreement for the provision/permanent retention of five affordable housing units (three affordable rental and two shared ownership). This satisfies the requirements of the document Addressing Housing Need in Ribble Valley and is acceptable to the Council's Strategic Housing Officer.

The applicants have agreed to the provision and retention of five units of affordable housing exactly as required by the previous permission.

County Council Requested Financial Contributions

The County Council has requested the same financial contribution towards education (£47,522) as that which was required by the Section 106 Agreement for the previous permission. The applicants have agreed to the payment of this contribution.

Section 106 Agreement Content

The Section 106 Agreement shall contain the same requirements as those contained in the Agreement for application 3/2012/1101/P as follows:

1. The provision/retention of five units of affordable housing of which three shall be affordable rental and two shall be shared ownership.
2. The payment to Lancashire County Council of the sum of £47,522 towards the provision of four primary school places.

3. The payment to Ribble Valley Borough Council of the sum of £12,496 towards the off-site provision/maintenance of public open space/equipment.

Conclusion

The proposal would provide 16 dwellings in a sustainable location within an existing settlement and without any seriously detrimental effects upon highway safety, ecology/trees, visual amenity or the amenities of any nearby residents.

Subject to a prior Section 106 Agreement in the terms described above and appropriate conditions, it is therefore considered that the proposed development is appropriate for the locality and in accordance with the relevant saved policies of the Local Plan and the relevant policies of the emerging Core Strategy and is also in compliance with the sustainability requirements of NPPF.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Community Services for approval following the satisfactory completion of a legal agreement within a period of 3 months from the date of this decision in the terms outlined in the Section 106 Agreement sub-heading within this report and subject to the following conditions:

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 proposal as shown on drawing Nos 104.24.P02RevA, 104.F.01, 104.F.02, 104.SD.G.01, 104.SD.G.02, 104.24.S.01, 104.24.S.02, 6338.P06RevC, 2B.811S, 3B.915S, 4B.1249, 4B.1280, 4B.1425 and 5B.1648.

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

3. The new estate road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

REASON: To ensure that satisfactory access is provided to the site before construction work commences and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device.

The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed estate road from the continuation of the nearer edge of the carriageway of Whins Lane to points measured 43m in each direction along the nearer edge of the carriageway of Whins Lane, from the centre line of the access, and shall be constructed and maintained at footway/verge level in

accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority.

REASON: To ensure adequate visibility at the street junction or site access and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

5. Prior to the commencement of development, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall provide details of:
 1. the parking of vehicles of site operatives and visitors;
 2. loading and unloading of plant and materials;
 3. storage of plant and materials used in the construction of the development;
 4. the erection and maintenance of security fencing;
 5. wheel washing facilities;
 6. measures to control the emission of dust and dirt during construction;
 7. a scheme for recycling/disposing of waste resulting from construction works.
 8. Periods when plant and materials trips should not be made to and from the site (mainly peak hours, but the developer to suggest times when trips of this nature should not be made);
 9. Measures to ensure that construction vehicles do not impede adjoining accesses;

The approved construction method statement shall be adhered to throughout the entire period of construction works.

REASON: In order to ensure safe working practices on or near the highway in the interests of safety and in the interests of the amenities of nearby residents in accordance with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

6. No part of the development shall be commenced until all the highway works to facilitate construction traffic access have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

REASON: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

7. No part of the development hereby approved shall be occupied or opened for trading until all the off-site highway works have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and

Policy DMG1 of the Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

8. All garage doors shall be located at least 5.5m back from the highway boundary at all times and the garages and driveways shall thereafter be kept clear and used only for the parking of private motor vehicles and bicycles.

REASON: to ensure satisfactory off street parking arrangements are preserved at all times and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

9. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk and Drainage Assessment – The Whins, Read, (Ref 880302R1 [02] October 2012). The mitigation measures shall be fully implemented prior to occupation and/or in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

REASON: To prevent and mitigate the risk of flooding both on and off site by ensuring the satisfactory storage/disposal of surface water from the site in accordance with the requirements of the National Planning Policy Framework.

10. No development shall take place until the surface water drainage scheme for the site (based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development) has been submitted to and approved in writing by the Local Planning Authority.

The drainage strategy shall demonstrate that the surface water run-off generated up to and including the 1:100 year plus climate change critical storm will not exceed the run-off from the developed site following the corresponding rainfall event. The drainage scheme shall subsequently be implemented in accordance with the approved details prior to the buildings being occupied.

REASON: To prevent and mitigate the risk of flooding both on and off site by ensuring the satisfactory storage/disposal of surface water from the site in accordance with the requirements of the National Planning Policy Framework.

11. The development shall be carried out in compliance with all the mitigation and tree protection measures detailed in the submitted Ecological Survey and Evaluation Report by Pennine Ecological dated August 2013 and the Arboricultural Impact Assessment by Bowland Tree Consultancy Ltd (BTC344 dated 27 August 2013).

REASON: In order to reduce the impact of the development on biodiversity, and protect those trees that are to be retained from the potential adverse effects of development, and to safeguard the natural habitats of those species of conservation concern, in accordance with Policies G1, ENV1 and ENV10 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and EN2 of the Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

12. The development hereby permitted shall not be commenced until details of the landscaping of the site (including the retention and protection of existing trees as required by condition no. 11 above) have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform. The scheme shall also include a detailed 5 year landscape maintenance plan.

The approved landscaping scheme 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 in accordance with the approved landscape maintenance plan. 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 and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

13. The dwellings shall achieve a minimum Level 3 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

REASON: In order to encourage an energy efficient development in accordance with the requirements of the National Planning Policy Framework.

14. The external materials to be used in the development hereby permitted shall comprise Marshalls Cromwell fine faced pitched buff reconstituted stone, blue/black Marley Rivendale roof tiles or natural slates and white or cream uPVC window frames (unless any alternative materials are agreed in writing by the Local Planning Authority) prior to their use in the approved development.

REASON: To ensure that the external materials are appropriate for the locality in the interests of visual amenity and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

NOTES

1. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Ribble Valley District Highways Office, LCC Highways Area East, Riddings Lane, Whalley BB7 9RW (Tel: 08450 530011) in the first instance to ascertain the details of such an agreement and the information to be provided.
2. Before construction work commences, the developer should contact Eddie Mills, Ribble Valley District Highways Office, LCC Highways Area East, Riddings Lane, Whalley BB7

9RW (tel. 08450 530011) and quote the planning application number, in order to discuss and agree the access for construction traffic and times of working.

3. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Ribble Valley District Highways Office, Lancashire County Council, Riddings Lane, Whalley BB7 9RW (tel. 0845 0530011) and quote the planning application number.

APPLICATIONS IN 'OTHER' CATEGORIES

APPLICATION NO: 3/2013/0927/P (GRID REF: SD 377753 437392)
PROPOSED ERECTION OF BARRIER TO MAIN ENTRANCE AT ST MARYS CHURCH,
WHALLEY ROAD, SABDEN BB7 9DZ

PARISH/TOWN COUNCIL: Awaiting comments.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR): No objection on the basis that there will be regime in place for the operation of the barrier.

ADDITIONAL
REPRESENTATIONS: Two letters of objection have been received from the occupants of neighbouring residential properties. The main concerns raised include:

4. Neighbour letters should have been sent to properties 51-73 Whalley Road, properties which don't have off street parking
5. Around 4-5 properties currently park in the church car park due to on-street parking pressures
6. Cars are parked considerately in the evenings and leave the car park in the morning by 8:45am
7. There was an issue recently with cars being left in the car park on a Sunday and this resulted in the church putting notices on the cars and approaching residents asking them not to park in the car park
8. The application form states the use is a church, however the use is also a community centre
9. The community hall was built with local resident's funding – surely the local residents should have a say in whether the barrier is erected
10. The former priest allowed local residents to park in the church car park and these residents made a voluntary contribution to the church for this service, as it was gratefully received
11. Current attitude of the church is unhelpful to the local community. There have been no cars parked in the church on Sunday at 10am – one hour before mass starts
12. The hall is a community hall and to penalise residents who have nowhere to park within 200 yards of their houses is not in the spirit of community life and seems the opposite of what the church preaches
13. As a result of the proposal, cars will be parked on the street
14. The fire service would be unable to reach the church in the event of a fire or may be delayed whilst someone with access is located
15. The priest and his congregation do not live in the village and so do not understand how close the community is and how this decision will affect local residents

Proposal

Planning permission is sought for the installation of a gate to form a car park barrier with a height of 1100mm. The gate would be set back 19 metres within the church access and would be powder coated black.

Site Location

The application relates to St Mary's Church to the north of Whalley Road in Sabden conservation area. The surrounding area is predominantly residential.

Relevant History

None relevant.

Relevant Policies

Ribble Valley Districtwide Local Plan (RVDLP)
Policy G1 - Development Control
Policy ENV1 – Area of Outstanding Natural Beauty
Policy ENV16 - Conservation Areas

Ribble Valley Core Strategy (Regulation 22 Submission Draft Post Submission Version Including Proposed Main Changes)
Key Statement EN2: Landscape
Key Statement EN5: Heritage
Key Statement DS2: Sustainable Development
Key Statement DMG1: General Considerations
Key Statement DME2: Landscape and Townscape Protection
Key Statement DME4: Protecting Heritage Assets

Planning (Listed Buildings and Conservation Areas) Act 1990
Planning Policy Statement (PPS) 5 Planning for the Historic Environment Practice Guide

Environmental, AONB, Human Rights and Other Issues

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving or enhancing the character or appearance of conservation areas.

The main issues in this case are the visual impact of the proposal on the character and appearance of the conservation area and the impact on highway safety.

Design and Impact on Sabden Conservation Area

Sabden Conservation area was adopted in 2007 for its special architectural and historic merit. The local churches are noted within the Sabden Conservation Area Appraisal as local features of interest and St Mary's Church is identified as a building of townscape merit. The proposed car park barrier would be set back within the access to the church and community centre and would therefore be 19m from Whalley Road. Whilst it would be visible from the highway, it is

proposed to be powder coated black and is of simple unobtrusive design. I therefore consider that the design of the proposal is considered to be acceptable and would preserve the character and appearance of the conservation area.

Access, Highways and Parking

Lancashire County Council (highways) have raised no objection to the proposal on the basis that there would be a regime in place for the operation of the barrier. The car park barrier would be set back 19m from the road and would not therefore result in queuing on the highway, subject to appropriate use of the barrier.

I recommend that a condition should be attached to the permission for details of the operation of the barrier to be submitted and approved prior to its installation. The purpose of the condition is to ensure that the barrier is operated and managed in a manner that ensures the car park is accessible when the church and community centre are in use in the interests of highway safety and the safety of other users of the highway.

The objectors have raised that local residents currently park in the car park of the application site in the evenings. The applicant states that the purpose of the application is to allow the church to increase security and to also prevent unauthorised parking so that car parking is available to those using the facilities.

Whilst I appreciate the concerns of the objectors and acknowledge that if resident's currently park in the car park of the application site in the evenings, this would result in additional on street parking of these cars, the issues raised are private civil matters and the planning department cannot intervene. Any arrangements between the applicant and third parties to make the car park available for use by third parties would be a civil matter.

An applicant can only reasonably be required to provide parking for uses and activities that generate parking demand as a result of the use of the application site. Similarly, they can only reasonably be required to mitigate impacts that may arise that are directly attributable to the use of the application site. The only identified potential impact arising from the proposed car park barrier would be through its operation – if the car park barrier was not opened when the application site is in use, this could lead to queuing on the highway as vehicles wait to access the site. It is therefore reasonable, in the interests of highway safety, to require details of how the barrier will be operated and managed, to be submitted and approved prior to its installation.

Conclusion

The design of the proposed car park barrier is considered to be acceptable in the context of the conservation area and would have no undue impact on access subject to an appropriate condition.

RECOMMENDATION: Defer and Delegate to Director of Community Services Minded to Approve subject to the expiration of 21 day notification period and subject to the following conditions:

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. The development hereby permitted shall be carried out in complete accordance with the details shown on the submitted plans, drawing reference number 2988/2 'Proposed Plan and Barrier Elevation'.

REASON: To clarify the permission.

3. The car park barrier shall be powder coated black (RAL 9005) on installation and shall be thereafter maintained in that colour at all times unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the character and appearance of Sabden Conservation Area in accordance with Policy G1 and ENV16 of the Ribble Valley Districtwide Local Plan and Key Statements DMG1, DME4 and EN5 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft Post Submission Version Including Proposed Main Changes).

4. Prior to the commencement of the development, a scheme for the management and operation of the car park barrier shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details upon the first installation of the car park barrier and shall thereafter be operated in accordance with the scheme at all times unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and the safety of other users of the highway, having regard to Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft Post Submission Version Including Proposed Main Changes).

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

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>
3/2011/0908/P	Retrospective application for stone wall with stone arch	Carr Meadow Barn Carr Lane, Balderstone
3/2013/0325/P	Application for the modification or discharge of condition no 3 (occupancy restriction) of planning permission 3/1988/0859/P	Higher Elker Farm Whalley Road Billington
3/2013/0413/P	Application to vary condition No.15 (occupancy period) of planning permission 3/2006/0836P, to allow the accommodation to be used as permanent affordable residential dwelling	Butchers Laithe Knotts Lane Tosside
3/2013/0597/P	Proposed demolition of existing timber frame rear extension; new single storey rear extension in materials to match existing building; internal reduction in public house size and change of use of (part) to residential; new first floor side extension and single storey rear extension to newly formed residential portion of the building	The Black Bull Hotel Rimington Lane Rimington
3/2013/0607/P	Application to discharge condition 3 (materials) of planning permission 3/2010/0586/P	The Chalet Lower Newhouse Farm Cross Lane, Waddington
3/2013/0708/P	Proposed first floor bedroom extension and garden store	24 Hornby Road Longridge
3/2013/0734/P	Proposed replacement dwelling	Brookfield Stoneygate Lane, Ribchester
3/2013/0779/P	Retrospective application for a single storey rear sun lounge extension	Pennine View Bleasdale
3/2013/0786/P	Proposed attached garage to side of existing dwelling	Fairlawns Lower Lane, Longridge
3/2013/0788/P	Resubmission of approved amendments to approved application 3/2012/0318/P - alterations to single storey rear extension incorporating a three car garage and alteration to the associated approved conservatory, alterations to the fenestration of the main house and outbuilding, the general re-slating of the main house	Holden Clough Holden

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2013/0789/P	Construction of earth bank slurry lagoon	Horton Grange Farm Horton
3/2013/0790/P	Garage conversion to residential property. The proposal is to create an internal living space with access internally to the new existing internal garage	1 Ash Lane Longridge
3/2013/0792/P	Alterations to domestic dwelling and erection of garage building	Millwood Manor Brockhall Village
3/2013/0796/P	Renewal of planning permission 3/2010/0626 – Conversion of former coach house to a two-bedroom residential dwelling	Coach House Trapp Lane Simonstone
3/2013/0798/P	Material amendment to planning permission 3/2013/0421/P – provision of first floor window to west gable of the barn	Jacksons Barn Bolton-by-Bowland Road Sawley
3/2013/0800/P	Proposed 2 no first floor window openings to North East stone gable elevation	Parlick Cottage Moss Lane, Chipping
3/2013/0801/P	Discharge of condition No. 4 of planning consent 3/2013/0345	18 Ribblesdale Road Ribchester
3/2013/0814/P	Erect boundary treatments of gates to enclose the perimeter	Huntroyde Hall West Whins Lane, Simonstone
3/2013/0817/P	Retrospective application for the installation of 1.No Air Source Heat Pump in rear garden of property	6 King Henry Mews Bolton by Bowland
3/2013/0821/P	Construction of earth banked slurry lagoon	Demesne Farm, Newsholme Gisburn
3/2013/0825/P	Proposed rear extension to detached dwelling	Rosslaire, Salthill Road Clitheroe
3/2013/0833/P	Proposed demolition of existing rear extensions and erection of a two-storey rear extension and single storey side extension	Fernside Cottage Smithy Fold Lane, Twiston
3/2013/0838/P	Alterations to front entrance doorway	5 Rogersfield Langho
3/2013/0839/P	Proposed entrance porch to front elevation. Retrospective application for erection of single storey rear extension and shed/workshop	16 The Crescent Whalley
3/2013/0844/P	Resubmission of approved application 3/2013/0323. Clearance of previous bowling green and gardens for the erection of one detached 2.5 storey property with detached garage and one 2.5 storey property with integral garage. This application seeks to alter the smaller property (Plot 2 – with integral garage) by removing the quoin detail and modifying the pitch of the main roof and front elevation gable roofs to 45 degrees	The Bowling Green Brockhall Village Old Langho

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2013/0847/P	Proposed single storey side bedroom/bathroom/utility room extension for disabled use	13 Brookside Old Langho
3/2013/0848/P	Small extension to front of garage, bedroom, en-suite and study extension above garage, small extension to utility room, extension to lounge to bring it to front of house, replacement of a wooden outbuilding with a brick outbuilding	7 Church Close Mellor
3/2013/0850/P	Proposed alterations to the front elevation	Copely Cottage Martin Top Lane, Rimington
3/2013/0857/P	Proposed first floor bedroom and bathroom extension over existing utility/study rooms	88 Branch Road Mellor
3/2013/0858/P	Front porch	Sycamore Lovely Hall Lane, Salesbury
3/2013/0861/P	Proposed two storey extension (resubmission)	Mill House, Clitheroe Road West Bradford
3/2013/0881/P	Discharge of condition 3 (landscaping), 4 (tree protection), 6 (drainage), 7 (fencing) and 9 (caravan colour) of planning permission 3/2012/0910/P at	Bridge Heywood Caravan Park Dunkirk Farm Whalley Road, Read
3/2013/0899/P	Non material amendment application for alterations to the north-west elevation including the removal of a central roller shutter door to be replaced with 2 doors and an extra personnel door	Altham Pumping Station Burnley Road Simonstone
3/2013/0911/P	Non-material amendment to planning permission 3/2012/0277 for alterations to a sports hall development to allow enlargement of storage area	Clitheroe Royal Grammar School Chatburn Road, Clitheroe

APPLICATIONS REFUSED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2013/0793/P	New car port, boundary wall and external landscaping	Great Mitton Hall Mitton Road Mitton	Harmful to setting of listed buildings and character of area immediately adjacent to AONB (conspicuous, incongruous and visually intrusive). Policies ENV19, G1 and ENV2, NPPF paragraph 17, 131 and 132 and CSReg.22 SDPSV Policies DME4, DMG1 and DMG2.

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2013/0827/P	Proposed widening of driveway entrance by 3.5 metres to improve visibility to the north and facilitate ease of access	Orchard House Slaidburn Road Grindleton	Detrimental to highway safety (1.6m high walling - inadequate visibility). Policy G1 and CSReg.22 SDPSV Policy DMG1. Contrary to Local Plan Policies, the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990. Approval of this proposal would have an adverse visual impact on highway safety and the character and appearance of the street scene, Grindleton conservation area and the AONB.

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2013/0822/P	Lawful Development Certificate to operate private hire taxi for two cars. The second car will be used to pick school contracts from the hours between 8-9am and pick up times 3-4pm	67 Peel Street Clitheroe

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2013/0270/P	Change of use of garage compound and domestic curtilage to form four apartments	Land adjacent to 15 Princess Avenue Clitheroe
3/2013/0388/P	Proposed two storey side extension, single storey extension to the rear and the demolition and rebuild of the front porch	Ellenthorpe Farmhouse Gisburn Road Gisburn
3/2013/0391/P	Proposed two storey extension and replacement of the flat roof at the rear of the property with a tiled pitched roof	Ellenthorpe Cottage Gisburn Road Gisburn
3/2013/0613/P	Outline application for a proposed housing scheme at land to the rear of Highfield, Chipping – 9 residential units (8 x 1½ storey dwellings and a three storey dwelling).	Land rear of Highfield Garstang Road Chipping

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2013/0777/P	Discharge of condition No 6 of planning consent 3/2010/092	Land accessed between 36 & 38 Henthorn Road Clitheroe
3/2013/0913/P	Outline application for nine dwellings including three affordable units following demolition of existing dwellings	32 Hall Street Clitheroe

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2012/0379	Primrose Mill Woone Lane, Clitheroe	16/8/12	14	Deed of Variation Applicants solicitor
3/2012/0785	Clitheroe Hospital Chatburn Road, Clitheroe	6/12/12	57	With Lancashire County Council
3/2012/0964	Land to the north of Whalley Road Hurst Green	14/3/13	30	With Lancashire County Council
3/2013/0161	Strawberry Fields Main Street Gisburn	7/11/13	11	With Planning
3/2013/0711	Land off Henthorn Road Clitheroe	7/11/13	140	With Planning
3/2013/0747	Land at Whalley Road Billington	7/11/13	56	With Planning
<u>Non Housing</u>				
3/2011/0649P	Calder Vale Park Simonstone	15/3/12		Subject to departure procedures, draft 106 received from Lancashire County Council

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Time from First Going to Committee to Decision</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2012/0497	Strawberry Fields Main Street Gisburn	11/10/12	55 weeks	21	Decision 1/11/13
3/2012/0738	Dale View Billington	6/12/12	47 weeks	10	Decision 1/11/13
3/2012/0065	Land off Dale View Billington	24/5/12	75 weeks	12	Decision 5/11/13
3/2012/0014	Land adj Greenfield Avenue Low Moor Clitheroe	19/7/12 18/7/13	69 weeks	30	Decision 14/11/13

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>
3/2012/0630 Undetermined	22/01/13	land SW of Barrow and W of Whalley Road, Barrow	Inquiry	11/09/13 (up to 2 days)	Awaiting decision
3/2012/0526 R	01/02/13	Laneside Farm, Pendleton	WR		Appeal allowed 5/11/13
3/2012/0526 R	27/03/13	Laneside Farm, Pendleton	Costs		Costs application refused 5/11/13
3/2012/0402 R	18/2/13	Mason House Fm Clitheroe Road Bashall Eaves	WR		Awaiting decision
3/2012/1088 R	28/03/13	8 Church Brow, Clitheroe	LB		Awaiting decision
3/2012/0913 R	28/03/13	land off Waddington Rd, Clitheroe	Inquiry	19/09/13 (1 day)	Awaiting decision
3/2012/0792 R	30/04/13	Hodder Bank Stonyhurst	WR		Awaiting decision
3/2012/0972 R	23/04/13	Shays Farm Tosside	WR		Awaiting decision
3/2012/0539 R	25/04/13	Carr Hall Home and Garden Centre, Whalley Road, Wilpshire	Hearing	20/08/13 1.5 days	Appeal allowed 7/11/13
3/2013/0099 Undetermined	20/05/13	land to the west of Whalley Road, Barrow	changed to Hearing	05/11/13 2 days	Waiting for decision
3/2012/1040 R	15/07/13	Carr Meadow Barn, Carr Lane, Balderstone	WR		Appeal allowed 1/11/13
3/2013/0419 R	08/08/13	Wolfen Mill	WR		Awaiting decision
3/2012/1092 R	Awaiting validation by PINS	land off Henthorn Road			Out of time
3/2013/0447 R	21/10/13	Bleak House, Kemple End, Stonyhurst	WR		Notification sent Questionnaire sent Statement due 2/12/13 Final comments due 23/12/13
3/2013/0448 invalid	Awaiting validation by PINS	Oakfield, Longsight Road, Clayton le Dale			

<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>
3/2013/0643 R	13/11/13	8 Whitewell Drive Clitheroe	HH		Notification sent 15/11/13 Questionnaire sent 15/11/13 Awaiting decision
3/2013/0378 R	Awaiting validation by PINS	1 2 and 3 Greendale View, Grindleton			

LEGEND

- D – Delegated decision
- C – Committee decision
- O – Overturn