

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 13 NOVEMBER 2014
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2014/0326/P (GRID REF: SD 370686 441240)
 PROPOSED NEW AGRICULTURAL BUILDING AT WITHGILL FARM, WITHGILL FOLD,
 WITHGILL, CLITHEROE, BB7 3LW

PARISH COUNCIL: The Parish Council comments that this application represents a further unwelcome extension to this large scale agricultural development. Whilst the additional building is modest in the context of the existing footprint, the Parish Council are concerned that the 10% increase in the size of the milking herd will inevitably result in additional vehicle movements to transport feed and milk along narrow country lanes. However, of greater concern is the additional slurry generated, which will have to be transported even further afield to be spread on farmland across the valley, again, creating additional tractor/tanker movements travelling even further distances. The development is now far larger than anyone envisaged and we feel that it is now appropriate to cap the project at its current scale on environmental, quality of life, visual and transport grounds.

ENVIRONMENT
 DIRECTORATE
 (COUNTY SURVEYOR): Comments that, in view of the percentage (10%) increase in the number of cattle on site, he does not consider that the additional traffic generated by the proposal would be so significant as to warrant a recommendation of refusal.

ENVIRONMENT AGENCY: The Environment Agency initially objected to the application as submitted on the basis that no assessment of environmental impacts had been provided. They therefore recommended that the planning application be refused on that basis; and stated that they would maintain their objection until the applicant has supplied information to demonstrate that the risks posed to the development could be satisfactorily addressed. The Environment Agency initially considered that, in the absence of any information relating to the environmental impacts of the proposed development, they were unable to consider the proposals in relation to paragraph 109 of NPPF. As such they considered the development as originally submitted to be contrary to the requirements of saved Policy G1 of the Local Plan.

The Environment Agency's concerns related to water quality, in particular any potential impact of the development upon Bashall Brook and the River Hodder. The Environment Agency also considered that, initially, insufficient information had been submitted to address the potential impacts of the proposed development on the existing foul water management system at the farm. The Environment Agency therefore requested that sufficient information should be submitted to enable them to consider the potential impacts of any changes to the existing foul water management system on the aquatic environment.

Such additional information was submitted to the Environment Agency by the Applicant's agent. Following the consideration of that additional information, the Environment Agency commented that whilst accepting that the farm has storage infrastructure in place to effectively cope with the 10% increase in the volume of slurry and dirty water generated, it was considered that not enough information had still been provided on how the land will be managed to prevent diffuse pollution from the spreading of effluent. What had been provided, they commented, was a nutrient management spreadsheet and slurry storage calculations. Whilst this demonstrates that the proposed nutrient additions to individual fields will not exceed prescribed limits and will be tailored to crop requirement, there is inadequate risk assessment of the field operation and whether in fact there has been any field based assessment of attributes including soil character and condition, slope and drainage.

The agricultural benefit from the addition of organic matter to the soil has been adequately demonstrated but the potential detrimental impacts have not been fully considered. The Environment Agency comments that a full Manure Management Plan is therefore required, which should include a risk map with proper consideration given to field observation and assessment.

However, on the basis of the additional information that had been provided, the Environment Agency has withdrawn its objection to the application subject to the imposition of the following condition:

- The development hereby permitted shall not be commenced until a Manure Management Plan has been submitted to and approved in writing by the Local Planning Authority. This scheme shall be implemented as approved.

The reason for the condition is to ensure that the development does not pose a risk of pollution to controlled waters. The Environment Agency considers it preferable to approve the development subject to the condition rather than requiring the submission of the additional details before the application is determined. Their reason for this is that imposing the condition would make it easier for the Council to enforce as the applicant would have to comply with the condition.

The Environment Agency has also provided an explanation regarding the information that is required in order to satisfy the condition. This will form the content of an advisory note on the planning permission should Committee be minded to grant permission.

LANCASHIRE COUNTY
COUNCIL (ESTATE
SURVEYOR):

In a detailed report, the Estate Surveyor comments that the development is needed for the purposes of agriculture; that the design, scale and materials are suitable for the proposed use; and that the siting of the building is appropriate. The Estate Surveyor said that there is a slight question mark over the need for the building as a trial to establish whether the milking regime can operate with increased cow numbers had not been completed at the time of the Estate Surveyors initial comments. At that time the system was being run with an additional 160 milking cows, and it was proposed to bring a further 90 cows into the system. If the trial had failed, there would be no requirement for the additional livestock building as proposed in the application.

However, the Estate Surveyor has subsequently confirmed that as the trials were underway, the present cow accommodation was compromised such that the provision of additional cubicle housing was required and, in order to satisfactorily complete the trial, the additional building was necessary. In terms of the overall assessment of the building, the Estate Surveyor therefore concluded that it is feasible.

ADDITIONAL
REPRESENTATIONS:

One letter has been received from a near by resident who states that he has 'no specific issue with the building of the proposed agricultural building'. His main concern is to ensure that proper scrutiny of the manure Management Plan calculations are carried out in order to prevent detrimental effects upon the local water systems.

A total of 16 letters have been received from various angling clubs and river conservation bodies. The objections made in those letters are summarised as follows:

1. Withgill, already with 2000 cattle, has a history of harmful and repeated slurry pollution from spills and over spreading and have been prosecuted on two occasions.

Discharge is already above the capacity of the land and surrounding waters. An increase of 270 cattle would exacerbate an existing problem.

2. Streams and brooks in the locality are already polluted with slurry leading to the main river being polluted. This is a health matter and could lead to someone becoming seriously ill from playing in the river.
3. Bashall Brook is polluted. This is a spawning stream for Salmon and Sea Trout. Salmon are an endangered species.
4. Although the Manure Management Plan says how the manure will be managed, it does not take into account some of the wider real or potential impacts of this Manure Management. For example, where the manure is being spread, there is no indication of the existing nutrient levels in the soil, and whether additional manure spreading will cause leaking of nutrients into watercourses.
5. Pollutions are likely to kill all invertebrate life in the watercourses and even without further pollution, can take years to replace. Surveys carried out on some of the nearby watercourses have already shown severely depleted number of invertebrates.
6. The loss of invertebrate life will affect other fish and animals in the food chain including Grayling, Sea Trout and Salmon.
7. These waters have been purchased at great expense or leased from local landowners by angling clubs. The reduced number of fish due to pollution will render these facilities unattractive affecting the income of local people by reduced levels of rent.
8. The activity of slurry spreading will affect all road users both locally and further afield as the search for more land on which to spread becomes wider.
9. Pollution of local streams eventually ends up polluting our beaches.
10. The submitted details show other farms where Withgill has permission to spread slurry, many of which already have herds and spread on their own land. Is this being taken into account?

11. A permission cannot be granted until an Environmental Impact Assessment (EIA) has been carried out.
12. The application must be refused due to the impact that it will have on local watercourses and fish stocks.

Proposal

Permission is sought for a building with dimensions of 67m x 28.8m with an eaves height of 3.5m and a ridge height of 6.5m. It is a portal frame building with concrete block and Yorkshire boarding to the east and west elevations to include access gates. The roof would be clad with dark blue fibre cement roof sheets, incorporating roof lights. The northern and southern elevations of the building would be open fronted and provided with a feed face. The building would be identical in design and external materials to the existing cow buildings to the south of the site of this proposed building. The building would house a further 270 cows taking the total herd at the farm to 2,310.

Site Location

The agricultural holding at Withgill Farm extends to approximately 350 hectares of meadowland. The complex of agricultural buildings and dwellings is situated in the open countryside between Clitheroe and Chaigley. These agricultural buildings and dwellings are located at the end of a track some 150m to the east of the highway, Whalley Road, that serves the site. The residential development at Withgill Fold (formed through the conversion of the traditional building originally belonging to this farm) is situated to the southeast of the farm buildings complex and is served by a separate access road.

There are presently five existing cow barns sited next to each other running from south to north. The fifth barn, that is sited to the north of the previous northernmost existing barn, continuing the existing layout, was erected in accordance with planning permission 3/2010/0747/P. The construction and use of the fifth barn increased the milking herd based at the farm from 1,500 to approximately 2,040 cows.

Upon its construction, the fifth barn was adjoined to the west, north and east by agricultural fields. A new slurry lagoon, however, was subsequently formed on land to the north of the eastern half of the fifth barn. Retrospective permission was granted for that slurry lagoon under reference 3/2012/0423/P. More recently, a further, and larger slurry lagoon, was formed to the east of the one granted permission by 3/2012/0423/P. Permission was granted for that slurry lagoon (the third at this farm) under reference 3/2013/0610/P.

The additional building for which permission is now sought would be sited between the eastern half of the fifth barn and the slurry lagoon granted planning permission by 3/2012/0423/P.

Relevant History

3/1993/0796/P – New herdsman's cottage. Approved.

3/1999/0166/P – Four new agricultural buildings, new dairy facilities, new store, new farm road and associated landscaping and external works. Approved with conditions.

3/2005/0465/P – Covered midden. Approved.

3/2005/1011/P – Farmworker’s dwelling. Approved.

3/2006/0213/P – Expansion of existing dairy cow accommodation by extending two of the existing barns, replacement slurry storage and associated landscaping. Approved.

3/2007/0266/P – Farmworker’s dwelling, substitution of house type. Approved.

3/2007/0362/P – Retention of five agricultural workers’ caravans and screen fencing. Approved for a temporary period expiring on 31 July 2010.

3/2008/0006/P – Construction of an agricultural workers dwelling to replace five agricultural workers’ caravans. Approved subject to the removal of the existing caravans.

3/2008/0129/P – Replacement dry feed store. Approved.

3/2008/0749/P – Replacement of dry cow building and store with new portal frame building. Approved.

3/2010/0747/P – Proposed cow building, earth mound and landscaping. Approved with conditions.

3/2011/0753/P – Proposed cow handling building. Approved with conditions.

3/2012/0423/P – Slurry lagoon (retrospective). Approved with conditions.

3/2013/0610/P – Slurry lagoon (retrospective). Approved with conditions.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV2 - Land Adjacent to Area of Outstanding Natural Beauty.

Policy ENV13 - Landscape Protection.

The Core Strategy Submission Version as proposed to be modified

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DME2 – Landscape and Townscape Protection.

National Planning Policy Framework (NPPF).

National Planning Policy Guidance (NPPG).

Environmental, AONB, Human Rights and Other Issues

All planning permissions that have been granted for cow sheds at this farm have been implemented. The construction of the most recently approved building (barn 5) took the total existing herd up to 2,040 dairy cows. At that time a decision was taken to move away from conventional bedding materials to a combination of lime ash bedding as the preferred option. As a consequence of this approach, in the following 18 month period it became clear that this

created a problem in relation to the matter of slurry storage due to the fact that large quantities of lime ash was discharging into the drainage system and eventually settling at the base of the lagoons thereby effectively significantly reducing their overall capacity.

This resulted in the construction of two further lagoons and the decision has also been taken to return to the use of conventional beddings mats (the use of lime ash bedding, in any event, is no longer permitted). Additionally, the lagoons have also now been cleared of the lime ash deposits thereby significantly increasing their capacity.

Finally, in relation to the matter of storage and spreading of slurry, the applicant has recently purchased an additional parcel of land totalling 70 acres from a neighbouring farm. The farm therefore not only has improved storage capacity but also a larger area of land for the spreading of the slurry. As such, in relation to this particular consideration, there is the capacity to increase the size of the herd.

Trials with the milking regime have also been carried out and have proved that, without extending the existing practice of 22 hours per day milking, the system could accommodate a further 270 cows. This application therefore seeks permission for a sixth barn to accommodate that number of cows.

The proposed building is half the length of the existing barns 3, 4 and 5 and will be sited between those buildings and one of the recently formed slurry lagoons. In this location the building would be screened in views from the south by the existing buildings and from the north by the mounds surrounding the slurry lagoons. A landscaping scheme that was required by conditions on the permissions for the slurry lagoons has been implemented. This planting will be subject to the usual ongoing maintenance requirement for a period of five years. This landscaping will further screen the proposed building such that no additional landscaping or screen planting is required or necessary in the event that this application is approved.

In relation to the effects of the proposed building on the visual amenities of the locality, I therefore consider the proposal to be acceptable.

The proposed building is to be sited at the northern end of the existing group of buildings such that the existing buildings would form a physical barrier between the proposed building and the residential properties to the south east in Withgill Fold. The proposed building would also be a considerable distance away from the nearest dwellings. For these reasons, the proposed building would not, in my opinion, have any discernible effects on the amenities of nearby residents. I consider it worthy of note that only one letter has been received from a nearby resident and the points made in the letter relate to potential pollution issues rather than any detrimental effects upon the amenities of nearby residents.

The County Surveyor has not expressed any objections to the proposal in respect of highway safety or any potential effects upon the local highway network.

The County Council Estates Surveyor accepts that the development is needed for the purpose of agriculture; that the design, scale and materials are suitable for the proposed use; and that the siting of the building is appropriate.

The remaining (and perhaps the principal) consideration in relation to this proposal relates to the effects of the additional 270 cows upon the water environment. This is a matter in respect of which the Environment Agency (EA) is the specialist consultee and is the enforcement authority

in the event of any pollution to local rivers and other watercourses. The involvement of EA in the consideration of this application has been explained in detail earlier in this report. EA is satisfied from the information that has been provided that the additional cows can be accommodated without detriment to the water environment; but further information is required in respect of the actual means of getting the slurry on to the fields in a manner that will not result in pollution. EA have specifically stated that their preference is for the extra details (in the form of a more detailed Manure Management Plan) to be the subject of an enforceable condition rather than requiring the details to be submitted and approved prior to the determination of the application. EA has provided guidance for the applicant concerning precisely what the Manure Management Plan must contain. This will form an advisory note on the planning permission in the event that Committee resolves to grant planning permission in respect of this application.

For the avoidance of any doubt, a further note will advise the applicant that the condition must be the subject of a formal discharge of condition application and that no works shall be commenced until such an application has been submitted to the Local Planning Authority and (following appropriate consultation with the Environment Agency) has been approved.

The proposed building, that is an intensive livestock installation, has a floor space of approximately 1900m². As this is in excess of the threshold of 500m², the proposal represents a Schedule 2 Development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Local Planning Authority is therefore required to make a screening opinion as to whether an Environmental Impact Assessment is required in respect of the proposed development. If it was considered that the proposal would have 'significant effects on the environment' then an EIA would be required. In this particular case, any potential 'significant effects on the environment' would relate to possible pollution of the water environment. As explained in the report above, information on this issue has been submitted with the application and has been carefully considered by the Environment Agency. The Environment Agency has concluded that, subject to an appropriate condition, there would not be any significant effects in relation to this application. As the Council concurs with the Environment Agency's conclusion, the Council's Screening Opinion is that an EIA is not required.

Accordingly, a decision can be made on this application and, subject to the condition recommended by the Environment Agency, it is considered that there are no sustainable objections to the proposed development.

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 proposal as shown on drawing No's BARN/23 Dwg03 and 04.

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

3. The development hereby permitted shall not be commenced until a Manure Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the approved details; and, thereafter, the management of manure at this farm shall be carried out, at all times, in complete accordance with the approved details.

REASON: To ensure the development does not pose a risk of pollution to controlled waters and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan, Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified and Paragraph 109 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework.

NOTES

1. The applicant is advised that, in order to satisfy Condition Number 3 of this permission, the Manure Management Plan should include a fully assessed, site specific field risk map (with proper consideration given to field observation and assessment), cropping and monthly land availability schedule, days available for spreading (based on meteorological data), risks associated with spreading in individual fields and contingency planning for extended periods of adverse weather.

A soil management plan should also be included as part of the Manure Management Plan and should include field-by-field identification of run-off and erosion risk, soil management issues and proposals for managing risk. Further information on producing a soil management plan can be viewed via the following link: <http://adlib.everysite.co.uk/adlib/defra/content.aspx?id=000HK277ZX.0BNAY2UG1A8RCY>

The risks of water pollution following slurry application can be identified as follows:

- Diffuse pollution as a result of rainfall following application – these risks are mainly influenced by Soil Moisture Deficit levels, rainfall timing and volumes; and
- Direct (point-source) slurry runoff from land spreading – these risks are influenced by application rate, field slopes, connectivity to drains and surface waters

On medium or heavy soils, the greatest risks of ammonium nitrate, phosphorus and microbial pathogen losses in drainflow and surface run-off waters are when slurry applications are made to 'wet' soils (less than 20mm soil moisture deficit) and when sufficient rainfall occurs in the 10-20 day period after application to generate drainflow. The risk of diffuse pollution and soil compaction is greatest during the winter period (November to January). A closed period for slurry application is therefore recommended. Following the 'no-spread' period, any slurry applications made should not exceed 30 cubic metres per hectare (in order to reduce the risk of drainflow). Additionally, spreading evenly at low rates throughout the high risk period should be achievable by not applying from the highway via high trajectory methods.

2. The applicant is advised that condition No 3 of this permission must be the subject of a formal Discharge of Condition Application and that no works on the development shall be commenced until such an application has been submitted to the Local Planning Authority and (following appropriate consultation with the Environment Agency) has been approved.

3. The applicant should be aware that any works to watercourses within or adjacent to the site which involve infilling, diversion, culverting or which may otherwise restrict flow, may require the prior formal Consent of the Lead Local Flood Authority (Lancashire County Council) under Section 23 of the Land Drainage Act 1991.

APPLICATION NO: 3/2014/0722/P (GRID REF: SD 360260 437412)
REDUCE SIZE OF THE EXISTING ROYAL BRITISH LEGION CLUBHOUSE BY DEMOLITION OF SINGLE STOREY GABLE EXTENSION, RELOCATION OF BOWLING PAVILLION AND THE ERECTION OF FOUR HOUSES AT TOWNELEY ROAD, LONGRIDGE, PRESTON, PR3 3EA

TOWN COUNCIL: No comments received at the time of preparing this report.

UNITED UTILITIES: No objection

SPORT ENGLAND: No objection.

LCC HIGHWAYS: Have objected to the proposal on the following grounds. The proposal would increase the demand for on street parking whilst removing the off street parking facility for the Club, thus there would be an increase in the on street parking demand which would be to the detriment of highway safety and the amenity of residents and users of the highway.

Full details of the nature of the objection are contained later within this report.

ADDITIONAL REPRESENTATIONS: 2 letters of representation have been received objecting on the following grounds:

- The proposal will exacerbate the existing parking problems in the area.
- Emergency vehicles cannot access the sheltered accommodation in the area due to vehicles parked on the highway at present.
- The proposal results in visual harm to the Conservation Area.
- Lack of off-street parking provided for the new homes.
- The conditions attached to the original outline consent (3/2011/0400) have been totally disregarded.
- The loss of 8-10 parking spaces associated with the existing British legion car-park will result in additional parking demand in the area especially when the club is holding functions/bowling matches.

Proposal

The proposal seeks consent for the partial demolition of the Royal British Legion Clubhouse (Games room area), the relocation of the existing 'Bowling Club cabin' to the southern extents of the club and the erection of 4 two-bedroom terraced properties to be partially located on the existing British legion car-parking area.

The proposal would result in a loss of all dedicated parking to the existing Legion building (approximately 8/9 spaces), however it has been put forward by the applicant that the parking area is no longer in the ownership of the British Legion, with the site being sold as a result of outline consent being granted on the site (Ref: 3/2011/0400).

Site Location

The site lies partially within the Longridge Conservation Area, a designated heritage asset and is located directly to the south of 5 & 7 Towneley Road, which are 'Buildings of Identified Townscape Merit' and to the west of Towneley Gardens and the Bowling Green.

The site is located approximately 80m to the south of Berry Lane, which accommodates a number of local services.

Relevant History

The site has been the subject of two applications for planning consent which are directly relevant to the current application, the details of which are as follows:

3/2011/0400

Outline application with All Matters Reserved to reduce the size of the existing Royal British Legion Clubhouse by demolition of existing single-storey gable extensions (extension to the South elevation to be rebuilt). Erection of 5no. typical terraced houses with yards on site of the existing car park and part of Clubhouse site. (Approved with Conditions)

3/2014/0211

Reduce the size of the existing Royal British Legion Clubhouse by demolition of single-storey gable extension, relocation of bowling pavilion, and the erection of five houses. (Refused)

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control.

Policy ENV13 - Landscape Protection.

Policy ENV16 – Development within Conservation Areas.

Policy T1 – Development Proposals

Policy T7 – Parking Provision

Ribble Valley Core Strategy (As proposed to be modified)

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy EN5 – Heritage Assets

Policy DME2 – Landscape and Townscape Protection.

Policy DME4 – Protecting Heritage Assets
Policy DS1 - Development Strategy.

National Planning Policy Framework (NPPF).
Longridge Conservation Area Appraisal.

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).

In accordance with the economic role of sustainable development, housing is seen as a key component to economic growth and is recognised as such not only within the Framework but in the Government Policy 'The Plan for Growth'. Para 47 of the NPPF requires LPA's to boost significantly the supply of housing and the theme throughout is that LPA's should make every effort to objectively identify and then meet housing needs. However the Council is in a position to identify a five year supply of housing sites in accordance with the Development Strategy of the emerging Plan.

The Core Strategy was submitted to the Secretary of State for Examination in September 2012 with the formal Hearing Sessions of the Examination in Public (EiP) taking place between 14 and 22 January 2014. Following those sessions it was considered that a series of Main Modifications be made for the purposes of soundness with those proposed Modifications out for a six week consultation period from 23 May to 7 July 2014.

The Development Strategy put forward in Key Statement DS1 as proposed to be modified (Main Modification 21 & 25) seeks to direct the main focus of new house building to the Strategic Site and the Principal Settlements of Clitheroe, Longridge and Whalley. It further proposes that in the remaining 23 Tier 2 villages will need to meet proven local needs or deliver regeneration benefits.

It is considered the plan is at an advanced stage in the plan making process and the policies within the Core Strategy must therefore be afforded weight in the decision making process.

In respect of the housing requirement for the borough, an annual figure of 280dpa is put forward in the Proposed Main Modifications to the Core Strategy and this has also been adopted for Development Management purposes. In terms of five year land supply, the latest position (31 March 2014) is that the Council is able to demonstrate a 5.16 year supply using the Sedgfield method of calculation. The figure of 250dpa was considered at the Hearing Sessions of the EiP and has now increased up to 280dpa as a result of comments made by the Inspector following on from those sessions in January of this year.

Housing provision is a benefit when it is of the right type and in the right location but the ability to demonstrate a five year supply alters the weight to be attributed to this 'benefit' in the planning balance under para 14 of the NPPF when determining applications.

This said, the modification in relation to the 280 figure is subject of public consultation and may still attract objections and thus the weight to be attached to this and the emerging Development Strategy must be reflected in the overall planning balance.

As a consequence it is considered that whilst the principles of development still remain the in the first instance to be assessed against the provisions of the NPPF (due to the fact the Core Strategy has not yet been adopted) the weight to be attributed to the Core Strategy has increased post the EiP sessions and this, coupled with the ability to demonstrate a 5yr supply of housing, must be reflected in any decision taken.

Notwithstanding the detailed aspects of the proposal it is considered that given the site is located within a 'Principal Settlement' and within close proximity to local services/facilities that the proposal would be considered acceptable in light of the above considerations and in particular when assessed against Key Statement DS1.

Highways

LCC Highways have raised an objection to the proposal as follows:

'In respect of the current application, whilst the proposal has reduced the number of dwellings to 4 from 5 (in relation to the previous refusal) the issue remains that the development would increase the demand for on street parking whilst removing the off street parking facility for the Club, thus there would be an increase in the on street parking demand which would be to the detriment of highway safety and the amenity of residents and users of the highway My recommendation would therefore be that the application be refused.'

'In my view the inclusion of a planning condition in the previous (3/2011/0400) permission for each dwelling to have at least one off street parking space was an acknowledgement that the proposal would have a detrimental impact on the on-street parking in the area and mitigated against the loss of the Legion's car park. The current application makes no such provision in mitigation for the loss of the car park and I would therefore maintain my position that the proposal would increase on street parking demand to the detriment of road safety and amenity.'

The objections of LCC are noted and considered in subsequent sections of the report.

Environmental, AONB, Human Rights and Other Issues

The proposed development will take the form of a terrace of four two-storey dwellings with stone detailing to window and door surrounds with entrance canopy porches. It is proposed that the primary elevation (west) will be constructed of reconstituted facing stone with the side and rear elevations being faced in render.

The dwellings will measure approximately 5.5m at eaves and 8.7m at ridge, being of a lower height than 5 & 7 Towneley Road to the north. In terms of external appearance it is considered the proposal would respond positively to the immediate context.

Members will note that at the time of writing this report the site currently benefits from an extant Outline Consent, however on the date of Planning & Development Committee (13th November) this outline consent will have expired. The originally consented description of development reads as follows:

Outline application with All Matters Reserved to reduce the size of the existing Royal British Legion Clubhouse by demolition of existing single storey gable extensions (extension to the South elevation to be rebuilt). Erection of 5no. typical terraced houses with yards on site of the existing car park and part of Clubhouse site.

Whilst a proposed site layout was submitted as part of the original consent, as the application was made in outline for all matters reserved limited consideration could be given to the layout and/or arrangement put forward. Notwithstanding this consideration the County Surveyor did not raise any objections during the application stage.

A number of representations were received regarding the loss of parking and the creation of additional parking demand and the potential harm to highways safety, it was therefore considered that off-street parking would be required through condition, the original officers report reads as follows:

'The Council are inclined to agree with the view of the Town Council that the development is likely to have an impact on the existing on-street parking situation at present' the report further states that 'In order to best minimise the inevitable increase in on-street parking in this location, it is considered appropriate to request a minimum of one parking space per dwelling on this site'.

Condition 07 of the granted outline consent therefore required the following:

A minimum of one off-street parking space shall be provided per dwelling on this site, details of which shall be considered as part of any reserved matters application.

REASON: In order to minimise the potential increase in on-street parking at this location in the interests of highway safety.

The loss of the existing car-parking facilities associated with the British Legion Club has been raised by objectors as an issue that is likely to put further pressure and demand in the immediate area. The applicant has put forward that following the granting of the original outline consent that the parking area is no longer in the ownership of the Club and therefore the loss of the parking cannot be considered as part of the application.

Members will note that although the applicant has stated the land is no longer owned or operated by the Club and therefore the loss of parking should not be a material consideration in this case and that the currently extant consent reflects that the loss of the car parking has already been accepted. It is further suggested that the area of land in question has been sold off separately on the basis of the previous consent.

It has therefore been argued by the applicant that given the loss of the existing parking has been deemed acceptable the matter remaining to be considered is solely that of the demand for parking created by the new dwellings, where this will be accommodated and its impact upon highway safety and surrounding residential amenities.

It is accepted that the previous condition attached to the original outline consent would have required significant alteration to the indicative site plan proposed at that stage and/or a reduction in numbers to allow for off-street parking to be provided on site at a one space per dwelling ratio.

Notwithstanding the loss of the existing car park it is apparent that the demand created by the new dwellings, and the failure to provide off-street provision (as originally required by condition 3/2011/0400) will result in this demand having to be met on-street.

I note the concerns of LCC highways and it is interesting to note that previously they raised no objection. In considering this proposal regard should be given to its town centre location and accessibility to local car parks. I accept that there will be some harm in relation to highway issues but this needs to be a factor in weighing up the planning balance.

Planning Balance

In assessing the planning balance it should be noted that the benefits of the scheme would include the contribution to the housing market in one of the key settlements identified in the Core Strategy. It would also offer a modest new homes bonus. The site is within and adjacent to the Longridge Conservation Area and in my opinion would, subject to materials, make a positive contribution to the area. The negative element of the scheme is that the lack of off street parking and subsequent pressure this would place on the local highway network. However, in this instance I am of the opinion that the benefits outweigh the harm.

It is for these reasons and having regard to all matters raised that I recommend accordingly.

RECOMMENDATION: That planning permission be granted 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. Unless otherwise required by condition of this permission, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

- Jon No.120 Drawing No.111
- Job No.120 Drawing No.112
- Job No.120 Drawing No.320

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

3. Precise specifications or samples of all external surfaces, including surfacing materials and their extents, of the development hereby permitted shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development. The development shall be carried out in accordance with the approved details prior to the first occupation of the development.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME2 and DME4 of the Ribble Valley Core Strategy (as proposed to be modified).

4. Prior to the commencement of the development, section details at a scale of not less than 1:20 of each elevation including details of eaves, window/door reveals and surrounds, and window/door framing/glazing systems and porch details shall have been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality in accordance with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME2 and DME4 of the Ribble Valley Core Strategy (as proposed to be modified).

5. Prior to the commencement of the development, 1:20 details of all boundary treatments, fencing and refuse storage including materials and their colour shall have been submitted to and approved by the Local Planning Authority. The development shall be carried out in STRICT accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality in accordance with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME2 and DME4 of the Ribble Valley Core Strategy (as proposed to be modified).

6. No development shall take place until a construction & demolition method statement has been submitted to and approved by the local planning authority in consultation with the highway authority.

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) measures to control the emission of dust and dirt during construction & demolition;
- vi) the highway routeing and timings of plant and material deliveries to and from the site;
- vii) measures to ensure that construction & demolition vehicles do not impede accesses;
- viii) a scheme to control noise during the construction/demolition phase;
- ix) details of how existing habitat features. Trees, hedgerows shall be retained and protected during the lifetime of the development and from the adverse effects of development works.

The approved statement shall be adhered to throughout the construction period.

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 (as proposed to be modified).

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, amending or re-enacting that Order) any future extensions or external alterations to the dwelling(s) including the insertion of any new openings to the external surface of the dwelling(s) (including any roof plane) and any development within the curtilage shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: To ensure that subsequent alterations preserve or enhance the character and appearance of the Conservation Area in accordance with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME2 and DME4 of the Ribble Valley Core Strategy (as proposed to be modified).

PROPOSED CONSTRUCTION OF 19 TWO BEDROOM APARTMENTS FOR THE OVER 55'S AND A 120 PLACE CHILDREN'S DAY NURSERY, ASSOCIATED CAR PARKING AND LANDSCAPING AT LAND OFF ELKER LANE, BILLINGTON

PARISH COUNCIL:	<p>Object as concerns are raised regarding the additional volume of traffic that would be using Elker Lane. This road is already heavily congested during school hours and the number of vehicles that park on the road would result in the road becoming single track. This development would result in a much higher volume of traffic which would only add to the problems already being caused for local residents.</p> <p>The Parish Council supports the principle of the development but must object to the traffic issues.</p>
ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):	<p>The proposal has been subject to pre-application discussions and in principle no objections are raised on highway grounds subject to the imposition of conditions.</p>
LCC (ARCHAEOLOGY):	<p>There are no significant archaeological remains.</p>
LCC (ECOLOGY SERVICE):	<p>Request submission of additional information prior to determination.</p>
ENVIRONMENT AGENCY:	<p>No objections subject to imposition of conditions.</p>
UNITED UTILITIES:	<p>No objections subject to imposition of conditions.</p>
ELECTRICITY NORTH WEST:	<p>The application has no impact on our electricity distribution system, infrastructure or other ENW assets.</p>
ADDITIONAL REPRESENTATIONS:	<p>Three letters of objection have been received (one of which is from 7 residents (5 dwellings) from residents of Elker Lane). Members are referred to the file for full details which can be summarised as follows:</p> <ol style="list-style-type: none">1. Highway safety concerns.2. Devaluation of property because of additional noise and traffic.

Proposal

Detailed consent is sought for the erection of 19 apartments (10 x 2 bed affordable rent and 9 x 2 bed affordable home ownership) (shared ownership) for the over 55's (for St Vincent's Housing Association in collaboration with the Housing and Communities Agency and Department for Health) and a 120 place children's day nursery with associated highway works that include layby parking on Elker Lane for use by St Augustine's School.

The plans show a new site access opposite the access to St Augustine's School with the over 55's accommodation set to the north of this and nursery to the south. Both buildings have private parking courts with west and south facing amenity space for both buildings. Detailed landscaping plans are provided.

The apartment building is roughly 'U' shaped and looks to respond to the 10 principles of the HAPPI Report. Approximate dimensions of the overall built form are 66.6m x 32.6m x 9.3m in height with construction materials proposed as reconstituted stone with contrasting feature panels and glazing details to communal corridors under a roof of slate coloured concrete interlocking tiles.

The nursery is based roughly on the footprint of a cross being of single storey construction in materials to match the apartment building. Overall approximate dimensions (including covered external areas) are 43m x 49m x 6.5m in height with there being outside play areas to the south of the building.

Site Location

The site is set to the west of Elker Lane outside any defined settlement limit lying within land designated Open Countryside. To the opposite side of Elker Lane is St Augustine's School roughly opposite the proposed apartment building and the nursery is to be sited roughly opposite a short terrace of housing leading from the school grounds towards the mini-roundabout at the junction of Elker Lane and Whalley Road. The land is greenfield currently used for grazing.

Relevant History

3/2014/0541/P – Construction of 19 two bedroom apartments for the over 55's and 104 place children's day nursery, associated car parking and landscaping – withdrawn.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Policy H2 - Dwellings in the Open Countryside.

Policy H20 - Affordable Housing - Villages and Countryside.

Policy H21 - Affordable Housing - Information Needed.

Policy T1 - Development Proposals - Transport Implications.

The Core Strategy Submission version as proposed to be modified

Key Statement DS1 – Development Strategy.

Key Statement EN2 – Landscape.

Key Statement EN4 – Biodiversity and Geodiversity.

Key Statement EC1 – Business and Employment Development.

Key Statement H1 – Housing Provision.

Key Statement H2 – Housing Balance.

Key Statement H3 – Affordable Housing.

Key Statement DMI2 – Transport Considerations.

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.
Policy DMG3 – Transport and Mobility.
Policy DME1 – Protecting Trees and Woodland.
Policy DME2 – Landscape and Townscape Protection.
Policy DMH1 – Affordable Housing Criteria.
Policy DMH3 – Dwellings in the Open Countryside and AONB.
Policy DMB1 – Supporting Business Growth and the Local Economy.

National Planning Policy Framework (NPPF).
National Planning Practice Guidance (NPPG).

Environmental, AONB, Human Rights and Other Issues

The key issues for consideration in the determination of this application are matters of principle, highway safety, visual amenity, ecological and arboricultural matters and potential impacts on residential amenity. For ease of reference these are broken down into the following sub-headings for discussion.

Principle of Development

In the determination of this application it is important to have regard to the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004) and that the presumption in favour of development should be applied (NPPF).

In relation to the saved Local Plan it should be recognised that the strategic policies in relation to settlement boundaries are considered dated and that there may be a need to accommodate development on greenfield land outside the existing settlement boundaries having regard to the emerging Development Strategy of the Core Strategy. As such the policies of the NPPF, NPPG and emerging Core Strategy become far more material to the determination of planning applications.

The NPPF at its heart has a presumption in favour of sustainable development. It makes clear in paragraph 14 that for decision taking purposes 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 significant 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 eg AONB.

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 – 219 of the Framework taken as a whole constitutes the meaning of sustainable development.

In accordance with the economic role of sustainable development, housing is seen as a key component to economic growth and is recognised as such not only within the Framework but in the Government Policy 'The Plan for Growth'. The delivery of new housing of the right type, at the right time in the right location is fundamental to economic growth and Para 47 of the NPPF requires LPA's to boost significantly the supply of housing. The theme throughout is that LPA's should make every effort to objectively identify and then meet housing and business needs. Thus regard also need to be given to the second aspect of this proposal namely a 120 place children's day nursery. The Framework seeks to support sustainable economic growth outlining that planning should operate to encourage and not act as an impediment to such growth. It recognises that economic growth in rural areas such as Ribble Valley is supported through the planning system in order to create jobs and prosperity. Details submitted in support of the application outline that the equivalent of 27 full time jobs would result from this scheme and thus this is also considered to accord with the economic role of sustainable development.

The social role of the NPPF seeks to support communities by providing the supply of housing required to meet the needs of the present and future generations and by creating a high quality built environment. In respect of creating a high quality built environment this is a matter to be examined in association with the environmental role of the NPPF which seeks to protect and enhance the natural environment and will be considered under a separate sub heading.

Turning to the Core Strategy this was submitted to the Secretary of State for Examination in September 2012 with the formal Hearing Sessions of the Examination in Public (EiP) taking place between 14 and 22 January 2014. Following those sessions it was considered that a series of Main Modifications be made for the purposes of soundness with those proposed Modifications out for a six week consultation period from 23 May to 7 July 2014 with a further 6 week consultation period ending on 5 September 2014. The Development Strategy put forward in Key Statement DS1 as proposed to be modified (Main Modification 21 & 25) seeks to direct the main focus of new house building to the Strategic Site and the Principal Settlements of Clitheroe, Longridge and Whalley and Tier 1 villages which are considered the more sustainable of the 32 defined settlements.

Whilst this site is outside the defined settlement limit as set out in the Districtwide Local Plan Billington is defined as a Tier 1 settlement in the emerging Development Strategy. This means it is recognised as one of the more sustainable settlements that is capable of accommodating a level of growth. However it is also important to consider that, in respect of the housing aspect of the proposal the scheme put forward is a development of 19 affordable units. Policy DMG2 allows for development of local needs housing that meets an identified need, development essential to the local economy or social well-being of the area and small scale uses appropriate to a rural area where a local need or benefit can be identified. The Council's Housing Strategy Officer has been consulted on this scheme and is supportive as indeed are the Council's Strategic Housing Working Group. As an affordable scheme that is justified and would need an identified need the proposal is considered to comply in principle with planning policy. Given the proposal is for 100% affordable housing it is considered that should consent be forthcoming a condition can be imposed to secure criteria for eligibility and that the accommodation remain as affordable in perpetuity as this is a requirement of the grant funding that there be no S106. For Committee's information Ribble Valley is the only District within Lancashire to receive grant funding under this particular initiative.

In respect of the housing requirement for the borough, an annual figure of 280dpa is put forward in the Proposed Main Modifications to the Core Strategy and this has also been adopted for Development Management purposes. In terms of five year land supply, the latest published

position at the time of drafting this report (30 June 2014) is that the Council is able to demonstrate a 5.10 year supply using the Sedgfield method of calculation. The figure of 250dpa was considered at the Hearing Sessions of the EiP and has now increased up to 280dpa as a result of comments made by the Inspector following on from those sessions in January of this year. Housing provision is a benefit when it is of the right type and in the right location but the ability to demonstrate a five year supply alters the weight to be attributed to this 'benefit' in the planning balance under para 14 of the NPPF when determining applications. This said, the modification in relation to the 280 figure is subject of public consultation and may still attract objections and thus the weight to be attached to this and the emerging Development Strategy must be reflected in the overall planning balance. As a consequence I consider that whilst the principles of development still remain the in the first instance to be assessed against the provisions of the NPPF (due to the fact the Core Strategy has not yet been adopted) the weight to be attributed to the Core Strategy has increased post the EiP sessions and this, coupled with the ability to demonstrate a 5yr supply of housing, must be reflected in any decision taken. This said, as the scheme is for 100% affordable provision on site this is a significant benefit towards meeting locally identified needs and will make an important contribution to the social role of NPPF in respect of sustainable development.

Turning to the proposed nursery Policy DMB1 is of relevance as it seeks to support business growth and the local economy. Key Statement EC1 also promotes the need to strengthen the wider rural and village economy. In principle therefore I am satisfied that the proposal in all respects is in accordance with the spatial vision of the emerging Core Strategy but that further consideration needs to be given to the environmental role of the NPPF and general development management considerations of adopted and emerging plans.

Highway Safety

Members will note from the consultation responses that concerns have been raised regarding matters of highway safety. Comments have been made about the relationship of the site with the school opposite and vehicle movements associated with that which already can cause bottle necks on the local highway network at certain times of the day. The County Surveyor has been consulted on this proposal and notwithstanding the concerns of local residents no objections are raised on highway safety grounds. A section of hedgerow is to be removed to facilitate the creation of appropriate sightlines and the scheme proposes a layby parking arrangement to the opposite of Elker Lane to create 9 parking spaces for use by the school. It is also proposed to form a tarmac footpath creating pedestrian access to the nursery and main site from Whalley Road. Therefore whilst I can appreciate the concerns raised there is no justifiable reason to withhold consent on the grounds of highway safety.

Landscape/Visual Amenity/Layout

In respect of the environmental role of the NPPF, the planning system should contribute to and enhance the natural environment by protecting and enhancing valued landscapes. However valued landscapes are not defined in the Framework and it advises that LPA's should set criteria based policies against which proposals for any development on or affecting protecting landscape areas will be judged. As stated the site lies within land designated Open Countryside with the settlement of Billington aligned to its east.

The site is visible in distant views from the A59 which runs to the north of the site however the mass of buildings at St Augustine's school are already visible in these vistas – the proposal would be set to the foreground of these. The structures proposed would be set to run parallel to

Elker Lane with the parking area for the apartments set to the open countryside edge of the development with allotments and a landscaped buffer forming the site edge. The mass of both structures has been broken up by the use of projecting gable features and contrasting materials. Committee will be aware that greenfield development can seldom take place without landscape character change and visual effect. The area is defined as undulating lowland farmland that is a particularly well settled area providing a corridor for communication routes along the Ribble Valley (A59 and railway line) and this communications structure has encouraged built development. Whilst the scheme will be visible in the wider area I consider it has been designed in such a way as to not significantly detract from the landscape qualities of the area or appear as an incongruous addition when having regard to landscape character assessment documentation. For this reason I do not consider that an unfavourable recommendation on visual grounds could be substantiated.

In terms of impact on existing ecological/arboricultural features reference has already been made to the removal of a length of hedgerow to facilitate the creation of the access into the site. An Arboricultural Survey has been submitted to cover the main site and proposed area for the parking layby as this is adjacent to the hedgerow that currently screens the all-weather pitches of St Augustine's which are set lower than the roadside. The ecologist from LCC has raised a concern over the loss of hedgerow and impact on trees with the latter considered to have the potential to support roosting bats. However, all submitted details have been assessed by the Council's Countryside Officer who has raised no objections to the proposal. A detailed landscaping scheme has been submitted which denotes new native hedgerows with interspersed tree planting to form the overall site boundaries to form a more naturalistic edge to the developed site. There is also extensive planting and the creation of two wild flower grassland areas within the site to further off-set the potential ecological dis-benefits from developing a greenfield site. Therefore notwithstanding the concerns of LCC it is considered that subject to the imposition of conditions the scheme is acceptable in this respect.

Residential Amenity

In consideration of this matter it is important to consider the amenities of the occupiers of the new residential accommodation as well as the potential impact of the scheme on those properties in close proximity to the site.

In respect of the former it is noted that the apartments are set to the west of the multi-surface pitches of St Augustine's School, that the A59 is set approximately 160m to the north across open fields and also that part of this proposal is for a use that may in itself have an impact on existing background noise levels. In order to assess the impact of all of these the applicant has submitted an acoustic report which considers the relationship between the aforementioned and seeks to identify if there is the potential for any adverse impacts. That report has been studied by colleagues in the Environmental Health Section and it is concluded that whilst there are noise implications particularly at play time from the school when this is averaged over the day the levels become acceptable. Glazing and ventilation recommendations have been made to mitigate noise and achieve internal limits during play times. Subject to the imposition of conditions to secure this there should be no detrimental impacts for residents. It should also be noted that as a result of the acoustic survey it is proposed that an acoustic fence be provided on the sites eastern boundary which will comprise a 2.4m high timber close boarded fence set back approximately 1m behind the existing roadside hedgerow which would allow ongoing maintenance of both the fence and the hedgerow and a similar barrier to the eastern boundary of the outside play area to the nursery. I have assessed this from a visual stance and given they are set to the rear of hedgerows approximately 2m in height they will not appear unduly

prominent in the street scene. The barrier to the playground of the nursery will also protect existing properties towards the junction of Elker Lane and Whalley Road. These are set approximately 45m from the outside areas associated with the nursery and the provision of an acoustic barrier is considered to satisfactorily mitigate any adverse impacts that may arise from outside play in this part of the overall site.

Therefore having carefully assessed all the above I am of the opinion that the scheme accords with the adopted and emerging plan policy and would not prove significantly detrimental to the amenities of the area. I thus recommend accordingly.

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

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

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

2. This permission shall be implemented in accordance with the proposal as detailed on drawings ELKER/01Dwg03 REVA – proposed plans and elevations; ELKER/01Dwg05 REVA – proposed car parking; 805/A/000 – site location plan; 805/A/001 REV1 (received on 29 October 2014) – proposed site plan; 805/A/002 REVB – ground floor plan; 805/A/003 REVB – first floor plan; 805/A/005 REVA – proposed roof plan; 805/A/006 REVA 2B3P – apartment type 1; 805/A/007 REVA 2B3P – apartment type 2; 805/A/008 REVC – proposed elevations; 805/A/009 REVB – proposed elevations; 805/A/010 REVC – proposed elevations; 805/A/011 – proposed street elevations; 805/A/012 – apartment car park layout; 805/A/013 – 2B3P apartment type 3; 805/A/014 – existing site plan; 3104/03 – planting plan one of three; 3104/04 – planting plan two of three; 3104/05 – planting one three of three; 3104/01 – landscape layout.
3. The residential units hereby permitted shall only be used for the purpose of providing affordable housing accommodation as defined in the Housing and Regeneration Act 2008 to be occupied by households or individual in housing need and in accordance with the submitted ‘Affordable Housing Condition Terms’. The accommodation is for over 55s or such other persons approved by the HCA in need of ‘Care and Support’ accommodation.

This condition and the terms described in the ‘Affordable Housing Condition Terms’ dated 2/10/2014 shall not be binding upon any of the following:

- a. A mortgagee or chargee (or any receiver appointed by such mortgagee or chargee) of the development or any part thereof (including any individual residential unit or group of residential units) together with the successors in title to such mortgagee, chargee or receiver;
- b. A tenant of a residential unit who exercises any statutory right to buy or right to acquire (or equivalent right) such residential unit together with the mortgagee or chargee (or any receiver appointed by such mortgagee or chargee) of such tenant and successors title;

- c. A lessee of a residential unit held under a shared ownership lease who acquires 100% of the interest held under that lease together with the mortgagee or chargee (or any receiver appointed by such mortgagee or charge) of such lessee and successors in title.

REASON: for the avoidance of doubt as the application is for a development of 100% affordable housing units and to comply with Policy H2 of the Ribble Valley Districtwide Local Plan and Policy DMH3 of the Core Strategy Submission Version as proposed to be modified.

4. The use of the children's day nursery in accordance with this permission shall be restricted to the hours between 0700 to 1800 Monday to Friday.

REASON: In order to comply with Policies G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified. The use of the premises outside these hours could prove injurious to the character of the area and in order to safeguard residential amenities.

5. The approved landscaping scheme as detailed on drawings 3104/03, 3104/04 and 3104/05 (planting plans 1 – 3) shall be implemented in the first planting season following occupation or use of the development and shall be maintained thereafter for a period of not less than 5 years in accordance with the submitted 5 year Landscape Management Plan to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

6. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees identified in the arboricultural/ impact assessment and tree constraints plan shall be protected in accordance with the BS5837 2012 [Trees in Relation to Demolition, Design & Construction]

The details of which shall be agreed in writing and implemented in full under the supervision of a qualified arboriculturalist and in liaison with the Countryside/Tree Officer. A tree protection monitoring schedule shall be agreed and tree protection measures inspected by the local planning authority before any site works are begun.

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

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

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

REASON: In order to ensure that any trees affected by development and considered to be of visual, amenity and value and making a contribution to landscape character are given maximum physical protection against the potential adverse effects of development and to comply with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

7. No tree felling shall take place until such time that all the trees identified for removal have been conclusively established in relation to their potential use by bats. The trees shall be subject of a detailed investigation prior to the commencement of felling by a qualified and licensed ecologist and in accordance with the Bat Conservation Trust Good Practice Guidelines. The results of the investigation shall be submitted to the Local Planning Authority

REASON: To protect the bat population from damaging activities and reduce/remove the impact of tree felling for development in the interests of protecting nature and conservation issues in accordance with Policy ENV7 of the Ribble Valley Districtwide Local Plan and Policy DME3 of the Core Strategy Submission Version as proposed to be modified.

8. The new estate road/access between the site and Elker Lane 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 the development hereby permitted becomes operative in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

9. 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 over 1m above road level. 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 road from the continuation of the nearer edge of the carriageway of Elker Lane to points measured 43m in each direction along the nearer edge of the carriageway of Elker Lane, from the centre line of the access and shall be 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 in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

10. The car park shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

REASON: To allow for the effective use of the parking areas in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

11. The cycling facilities to be provided in accordance with a scheme to be approved by the Local Planning Authority and the cycling facilities to be provided in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

REASON: To allow for the effective use of the parking areas in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

12. The motorbike facilities to be provided in accordance with a scheme to be approved by the Local Planning Authority and the motorbike facilities to be provided in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

REASON: To allow for the effective use of the parking areas in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

13. Prior to the first use of the development hereby permitted, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The Business Travel Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals not greater than 18 months to ensure that the approved Plan is carried out.

REASON: To promote and provide access to sustainable transport options in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

14. The development hereby permitted shall be carried out in strict accordance with the mitigation measures outlined in Section 10.1 to 10.3 of the Noise Assessment Report dated 23 October 2014. Precise details of the acoustic barriers shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The barriers shall thereafter be constructed in accordance with the details so approved and also noise mitigation measures thereafter retained in perpetuity.

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 submission version as proposed to be modified.

15. No development shall take place until a construction method statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- The parking of vehicles of site operatives and visitors
- The loading and unloading of plant and materials
- The storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding
- Wheel washing facilities
- Measures to control the emission of dirt and dust during construction
- Details of working hours
- Contact details of the site manager.

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 submission version as proposed to be modified.

16. The off-site highway works associated with the creation of the lay-by on the easterly side of Elker Lane shall be fully implemented and available for use prior to the occupation of the first apartments or the Children's Day Nursery whichever is the earlier

REASON: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

17. The development permitted by this planning permission shall only be carried out in accordance with the approved FRA (Ref: B1586 Version 2, dated 11 September 2014) and the mitigation measures detailed within the FRA. The mitigation measures shall be fully implemented prior to occupation and subsequently 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 ensure the development is not at an unacceptable risk of flooding or exacerbate flood risk elsewhere in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

18. 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 hydrogeological 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. Surface water run-off from the site should be limited to 11.38 litres per second, as stated in the FRA (Ref: B1586 Version 2, dated 11 September 2014). 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 Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

19. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To prevent the increased risk of flooding, both on and off site in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

INFORMATIVES

- 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 contact the Environment Directorate for further information by telephoning the Developer Support Section.
2. Before proceeding with the scheme preparation the Developer should consult with the Environment Director for detailed requirements relating to land arrangements, design, assessment, construction and maintenance of all existing or new highway structures included in, or affected by, the proposed scheme. For this purpose the term highway structure shall include:
 - any bridge or culvert having a span of 1.5 metres or greater, or having a waterway opening cross sectional area exceeding 2.2 square metres {Note: span refers to the distance between centre of supports and not the clear distance between supports},
 - any retaining wall supporting the highway (including and supporting land which provides support to the highway),
 - Any retaining wall supporting land or property alongside the highway.

The term 'highway' shall include footpaths and bridleways

3. Any works to the watercourses within or adjacent to the site which involve infilling, diversion, culverting or which may otherwise restrict flow, may require the prior formal Consent of the Lead Local Flood Authority (Lancashire County Council) under Section 23 of the Land Drainage Act 1991.
4. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking/servicing areas should be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained.
5. A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL

APPLICATION NO: 3/2014/0687/P (GRID REF: SD 370556 434580)
PROPOSED OUTLINE PLANNING APPLICATION FOR UP TO 132 RESIDENTIAL DWELLINGS AND ASSOCIATED ACCESS, LANDSCAPING AND OTHER NECESSARY WORKS ON LAND OFF LONGSIGHT ROAD, LANGHO

PARISH COUNCIL: Billington and Langho Parish objects to this application for the following reasons:

The proposed development is contrary to Policies G1, G5, ENV 6 and H2 of the Ribble Valley District Wide Plan.

1. Policy G1 - Concerns re access to the site

The A59 is a major East-West traffic link and is classed as a Road of Regional Significance in LCCs Functional Road Hierarchy. In the Functional Road Hierarchy, roads and paths are categorised in terms of function and actual use. The safe, effective and efficient movement of motor vehicles is balanced against the needs of other transport and non-transport users. The hierarchy is seen as the foundation of a coherent, consistent and auditable approach to managing the road network. The hierarchy recommends that development should be limited on these roads. There is no highway justification to permit the proposed development.

This development should be refused in the interests of road safety, good highway design and the free flow of traffic along this road of regional significance for the following reasons,

- The proposed development will lead to an increase in turning traffic along the A59 which will increase the risk of further accidents and adversely affect the free flow of traffic. In addition to the vehicular traffic generated by the proposed housing, the developers compound the problem by adding 20 additional parking places for Langho railway station within the curtilage of the development.
- a previous application opposite the proposed development was refused due to these reasons:
- The egress from the proposed development onto the A59 will mirror the adjacent Northcote Road junction (no right turn across the traffic flow), This forces all traffic heading to the main village of Langho and beyond in a southerly direction (Blackburn, Manchester) and easterly direction (East Lancashire and all points east of this development) will be forced to use Whitehalgh Lane or Chapel Lane as the next element of their route.

- Both these roads are effectively single track in places and contain several sharp and blind bends. The junction of the A59 and Whitehalgh Lane/Chapel Lane is a dangerous high-speed junction with some limited sight lines.

Policy G1 of Ribble Valley District Wide Plan states - 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.
- (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.

2. Policy G5

States that 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 well-being 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 RTI; or
- v) other small-scale uses appropriate to a rural area which conform to the policies of this plan.

3.2.18 This policy recognises the need to protect the countryside from inappropriate development. In doing so, it must be accepted that the countryside is a working area and a source of many Ribble Valley residents' livelihoods. As such it is subject to change and to development pressures. If properly managed, these can be accommodated without harming the basic character of the area.

This application fails to meet these criteria.

3. Policy ENV 6 - The land is described as lowland fringe farmland

Positive landscape elements in the lowland fringe farmland are:

- The unspoilt settlements and their characteristics vernacular with only limited new development, well related to existing buildings;
- The open spaces in villages;
- Absence of urbanisation;
- Strong field pattern and well managed hedgerows, walls and fences;
- Trees, woodlands, hedgerows and hedgerow trees, particularly semi natural vegetation and trees native to the area;
- Open land which allows views of open water, rivers, becks and waterfalls;
- Herds of dairy cattle.

Existing or potential landscape detractors include:

- Intrusive, inappropriate and insensitive siting and design of new development,
- Telegraph and electricity poles and overhead wires;
- Road improvements including widening and straightening;

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:
- any agricultural land taken should be the minimum required to meet
- essential needs; ENV 6

4. Policy H2 – Dwellings in the open countryside – Outside the settlement boundaries residential development will be limited too.

- Development essential for the purposes of agricultural or forestry or other uses wholly appropriate to the rural area.
- Residential development specifically intended to meet a proven local need.

- The protection of attractive open countryside is an important element of both national and county planning policy – to achieve this development in the countryside must be strictly controlled.

The proposed development does not meet the criteria within Policy H2.

In addition to the contravention of these policies the Parish Council objects because,

- The proposed development is an over development of the area and is further erosion of land around a village. The railway line has traditionally been the natural boundary of the village and this development will cause an unnecessary spread leading to a ribbon development. It will have a detrimental impact upon residential amenities and the visual impact will also be detrimental. This includes the impact on the character of the area, the effect on the local infrastructure, density and over development.
- The effect on public services such as drainage and water supply. There is local knowledge of limited sewer capacity and the sewers have overflowed in the past.
- The development is also contrary to Key Statement DS1 and policies' DMG2 and DMH3 of the Ribble Valley Core Strategy Proposed Main Modifications (May 2014) in that the approval would lead to the creation of new dwellings in the open countryside without sufficient justification which would cause harm to the development strategy for the borough as set out in the emerging core strategy leading to unsustainable development.
- The proposed development would set a precedent for the acceptance of other unjustified proposals which would have an adverse impact on the implementation of the emerging planning policies of the Council contrary to the interests of the proper planning of the area in accordance with core principles and policies of the National Planning Policy Framework.

PARISH COUNCIL:

Wilpshire Parish Council has commented that a permission for this application would lead to more pressure on the infrastructure and more traffic onto the A666 and A 59; and would also result in ribbon development.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

The County Surveyor has no objections to the application in principle subject to a number of matters being addressed through the imposition of appropriate conditions and advisory notes on any planning permission that might be granted. The County Surveyor explains the considerations that led to this conclusion as follows:

Site access will be via a newly constructed vehicular access on to Longsight Road (A59) to the west of Northcote Road. Pedestrian access will be via the proposed new entrance and also through a pedestrian subway at Langho rail station. The proposal was the subject of pre-application discussions with an agreed scoping study.

Vehicular Access

The principle of the vehicular access onto the Longsight Road is acceptable and I would suggest certain similarities between the junction layout proposed and the site at Rydings which is situated further west along Longsight Road. I would consider the latter development being similar to the proposed development in terms of composition and traffic generation. A review of the recorded injury accidents at the Rydings/Longsight Road junction reveals that there have been none in the past 5 years. In view of this, the proposed junction layout is considered to be acceptable for the size of development proposed but the precise details will necessarily be subject to a detailed design and safety audit.

Pedestrian Access

Due to the lack of a site frontage onto Northcote Road pedestrian access into the development is restricted to the proposed access onto Longsight Road and the pedestrian subway at Langho Station. A pedestrian footway is proposed along the site frontage to Longsight Road with a pedestrian refuge at the western end and also connections to Northcote Road. To the south, access to Whalley Road A666 Langho and its amenities is through a pedestrian subway at the rail station. The subway is illuminated but appears to suffer from poor drainage and has a low ceiling. The other drawback is the number of steps which have to be negotiated. Unfortunately due to the involvement of third party land, alterations to improve the access is limited, nevertheless I would expect the developer to use his best endeavours to secure improvements to the accessibility and fund lighting /drainage improvements. Unfortunately in its present form, the subway is inaccessible to pedestrians with mobility issues and due to the barrier presented by the rail line the alternative route would have to be via Northcote Road. This is a lightly trafficked cul-de-sac with street lighting and some footway provision.

Cycle Access

Longsight Road has a shared pedestrian /cycle facility on its north side which connects to Northcote Road with a route towards Whalley. As part of the proposal I would require that the footway proposed on the south side be a shared cycle facility (minimum width 3m) allowing users to access both the proposed site and Northcote Road.

Unfortunately cycle links to Whalley Road are restricted by the subway nevertheless, the route may benefit some cyclists who would be prepared to carry their cycles up the steps and the internal estate links to the subway should allow for cycle access.

Traffic Generation

The traffic generation figures used in the Assessment are acceptable and were agreed in the pre-application scoping study.

Future Growth Year

The Transport Assessment uses a base year of 2015 and a future assessment year of 2020 which, assuming a 2015 start year, represents a build out of 26 dwellings per year which is achievable

Traffic Distribution

The consultant has assumed that site for the Whalley Road (A666) and routes to Blackburn will turn right out of the site and use the roundabout. Whilst I would disagree with this assumption and suggest that Whitehalgh Lane to the west would be an attractive alternative, the consultant has provided an alternative routing scenario to allow Whitehalgh Lane to be used in the form of a sensitivity test.

Junction Analyses.

In the agreed scoping study the following 4 junctions were identified as requiring analysis to assess the impact of the development on their capacities.

1) A59 Roundabout

The Arcady results for the A59 roundabout show that whilst 3 of the 4 arms will operate within capacity in both 2015 and 2020, the A59 (east) arm is operating at or above 87%capacity in the am peak in 2015 and 75% capacity in the pm peak. In light of the 2020 forecast (with development) the situation will worsen with the arm approaching 94%capacity. This would not be acceptable and a highway scheme will be required to increase the capacity of this arm.

2) Whitehalgh Lane Whalley Road (mini roundabouts)

As mentioned previously, I have raised concerns regarding the assumption that all A666 (Blackburn) traffic from the development will use the A59 Roundabout. The transport Assessment provides an analysis of the junctions using the alternative routing of vehicles using Whitehalgh Lane which indicates that the mini-roundabouts will operate within capacity in 2020 (with development). The junction is therefore acceptable.

3) Site Access Longsight Road

Although the analysis for the junction does not account for left turns out of the site (towards Whitehalgh Lane) the 2020 analysis for the junction does not suggest that this omission will affect the operation of the junction. The junction is therefore acceptable subject to detailed design and safety audit.

4) Whitehalgh Lane / Longsight Road

Using the sensitivity test scenario with all A666 traffic turning left out of the site, the junction will operate well within capacity in 2020. The junction is therefore acceptable in capacity terms, however it was noted during my sight visit that the property on the corner has recently planted some shrubs along the boundary wall. Whilst these are outside the remit of the highway authority the relocation of a highway sign and the pruning / removal of vegetation in the verge would benefit visibility to the west.

Comments on Travel Plan

This development is in excess of our Travel Plan submission threshold. An Interim Travel Plan for the site has been developed that meets LCC Highway's criteria. It is, however, important that the Interim Travel Plan is adhered to and that a Full Travel Plan is developed and implemented in line with agreed timescales. The Full Travel Plan when developed would need to include the following as a minimum:

- Contact details of a named Travel Plan Co-ordinator
- Results from residents travel survey
- Details of cycling, pedestrian and/or public transport links to and through the site
- Details of the provision of cycle parking for any properties where suitable storage is not available.
- Objectives
- SMART Targets for non-car modes of travel, taking into account the baseline data from the survey
- Action plan of measures to be introduced, and appropriate funding
- Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years

Subject to the above concerns being addressed satisfactorily there would be no objection to the proposal on highway grounds subject to the imposition of conditions to cover the following matters:

1. The new estate road/access between the site and Longsight Road to 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.
2. The Rail Station car park to be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and to provide for the safe and secure parking of cycles and motorcycles.
3. No part of the development to be commenced until all the highway works have been constructed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority For the avoidance of doubt these works shall include the A59 westbound approach to the Petre Roundabout, carriageway widening and ghost island at the site entrance
4. No part of the development to be commenced until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority.
5. No part of the development to be occupied until the approved scheme referred to in Condition 4 has been constructed and completed in accordance with the scheme details.
6. No development to be commenced until a Framework Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The provisions of the approved Framework Travel Plan to then be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.
7. The Framework Travel Plan must include a schedule for the submission of a Full Travel Plan within a suitable timeframe of first occupation, the development being brought into use or other identifiable stage of development.

8. Where the Local Planning Authority agrees a timetable for implementation of a Framework or Full Travel Plan, the elements are to be implemented in accordance with the approved timetable unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.

9. No development to take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority

10. The developer is to provide a S 106 contribution not exceeding £70,000 to fund various off site works improvement works and to include improvements to the subway at the rail station, signing and lining improvements on Whitehalgh Lane and junction improvements at the Longsight Road / Whitehalgh Lane junction.

Notes relating to the following matters will also be required on any planning permission that is granted:

1. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority.

2. This permission does not give approval to a connection being made to the County Council's highway drainage system.

3. For a contribution of £6,000 Lancashire County Council's Travel Planning Team can provide a range of services relating to the required Travel Plan

4. The grant 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. Public Right of Way 3-6-fp6a runs close/adjacent to the site.

LANCASHIRE COUNTY
COUNCIL (PLANNING
CONTRIBUTIONS):

Following an assessment made on 15 August 2014, the County Council initially made a request for a financial contribution towards the provision of 50 primary school places, but with no contribution required in respect of secondary school places.

Following a more recent assessment, however, in which other proposed developments have been taken into account, the County Council confirmed on 28 October 2014 that this reassessment has resulted in there now being no requirement

for any education contribution in respect of either primary or secondary school places.

The County Council also stated, however, that there may be a request for a contribution from the Highways and Sustainable Transport Teams in relation to the application. That matter is covered in the separate consultation response from the County Surveyor as stated above.

LANCASHIRE COUNTY
COUNCIL (ARCHAEOLOGY):

Have checked their records and confirmed that there are no significant archaeological implications.

ENVIRONMENT AGENCY:

The Environment Agency has no objection in principle to the proposed development subject to the inclusion of appropriate conditions.

In relation to flood risk, the application site is greater than 1 hectare in size and lies within Flood Zone 1, which is defined as having a low probability of flooding in the National Planning Practice Guidance (NPPG) to the National Planning Policy Framework (NPPF). In accordance with the NPPF, the application is accompanied by a Flood Risk Assessment (FRA). A Preliminary Drainage Strategy has also been submitted with the application.

EA has reviewed the FRA (ref: 45444P1R4 dated June 2014) and the Drainage Strategy (ref: 45444P2R2 dated June 2014) in relation to the risk of flooding on and off site and they are satisfied that the proposed development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere, provided that any subsequent development proceeds in accordance with the recommendations outlined in the approved FRA and Drainage Strategy. This should be ensured by an appropriate condition.

A condition to ensure a satisfactory means of surface water drainage is also recommended.

In relation to the aquatic environment, EA has given advice in relation to a watercourse that is adjacent to the application site. It is recommended that a clear, unobstructed buffer between the edge of the watercourse and the proposed development is incorporated into the layout of the proposed development. The buffer zone is to be free from built development, including lighting, domestic gardens and formal landscaping.

UNITED UTILITIES:

United utilities draw attention to a number of matters in order to facilitate sustainable development within the region, as follows.

In accordance with NPPF and the Building Regulations, the site should be drained on a separate system with foul drainage

to the public sewer and surface water draining in the most sustainable way. Building Regulation H3 clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. The developer is asked to consider the drainage options in the following order of priority:

- a) An adequate soakaway or some adequate infiltration system or, where that is not reasonably practicable –
- b) a watercourse or, where that is not reasonably practicable –
- c) a sewer.

To reduce the volume of surface water draining from the site, United Utilities would promote the use of permeable paving on all driveways and other hard standing areas including footpaths and parking areas.

Overall, United Utilities would have no objection to the proposed development subject to appropriate conditions and advisory notes being included on any planning permission.

ELECTRICITY NORTH WEST:

Electricity North West do not express any objections to the application but point out that the development could have an impact upon their infrastructure. They therefore advise that the applicant should be informed that, should there be any requirement to divert any apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. ENW also advise that the applicant should be aware of their requirements for access to inspect, and maintain, adjust, repair, or alter any of their distribution equipment.

NATURAL ENGLAND:

Natural England has made a number of comments in relation to this application as summarised below:

1. Based on the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.
2. Natural England has not assessed the application and associated documents for impacts on protected species. Natural England has however, published standing advice in relation to protected species.
3. The application may provide opportunities to incorporate features into the design which are beneficial for 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 the development. This is in accordance with paragraph 118 of NPPF.

4. This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits to the local community, eg through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers for considering new developments and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

NETWORK RAIL:

Network Rail has made a number of comments relating to the Langho level crossing. Network Rail assesses this level crossing every 3 years and the crossing currently has an estimated use of 0 users per day. Network Rail considers however that there would be a considerable increase in usage if this application was approved. This would also increase the likelihood of injuries or fatalities.

Network Rail seeks to reduce risk as far as reasonably practicable at all level crossings and would like to work with the developer and the Council to completely remove this likely increase in risk at the Langho level crossing whilst keeping the walking route in place either by:

- (a) diversion of the footpath and closure of the level crossing, or
- (b) closure of the level crossing and replacement with a footbridge, which could be funded by a developer contribution.

Network Rail considers this to be in line with any developer contribution towards any highway works in the area or any enhancements to local facilities. They also request that, as part of any planning permission, only a set percentage of dwellings are constructed prior to the closure of the level crossing. They would also seek approval in principle from the Council for either the diversion of the footpath and closure of the level crossing or the closure of the crossing and replacement with a footbridge. Whilst Network Rail is also supportive in principle of development promoting new housing and economic growth, they examine all proposals on an individual basis and determine if the proposal has the potential

to impact the railway infrastructure. Therefore they object to this proposal. They recommend that the developer contacts the Network Rail Level Crossings Manager for the area to discuss this issue.

Network Rail also requests that, although no detailed drainage drawings are submitted at this stage, all surface water should be directed away from the railway and any storing of water should be away from the railway.

Network Rail also advises that if there are to be any construction of buildings or works within 10m of the railway boundary they request that the developer submit a risk assessment and method statement for their approval once the proposal has reached the construction phase.

LANCASHIRE
CONSTABULARY:

The Architectural Liaison Officer has commented that a development of this scale provides a great opportunity to shape the future and help to ensure that the community goes on to live in safe and secure environment; and that there is no better opportunity to do so than to build to a Secure by Design standard. Therefore, in order to reduce the risk of crime and antisocial behaviour affecting the future development, the Architectural Liaison Officer makes a number of recommendations that should be incorporated into the design and layout.

These are all suggestions that would be addressed at reserved matters stage in the event that outline permission is granted.

LANCASHIRE BADGER
GROUP:

The Lancashire Badger Group have stated that they have anecdotal evidence of badgers present in the immediate area (badger sightings) and they are slightly concerned that a full survey of the woodland adjacent to the site does not appear to have been carried out. The Badger Group is aware that 30m around the boundary has been surveyed, but comment that the field itself would be more important for foraging. They say that it would therefore seem sensible to be aware of any badger sett within the field as the development would have direct impacts on badgers in terms of foraging and disturbance.

ADDITIONAL
REPRESENTATIONS:

A 62 page document entitled "Summary of Objections" has been received from the Langho Residents' Action Group; and a total of 408 letters have been received from 353 local households. The document and the letters are on the file and are available for inspection by Members, but a summary of the objections that they contain is as follows:

1. The proposed development is contrary to the emerging Core Strategy which identifies a figure of 18 residential units for Langho based on the limited amenities and

infrastructure (especially highways) of the village. The proposal is for 7.5 times that number.

2. The proposal would be detrimental to highway safety as all car journeys from the proposed development would have to access the A59, as would all construction traffic for a period of approximately 6 years. The A59 is not suitable for this development for the following reasons:
 - There are accident hotspots in the vicinity at Petre Roundabout, Northcote Road junction with the A59 and Whitehalgh Lane junction with the A59.
 - Northcote Road was blocked off adjacent to the application site in order to keep the number of junctions onto the A59 down and to reduce conflict.
 - Traffic turns right out of Northcote Road from Brockhall even though it is a left turn only.
 - The compound effect of the additional traffic resulting from new developments at Clitheroe, Whalley and Barrow.
 - Flooding at the bottom of Northcote Road over recent years which could be made worse due to increased volume of rainwater being directed into the stream on the eastern boundary of the application site.
 - The junction at the bottom of Whitehalgh Lane is extremely dangerous with poor visibility and where drivers take risks on a daily basis. Increasing the traffic flow would simply endanger lives.
3. Applications have been refused in the past for the reason that the creation of a new access onto the A59 was considered to be unacceptable due to detrimental effects upon road safety.
4. A good proportion of the traffic associated with the proposed development, after negotiating the A59 would use the highways of Whitehalgh Lane, York Lane, Whinney Lane and Snodworth Road. These are narrow country lanes that are single track in places and are already used as rat runs; any increased traffic on these lanes would be detrimental to highway safety including detriment to the safety of pedestrians.
5. The development would be detrimental to the local environment as it would result in the loss of green fields and habitat to many animals, insects and plants. The endangered Bee Orchid has been sighted on the site close to the back of the station. The field is used by migrating birds such as Curlew, Oyster Catchers, Woodpecker and Snipe and should be protected. There

are also bats which frequent the area, especially the trees around the stream on the eastern boundary. Badgers have also been sighted adjacent to Northcote Road.

6. The site is classed as Grade 3 agricultural land and an independent Agricultural Land Classification Survey should be carried out rather than relying on the developer's submission. The land has not been farmed effectively in recent years and this will have had a detrimental effect on its grading. A permission for the application could set a precedent whereby landowners would let good quality land remain unmanaged so that it gets a lower classification and can then be used for development.
7. Lack of local amenities. The local amenities are the railway station (which is inaccessible other than to the able-bodied) a post office, a convenience store, a pharmacy which operates 4.5 days per week and a doctors surgery which opens two afternoons, an Indian restaurant and three hairdressers. There are no banks or ATM machines, no dentists, no cafes, no butchers, or bakers or other fresh food outlets. There are no florists or pubs in the village centre and no public parking.
8. The proposed development would put pressure on the already overstretched infrastructure of doctors, dentists and schools.
9. Public transport is limited as only one bus route immediately passes the application site and this has, at best, an hourly service during daytime hours and the bus stops are a considerable distance away from the site in both directions. A bus service serving the village centre is at best every half hour and is a single decker and is therefore often full at peak times and would only be accessible from the site via the subway and the 19 steps or via Northcote Road. The train service is hourly.
10. It is stated in the application that pedestrian access to transport and the village amenities is of a high quality. This is not the case as in reality it is a poorly lit, damp and often under water subway that leads to three flights of stairs totalling 19 steps. It is totally inaccessible to people with disabilities, people in wheelchairs, young families with prams, buggies and the elderly who walk with the aid of sticks etc. The subway is also known as a site for antisocial behaviour. It is also inaccessible to cyclists. The alternative route using Northcote Road is approximately half a mile longer and incorporates two hill

climbs which will also therefore affect those groups who would have difficulty using the subway route.

11. There are concerns about drainage problems as flooding has occurred in the past on both Whitehalgh Lane and Northcote Road; and the application site also often floods under heavy rainfall. The foul water sewers on Whitehalgh Lane and Moorland Road often surcharge leaving raw sewage on the carriageway. This raises the concern that the proposed development would exacerbate the existing unsatisfactory situation.
12. There would be disruption for a construction period of approximately 6 years. The A59 and surrounding roads would be under considerable strain from the constant comings and goings of heavy goods vehicles and plant associated with a development of this size. There would also be considerable disruption on the A666 as many of the utilities would be coming from this area.
13. There is fear in the locality that this application is just the first phase of a development that could be for up to 900 houses. These fears are given substance by the fact that the submitted site plan shows the main service road for the development stopping in the middle of the boundary to the next field, and the submitted soil survey highlights that three fields have been surveyed and not just the one that is the subject of the current application.
14. Detriment, due to increased noise and activity, to the amenities provided by the St Michael's Lodge rehabilitation facility that adjoins the site.
15. Detrimental effects upon local property values.

Proposal

The application seeks outline permission for a development of up to 132 residential dwellings. All matters except access are reserved for consideration at reserved matters application stage.

An illustrative master plan has been submitted which shows the general layout of the development and the position to the single point of vehicular access. The proposed vehicular access is onto the A59 relatively close to the eastern boundary of the site. The access takes the form of a priority control right turn lane junction from the A59/Longsight Road into the site. Whilst the access is indicated on the illustrative master plan, detailed drawings for this access arrangement are provided in the supporting Transport Assessment.

The internal layout of the site as shown on the illustrative master plan shows 132 dwellings across the site and also includes public open space areas, including a children's play area, within the site. The illustrative master plan also shows the provision of a shared parking area with associated landscaping at the south western corner of the site adjoining the railway line.

It is stated in the submitted documents that the applicant agrees to the provision of 30% affordable dwellings in accordance with the Council's current policy. This would equate to approximately 40 units.

Site Location

The site comprises 5.3 hectares of agricultural land within an area designated as open countryside in the Local Plan. The southern boundary of the land is adjoined by a railway line immediately to the south of which is the settlement of Langho. There is a pedestrian underpass beneath the railway line at the south western corner of the site linking the site to the main centre of Langho to the south. There is a public footpath running in a north westerly direction through the adjacent field.

The northern boundary of the site is adjoined by Longsight Road (A59) and a residential property known as 'Langholme', with its associated gardens and woodland. To the west, the site is adjoined by other agricultural land; and the eastern boundary comprises a row of trees, a brook and the rear gardens of several residential properties fronting Northcote Road.

The submitted site location plan shows (outlined in blue) a larger parcel of greenfield land extending from the western site boundary up to the boundary with Whitehalgh Lane that is also within the applicant's ownership.

Relevant History

There have been no applications relating to proposed developments on this site that are relevant to the consideration of this current application. The only recent planning history for the site is the following application.

3/2014/0322/P – Screening opinion application under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 relating to residential development on this 5.3 hectare application site. The Local Planning Authority adopted the screening opinion that the proposal was not EIA development.

Relevant Policies

Ribble Valley Districtwide Local Plan

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 ENV10 - Development Affecting Nature Conservation.

Policy ENV13 - Landscape Protection.

Policy H2 - Dwellings in the Open Countryside.

Policy H20 - Affordable Housing - Villages and Countryside.

Policy H21 - Affordable Housing - Information Needed.

Policy RT8 - Open Space Provision.

Policy T1 - Development Proposals - Transport Implications.

Policy T7 - Parking Provision.

The Core Strategy Submission version as proposed to be modified
Key Statement DS1 – Development Strategy.
Key Statement EN2 – Landscape.
Key Statement EN3 – Sustainable Development and Climate Change.
Key Statement EN4 – Biodiversity and Geodiversity.
Policy DMG1 – General Considerations.
Policy DMG2 – Strategic Considerations.
Policy DMG3 – Transport and Mobility.
Policy DME1 – Protecting Trees and Woodland.
Policy DME2 – Landscape and Townscape Protection.
Policy DME3 – Site and Species Protection and Conservation.
Policy DMH3 – Dwellings in the Open Countryside and AONB.

National Planning Policy Framework (NPPF).
National Planning Policy Guidance (NPPG).

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application relate to the principle of the development, highway safety/traffic issues, infrastructure provision, ecology/tree considerations, effects upon visual amenity, effects upon residential amenity, affordable housing provision and public open space provision.

For ease of reference these are broken down into appropriate sub-headings for discussion.

Principle of Development

The site is located outside but adjacent to the settlement boundary for Langho and is therefore located within the Open Countryside. As such Policy ENV3 within the saved Districtwide Local Plan (DWLP) is relevant. Development schemes in the open countryside will be required to be in keeping with the character of the landscape area and should reflect local vernacular style, features and building materials. Proposals to conserve, renew and enhance landscape features will be permitted, providing regard has been given to the characteristic landscape features of the area.

Policy G5 of the DWLP is also applicable to the application. The policy is intended to recognise the need to protect the countryside from inappropriate development but in doing so accepts that the countryside is a working area and a source of many Ribble Valley residents' livelihoods. The policy states that, outside the main settlement and village boundaries (as this site is) planning consent will only be granted for small scale developments which are essential to the local economy, developed for local needs housing (subject to Policy H20 of the DWLP) or are for other small scale uses appropriate to a rural area which conform to the policies of the plan.

Whilst the DWLP policies outlined above remain relevant, the 'Core Strategy 2008-2028: A Local Plan for Ribble Valley' continues to progress through the Examination in Public (EiP) and has now progressed through the formal hearing stages. Public consultation has recently taken place on a series of main modifications to the Core Strategy following these hearing sessions (consultation ended on 5th September 2014). This consultation follows on from Members of Ribble Valley's Planning and Development Committee ratifying these modifications (on 8th May 2014). The policies set out in the Core Strategy Submission Version, as proposed to be modified therefore represents the Council's proposed policy position. It is considered that the

plan is at an advanced stage in the plan making process and the policies within the Core Strategy must therefore be afforded significant weight in the decision making process.

This view was supported in a recent Appeal decision by the Planning Inspectorate (APP/T2350/A/14/2213808), where the Inspector stated, "*I note that the Ribble Valley Borough Council Core Strategy 2008-2028: A Local Plan for Ribble Valley Regulation 22 Submission Draft 2012 is at an advanced stage of examination. Even though it is yet to be adopted and has no statutory force it nevertheless carries substantial weight.*"

When assessing the proposals against the Core Strategy policies at this stage, a central issue for consideration is whether the proposals would cause harm to the Development Strategy. Main Modification 54 of the Core Strategy Proposed Main Modifications (May 2014) outlines the proposed modifications to Policy DMG2: Strategic Considerations. This policy states that *development should be in accordance with the Core Strategy Development Strategy and should support the spatial vision. Development in the principal settlements of Clitheroe, Longridge and Whalley and the more sustainable defined settlements (Tier 1 Villages) 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.*

In assessing the impact on the Development Strategy however, main modification 21 and 25 of the Core Strategy Proposed Main Modifications (May 2014) outlines the proposed modifications to Key Statement DS1: Development Strategy. This policy states that, "*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 principal settlements of Clitheroe, Longridge and Whalley...In addition to the identified strategic site at Standen and the borough's principal settlements, development will be focused towards the Tier 1 villages, which are the more sustainable of the 32 defined settlements.*

Langho is one of the nine Tier 1 villages; and the site lies outside but adjacent to its settlement boundary, and is therefore designated as open countryside. Policy DMH3 'Dwellings in the open countryside' of the Core Strategy is therefore relevant. This policy states that *within areas defined as open countryside or AONB on the proposals map, residential development will be limited to development which is essential for the purposes of agriculture or residential development which meets and identified local need.* Proposals for residential development within the open countryside will therefore only be acceptable where proposals meet an identified local need. However, as the site is directly adjacent to the settlement boundary of Langho, a tier 1 settlement, the residual housing requirement in this location should be considered.

As set out under Main Modification 21 and 25 of the Core Strategy Proposed Main Modifications (May 2014), the residual number of residential units to be provided in Langho as at 31st March 2014 is 18. A more recent round of housing monitoring (30th June 2014 – that represents the most up to date data at the time of preparation of this report) has shown that there have been no further commitments in Langho and therefore the requirement remains at 18 units. More information on how this requirement figure has been calculated is set out below.

Within the Core Strategy as proposed to be modified, Langho is classified as a tier 1 settlement, however in calculating supply, it also falls within the category of 'other settlements' (i.e. those settlements that are not Clitheroe, Longridge and Whalley). As the table at paragraph 4.11 of the Core Strategy as proposed to be modified shows, there is an overall requirement over the plan period (2008-2028) of 1600 dwellings in 'other settlements'.

In the Planning Statement submitted with the application, the applicant states that “*Langho is only afforded 21 dwellings over the plan period which is just 1.3% of the 1,600 dwellings that the Council is seeking to deliver in the 32 ‘other settlements’ and just 0.37% of the Borough’s overall housing requirement for the plan period*”. However, as the table at paragraph 4.11 of the submitted Core Strategy as proposed to be modified illustrates, 1655 dwellings have already been committed (so 55 more than that required) through permissions and completions as at 31st March 2014 and therefore there has been an oversupply of housing for the village settlements. However, the approach taken is that 200 units from the Longridge adjustment are reapportioned across the tier 1 settlements, as the most sustainable locations outside of the principal settlements, and therefore there remains a requirement of 145 units to provide in the other settlements at this point in time. These 145 units are then proportioned across the nine tier 1 settlements in accordance with the assessment of sustainability undertaken in the ‘Development Strategy: Defining the more sustainable settlements and patterns of housing development’ evidence base document that was consulted upon between 23rd May and 7th July 2014. The requirement for Langho, illustrated to be one of the more sustainable settlements in the borough is 18 units. The proposal is therefore for a substantially higher level of housing in this location, over 7 times the requirement for Langho.

In addition to the Core Strategy, the NPPF also needs to be considered. Paragraph 55 of the National Planning Policy Framework (NPPF) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. This site is not considered to be overly isolated and is not remote from other built form. The site is close to a variety of services within Langho and, in that regard, could be considered to be a sustainable location in principle for development. The sustainability of Langho is therefore not disputed, However, the amount of housing to be provided must be proportionate to the objectively assessed housing need and in accordance with the Development Strategy. As stated above, the housing requirements for the settlements in the borough have been developed upon evidence. As the residual requirement in Langho is 18 units, this scheme for up to 132 units, is not acceptable in principle and it conflicts with Development Strategy (Policy DS1) and the strategic considerations of the strategy (Policy DMG2).

It is also noted that the applicants have undertaken their own assessment of housing land and have concluded that the Council cannot demonstrate a five year supply. The Council’s latest position at 30th June 2014 is that there is a 5.10 years supply of land based on a requirement of 280 dwellings per year.

Highway Safety/Traffic Issues

Highway safety and traffic issues form a part of many of the letters of objection to this application. The comments of the County Highway Authority on the application are given in some detail earlier in this report. From these comments it can be seen that the application was the subject of pre-application discussions with an agreed scoping study. The County Highway Authority has therefore been involved in the consideration of this proposal since before the application was submitted. The traffic generation figures used in the submitted Transport Assessment were agreed in the pre-application scoping study and are considered to be acceptable by the Highway Authority. The principle of vehicle access on to the A59 is also considered to be acceptable by the Highway Authority. Overall, subject to conditions and financial contributions towards highway improvements, the County Highway Authority has no objections to the proposed development. There does not therefore appear to be any reasons for refusal of this application relating to highway safety/traffic issues.

Infrastructure Provision

Concerns have been raised by persons objecting to the application about the ability of local schools to cope with the additional demands generated by this development. Following a recent assessment, however, the County Council has confirmed that this development will not contribute to a shortfall in either primary or secondary school places such that no developer financial contribution is sought towards the provision of school places.

Subject to appropriate conditions, both the Environment Agency and United Utilities have not expressed any objections to the application. Doctors and dentists tend to be demand led and in this pleasant location, this should not be problematic.

Overall, for these reasons there do not appear to be any issues relating to infrastructure provision that would represent reasons to refuse this application.

Ecology/Tree Considerations

A Preliminary Ecological Appraisal and Bat Survey Report has been submitted with the application. The site is not within any protected ecological designation and it is not considered that the development would result in any adverse impacts to statutory or non-statutory natural designations. As part of the Ecological Appraisal, local trees were examined for bat roost potential in order to identify and evaluate the site's ecological value, identifying any protected habitats, assess the general potential roost site to support protected species, highlight any potential ecological constraints and advise on any further ecological survey, mitigation or licensing requirements.

The results of the assessment were that the variety of habitat types at the site mean that it has a low to medium ecological value. The improved grass and field has limited biodiversity and has been damaged by grazing livestock. The woodland beyond the north west boundary of the site and northern hedgerows do offer higher value in both the Flora and Fauna they support. The stream valleys and drainage ditches to the eastern and western boundaries support elements of badly degraded but formally biodiverse habitats. It is recommended in the report that the mix of habitat types should be retained and enhanced where possible in line with planning guidance and this is shown in the proposed master plan through the retention of the woodland, the majority of the northern hedgerows and watercourses which are to be enhanced as part of the SUDs proposals for the site. The assessment concludes in relation to Great Crested Newts that there are no waterbodies within the survey area and desktop surveys found no record of this species within 1km of the site and therefore no further survey licensing or mitigation is considered, by the applicants, to be necessary. It is also stated that no bats were found within the site but two trees were confirmed as having potential to support roosting bats and further surveys have been commissioned. If any bats were found to be roosting whilst the site was being developed, then appropriate mitigation measures would need to be put in place.

The assessment found no evidence of otter, badger, water vole or reptiles and the opinion is expressed that the site does not offer potential habitat for breeding birds within the areas of scrub, hedgerows and trees. To prevent the damage or destruction of active bird nests, tree felling and vegetation clearance between the months of March and September would be avoided. Nest boxes targeting red-list species would be provided in trees and buildings to provide additional nesting sites.

The Council's Countryside Officer was involved in pre-application discussions about the proposal and he considers that the applicant has adhered to what was agreed at that stage. The Countryside Officer therefore only has a number of relatively minor comments to make concerning matters which he considers could be easily resolved, as follows:

- During the LVIA process it was agreed between both parties that a significant tree buffer would be required in the south eastern corner of the site. This does not appear to have been indicated on the illustrative plan, so a change to the plan in this area is required.
- The inclusion of a children's play area in the north eastern corner of the site appears to be inappropriate. The southern end of the site would be more appropriate and this could be adjacent to the tree buffer referred to in the point above.
- There is an opportunity for SUDs on this site. The Countryside Officer would like to see SUDs used as much as possible and this could therefore significantly impact on any landscaping scheme.
- It is stated that the outline application includes landscaping but only includes landscaping in very broad terms. It would however be more appropriate, in any event, to deal with landscaping in its entirety at reserved matters stage, using the master plan as an overall context but with the detail to be agreed.
- More landscaping will be required adjacent to the access from the train station. Currently this is an open view, but from the master plan it would be completely blocked by a house with no landscape buffer. A change to this arrangement is necessary.
- More information on ecology would be required. The biodiversity unit loss/gain from the development needs to be quantified in order to determine whether or not biodiversity offsetting is required. As a preliminary ecology report has already been provided, there should not be too much of an issue putting together the required additional information.
- Consideration should be given to the inclusion of provision for improvements to Primrose Lodge, or to the woodland area adjacent to Rogersfield, as a requirement of a Section 106 Agreement.

Overall, therefore the Countryside Officer does not have any objections to the proposal with regards to ecology considerations. If outline planning permission was to be granted, it is considered that through the imposition of appropriate conditions, the development could result in a net gain in biodiversity through the enhancement of the site for bird and bat species and through the use of native plant species in the landscaping scheme.

A Tree Survey Report has also been submitted with the application. This includes a detailed assessment of trees and hedgerows affecting the site. The majority of the trees are either on or just outside the site boundaries with branches overhanging the site. Only two trees lie within the body of the site as opposed to the boundary, and the opinion is expressed in the Report that these would provide major consideration with any proposed housing layout. It is stated in the Report that all boundary trees, including Green Nook Wood, could be accommodated by the creation of a suitable buffer zone for the protection of trees and ecology; and that the presence of the stream to the eastern boundary will significantly restrict root spread from trees growing to the east of the stream.

Three specific arboricultural recommendations are made in the report as follows:

1. An arboricultural method statement and tree protection plan will need to be formulated under condition and agreed with the Local Planning Authority to protect trees and hedgerows that are to be retained.

2. There is a veteran Alder in the south west corner of the site that is of conservation value. This should be retained where possible for the benefit of the site ecology. Limited surgery or the use of supporting structures should be considered in this instance.
3. Permission should be sought to access private land and further investigate the structural stability of the trees along the eastern boundary. Where there is danger of collapse, agreement should be reached with the relevant landowner to take appropriate actions. Some ground stabilisation maybe required where trees are being undermined, to extend the life of the trees and prevent collapse.

The Council's Countryside Officer has not raised any issues in relation to the tree report. Therefore, in the event that outline permission is to be granted, the use of appropriate conditions would ensure that the development would not be detrimental to the trees and hedges within the site and on or close to its boundaries.

Effects upon the Character, Appearance and Landscape of the Countryside Area

The site is not located in any protected landscape areas such as national park, Area of Outstanding Natural Beauty, greenbelt or any other locally protected area. Nevertheless, a Landscape and Visual Impact Assessment has been submitted with the application. The assessment confirms that the loss of the existing field and alterations to the topography will have some impact on the rural landscape character of the area. However, the opinion is expressed in the Assessment that such impacts will be minimised through the retention of existing landscaping features such as hedgerows, trees and a brook, additional planting to provide screening and by working with the existing site levels. It is also concluded in the Assessment that the proposals will reinforce local townscape character and will also have beneficial impact on public footpaths and recreation routes. In terms of visual impact, the Assessment concludes that whilst some views will suffer adverse impacts at certain times of the year, these impacts will be minimised through the retention of the existing landscape features and additional planting. It also notes that these impacts significantly reduce when the trees are in leaf and will reduce further as the landscape matures.

The Council's Countryside Officer was involved in the formulation of the Landscape and Visual Impact Assessment at pre-application stage. Other than a requirement for a significant tree buffer in the south eastern corner of the site, the Countryside Officer does not express any objections to the application in respect of its impacts upon visual amenity. I concur with this opinion and conclude that there would be no sustainable reason for refusal of the application relating to its effects upon the visual amenities of the locality.

Effects upon Residential Amenity

The only existing dwellings that could be affected by the proposed development are a number of dwellings on Northcote Road whose rear gardens adjoin the eastern boundary of the site and a relatively large detached dwelling, Langholme, on Longsight Road, that has two boundaries with the application site. The submitted illustrative layout shows existing tree screening between all of these properties and the application site; and it is stated in the submitted Planning Statement that a minimum separation distance of 30m will be provided between any proposed dwellings and the neighbouring existing dwellings.

I consider that with appropriate consideration at reserved matters application stage, the proposed dwellings can be sited and orientated in such a way that they would not have any

seriously detrimental effects upon the privacy or other residential amenities of any existing neighbouring residents.

Affordable Housing

It is stated in the submitted application documents that the development would include the provision of 30% affordable dwellings in accordance with the Council's current policy. A draft Section 106 Agreement submitted with the application also contains a covenant by the owners with the Council 'not to commence the development until an Affordable Housing Scheme has been submitted to and approved in writing by the Council'. In the event that outline planning permission was granted, the precise content of that particular element of the required Section 106 Agreement would be finalised between the applicants and the Council with the involvement, as appropriate, of the Council's Strategic Housing Officer.

There is therefore no objection to the proposed development in relation to the provision of affordable housing.

Public Open Space and Recreational Facilities

The submitted illustrative layout shows the provision of public open space areas in central locations within the site, plus an equipped children's play area close to the north eastern corner of the site. Whilst the precise details of on-site open space provision would be covered at reserved matters application stage, the areas shown on the illustrative layout appear to be broadly appropriate for a development of this size (although the location of the equipped children's playground might require further consideration). In the event that outline permission was granted, conditions would be required to ensure the provision of appropriate public open spaces as broadly illustrated on the master plan and also to ensure their future management and maintenance (that would be by the applicants and not by the Council).

Notwithstanding this proposed on-site provision, the Council is currently in the process of undertaking an assessment of need in respect of the open space and sports facilities in the borough. Whilst this is currently in draft form, the assessment is at an advanced stage of production and would be presented to both the Planning and Development Committee and the Community Committee once finalised. In respect of Whalley (the applicable settlement for this site in Langho) the assessment identifies specific areas for improvement in respect of the quality of the facilities available for use by residents and a tribute accost to those improvements based on information provided by Sport England. The improvements of facilities would include the following:

- Swimming pool modernisation scheme at Ribblesdale Pool (13% shared with Clitheroe)
- Artificial Pitch (13% shared with Clitheroe)
- QEII Playing fields or Oakhill pitch
- Oakhill Academy
- Contribution to play facility provision

The financial contribution would be £914 per unit. This would amount to a maximum contribution of approximately £120,648 in the event that any reserved matters application was for 132 dwellings. This requested financial contribution would be included in a Section 106 Agreement in the event that outline permission is to be granted.

Section 106 Agreement Content

In the event that outline planning permission is to be granted, a prior appropriate Section 106 Agreement would be required. This would need to cover the provision of affordable housing in accordance with the Council's policy; the payment to Lancashire County Council of a financial contribution not exceeding £70,000 to fund various off-site highway improvement works and to include improvements to the subway at the railway station, signing and lining improvement on Whitehalgh Lane and junction improvements at the Longsight Road/Whitehalgh Lane junction; and the payment to Ribble Valley Borough Council of a sum in the region of £120,000 towards off-site recreational facilities. In relation to this particular application, no financial contribution towards education provision will be required.

Further consideration would also need to be given as to whether a financial contribution towards a footbridge over the railway line to replace the level crossing (as requested by North West Rail) would be justified. Similarly, further consideration would also need to be given as to whether a Section 106 requirement for improvements to Primrose Lodge, or to the woodland area adjacent to Rogersfield, would be justified.

Conclusion/Planning Balance

In previous sections of this report, the conclusions have been reached that the proposed development is considered to be unacceptable in principle as it does not comply with the Council's emerging Core Strategy; but that, in relation to all other relevant considerations, there are no sustainable reasons for refusal of the application.

In making the planning balance, regard must be paid to the benefits of the development such as job creation; financial investment into the local area through the construction process; financial benefits through the new homes bonus; additional spending in the locality by the future occupiers of the proposed development; the provision of a range of affordable and open market housing; the provision of areas of public open space; the provision of public footpaths through parts of the site; and the provision of a shared parking area with associated landscaping adjacent to the railway station.

To be weighed against these benefits is the harm to the Council's Development Strategy as defined by Key Statement DS1 of the Core Strategy. As described earlier in this report, the Council's Core Strategy is now considered to be at such an advanced stage in the plan making process that its policies must be afforded significant weight in the decision making process. This view has been supported by Inspectors in a number of recent appeal decisions.

Having regard to the stage to which the Council's Core Strategy has now reached, I would refer to paragraph 12 of NPPF which states that the Framework does not change the statutory status of the Development Plan as the starting point for decision making. It states that any proposed development that accords with an up to date Local Plan should be approved, and proposed development that conflicts should be refused unless material considerations indicate otherwise.

The underlying basis of the Core Strategy is that the Development Strategy as defined in Key Statement DS1 that seeks to concentrate the majority of new housing development within an identified strategic site (Standen) located to the south of Clitheroe towards the A59 and to the principal settlements of Clitheroe, Longridge and Whalley. In addition to the strategic site and the principal settlements, developments are then allocated to a number of defined settlements (ie the nine, more sustainable, Tier 1 Villages, including Langho). Although the site is outside

the settlement boundary of Langho and in the open countryside, it does immediately adjoin that boundary. For this reason it is considered appropriate to consider the application in relation to the residual housing requirement for Langho rather than against policy DMH3 that relates to dwellings in the open countryside. The current residual figure for Langho, and the fact that the application proposal far exceeds that number, has previously been described in the report.

The Council obviously considers it important that the Core Strategy is not undermined; and also considers that the granting of planning permission that is not in accordance with the Core Strategy could create a harmful precedent for the acceptance of other similar unjustified proposals which would have accumulative adverse impact on the implementation of the emerging planning policies of the Council.

Overall, on balance, it is considered that the harm to the development strategy that would be caused by a permission in relation to this application (and by the precedent that such a permission would create) would outweigh the economic and social benefits associated with the proposed development as listed above in this section of the report.

It is accordingly recommended that outline planning permission be refused for the two reasons stated in the recommendation below.

RECOMMENDATION: That permission be REFUSED for the following reasons:

1. The proposal is considered to be contrary to Policies G5 and H 2 of the Ribble Valley Districtwide Local Plan and Key Statement DS1 and Policies DMG2 and DMH3 of the Ribble Valley Core Strategy Submission Version as proposed to be modified in that a permission would lead to the creation of new dwellings in the open countryside outside the boundaries of a Tier 1 settlement considerably in excess of the identified residual number of dwellings for that settlement. The proposal is therefore without sufficient justification and would cause harm to the development strategy for the borough as set out in the emerging Core Strategy leading to unsustainable development.
2. The proposed development would create a harmful precedent for the acceptance of other similar unjustified proposals which would have an adverse impact on the implementation of the emerging planning policies of the Council contrary to the interests of the proper planning of the area in accordance with the core principles and policies of NPPF.

APPLICATION NO: 3/2014/0831/P (GRID REF: SD 374068 437823)
OUTLINE PROPOSAL FOR A RESIDENTIAL DEVELOPMENT OF UP TO 25 DWELLINGS
WITH ACCESS FROM WHITEACRE LANE, BARROW - ALL OTHER MATTERS RESERVED.

PARISH/TOWN COUNCIL: Objection. A pplication is contrary to national and local planning policy. A total of 750 dwellings and an industrial site have been approved in Barrow since 2008. Barrow is a village, not a key service centre – it has insufficient facilities and infrastructure to support its current population and it cannot support additional residential development. The cumulative effect must be taken into account. The following additional points are raised:

- The local Co-op is only accessible by car.
- The site lies outside the settlement boundary and does not conform to infill criteria.
- The plans contain insufficient detail but appear to show a high density development, which is inappropriate on a country lane.
- Detrimental to highway safety. Yellow lines required at the site entrance.
- Inaccessible by public transport.
- Loss of hedgerows detrimental to wildlife.
- Primary school does not have sufficient capacity.
- Proposal should include play space for children.
- Public footpath not shown on the plans.
- Members are disappointed to note that the application does not include contributions for the benefit of the community in Barrow.

ENVIRONMENT
DIRECTORATE
(COUNTY
ARCHAEOLOGY):

No significant archaeological implications.

ENVIRONMENT
DIRECTORATE
(CONTRIBUTIONS):

Awaiting comments.

ENVIRONMENT
DIRECTORATE
(COUNTY
SURVEYOR):

Awaiting comments.

ENVIRONMENT
AGENCY:

Objection. The flood risk assessment does not comply with the requirements set out in section 10, paragraph 30 of the Flood Risk and Coastal Change category of the PPG to the NPPF. The submitted FRA does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

UNITED UTILITIES:

No objection subject to conditions relating to foul and surface waters.

ADDITIONAL
REPRESENTATIONS:

9 letters of objection have been received. The main concerns raised include:

- Character of Whiteacre Lane would change from rural country road to urban road.
- Impact of additional vehicles on traffic flow, highway and pedestrian safety.
- Lack of pavements along the road.
- Barrow has already been the subject of applications for large numbers of additional houses. The planning applications are in excess of reasonable needs.
- Loss of another green field.

- Road is used as a short cut by vehicles and this development would exacerbate this.
- Impact of pollution given site is adjacent to A59.
- There is a lack of infrastructure given road is very narrow and traffic would therefore head towards Wiswell village to the east to access the A59 and A671.
- Additional pressure on services such as highways, schools and NHS services.
- More ribbon development.
- Cars parked at the junction of Whiteacre Lane and Whalley Road restrict visibility. Additional housing would compromise safety.

Proposal

Outline planning permission is sought for the development of the land to provide up to 25 dwellings. Vehicular and pedestrian access is proposed from Whiteacre Lane, with all other matters reserved. 30% of the dwellings would be affordable.

Site Location

The application site comprises of a rectangular parcel of land measuring 1.49ha on the southern side of Whiteacre Lane. The land contains two fields, separated by a tree lined hedgerow. Whiteacre Lane itself is a country lane with hedgerows either side of the road and no footways. The eastern boundary of the site adjoins an embankment abutting the A59 and to the north of the site on the opposite side of Whiteacre Lane are detached two storey dwellings and bungalows. Levels on the site slope down gradually from east to west. To the south west of the site is Green Park Court, a three storey development of apartments. Trees in the vicinity of the western boundary of the site are protected by Tree Preservation Order.

Relevant History

3/2011/0776 - Outline proposal for residential development of land off Whiteacre Lane – Approved August 2012.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control

Policy G5 - Settlement Strategy

Policy G11 - Crime Prevention

Policy ENV3 - Development in Open Countryside

Policy ENV6 - Agricultural Land

Policy ENV7 - Species Protection

Policy ENV10 – Nature Conservation

Policy ENV13 - Landscape Protection

Policy ENV14 – Archaeological and Historic Heritage

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 RT8 - Open Space Provision
Policy RT18 - Footpaths and Bridleways - Improvements
Policy RT19 - Footpaths
Policy T1 - Transport Implications
Policy T7 - Parking Provision

Ribble Valley Core Strategy (Including Proposed Main Modifications)

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 H2 – Housing Balance
Key Statement H3 – Affordable Housing
Key Statement DMI1 – Planning Obligations
Key Statement DMI2 – Transport Considerations
Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME2 – Landscape and Townscape Protection
Policy DME3 – Site and Species Protection and Conservation
Policy DME5 – Renewable Energy
Policy DME6 – Water Management
Policy DMH1 – Affordable Housing Criteria
Policy DMB4 – Open Space Provision
Policy DMB5 – Footpaths and Bridleways

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Technical Guidance to National Planning Policy Framework

Environmental, AONB, Human Rights and Other Issues

Principle

Planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework adopted in 2012 (NPPF) is one such material consideration and whilst it does not change the legal status of the development plan, it promotes a presumption in favour of sustainable development. Paragraph 14 of the NPPF states that for decision making, 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.

Consideration of the adverse impacts and benefits would enable a conclusion to be reached on whether the proposal comprises sustainable development, as defined by the NPPF. There are three dimensions to sustainable development: economic, social and environmental and paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development means in practice for the planning system in England.

In assessing this application in relation to the principle of development, it is important to briefly outline of the current position of the authority in producing its Core Strategy. The Core Strategy, after several years of preparation including various public consultations, was subject to an Examination in Public in January 2014. This Examination, as a matter of course, considered in detail the consistency of the Plan and its policies with the National Planning Policy Framework (NPPF). Following the hearings the Inspector asked for some further clarifications, which were then subjected to a public consultation as Main Modifications to the Core Strategy. This consultation closed on 5th September 2014 and, following the supply of all the requested material to the Inspectorate, the authority is currently awaiting the Inspector's response. The Strategy and the Main Modifications have also been subject to a Sustainability Appraisal.

Given the advanced stage of the Core Strategy, the Core Strategy policies are important and relevant influences in the consideration of this proposal. Nevertheless, the Districtwide Local Plan remains the adopted plan for the Borough in so far as its policies are compliant with the NPPF. The NPPF is also a material consideration that should be afforded weight in decision making.

Paragraph 49 of the NPPF states that housing policies should not be considered up-to-date if a 5 year supply cannot be demonstrated. The most recent Housing Land Availability Schedule (to 30th June 2014) demonstrates a 5.1 year supply of housing land in the Borough and as such, paragraph 49 is not engaged. Similarly, current settlement boundaries will remain in place until a full review of settlement boundaries is undertaken. This site lies outside the settlement boundary in the open countryside and therefore policies G5 and H2 are relevant considerations.

Policy G5 recognises the need to protect the open countryside from inappropriate development and sets out a series of criteria in relation to acceptable forms of development outside settlement boundaries. These include development needed for agriculture and forestry; local needs housing; small scale tourism and development essential to the local economy or social well-being of the area. Policy H2 is also relevant and it echoes some of the above points in relation to local needs housing and agricultural or forestry considerations. The proposed development does not accord with Policies G5 and H2.

Core Strategy Key Statement DS1 (in line with Main Modifications MM21 and 25) states that housing development outside the Borough's 32 Defined Settlements or Principal Settlements will only be appropriate if it delivers either local needs housing or regeneration benefits. Similarly, Policy DMG2 requires development to accord with Key Statement DS1 and goes on to state that outside the defined settlement areas development must meet one of a series of criteria. These relate to; development essential to the local economy or social well-being of the area; local needs housing; development for the purposes of forestry or agriculture; small scale tourism or small scale uses relating to a demonstrable local need and development compatible with an Enterprise Zone designation. In addition Core Strategy policy DMH3 (Dwellings in the Open Countryside and AONB) limits development in these areas to agricultural or local needs residential development.

The application site is located adjacent to the existing settlement boundary of Barrow and as such, is not considered to be isolated. Paragraph 55 of the NPPF is not therefore engaged. Barrow is identified in the Core Strategy as a 'tier 1 settlement' - one of the more sustainable villages in the Borough after the principal settlements and the strategic site at Standen. Main Modifications MM21 and MM25 have been subject to a Sustainability Appraisal (SA Report Addendum May 2014) which confirms that the overall policy is regarded as the most sustainable overall approach. An intrinsic element of this evidenced approach is to consider the detailed individual levels of sustainability of the various settlements and, as a part of this, the amount of development already permitted within the plan period. Thus, whilst Key Statement DS1 acknowledges that Barrow has a degree of sustainability, it also takes into account objectively assessed housing need and extant consents for residential development in Barrow. This analysis indicates that Barrow has already received over and above the level of housing development considered to be appropriate in this area and as such, for the remainder of the plan period, it is considered that further residential development should only be permitted in Barrow if it delivers local needs housing or demonstrable regeneration benefits.

The social role of the NPPF seeks to support communities by providing the supply of housing required to meet the needs of the present and future generations. Whilst this proposal would contribute to the supply of housing in the Borough, planning permissions already granted for development in an around Barrow will substantially increase the number of dwellings in the village compared to the size of the existing population. A approval of further residential development in the village would undermine the social element of sustainable development, given the size of the existing village, the already committed development and the impact of this on infrastructure and services in Barrow. The proposal would harm the emerging development strategy as set out in the Core Strategy and Main Modifications in line with the Inspector's recommendations. The proposal is therefore contrary to Policies DMG2 and DMH3 of the emerging Core Strategy. It is therefore considered that the principle of the development in this location could not be supported at the current time.

Notwithstanding the above, it is recognised that there is an extant consent for the residential development of part of the site adjacent to Whiteacre Lane and the indicative layout showed seven dwellings would be accommodated on the road frontage. However, this proposal for up to 25 dwellings would potentially result in up to 18 additional dwellings in Barrow. The cumulative impact of this with other consented developments in Barrow would further add to the significant level of residential development coming forward in Barrow, contrary to the emerging Core Strategy.

Affordable Housing

The application proposes 30% of the total number of dwellings constructed on the site would be affordable units, which would equate to up to 8 affordable units. This accords with the Council's housing strategy and would contribute to the provision of affordable housing in the Borough.

Drainage and Flood Risk

The environment agency has raised an objection to the application on the basis of inadequate assessment of flood risk. A refusal reason is therefore recommended.

Residential Amenity

Layout is a reserved matter, however, given the location of the site, I am satisfied that the proposed development of the land in principle would have no undue impact on the amenity of the occupants of adjoining residential properties.

A noise report has been submitted and this identifies that mitigation measures would be necessary at reserved matters stage to protect the future occupants of the dwellings from road noise associated with the A59. I am satisfied that the noise mitigation measures could be secured by condition of any permission and environmental health raised no concerns in respect of air quality. No reason for refusal is therefore raised in these respects.

Access and Highways

As noted above, Barrow is a tier 1 settlement and there are facilities within 1000m-1200m walking distance of the site, which includes a primary school. There are employment opportunities in the area, which is readily accessible by bus with stops on Whalley Road. The Inspector of a previous appeal considered the retail unit at Barrow Brook to be accessible from Barrow. There is an extant consent for the erection of up to seven dwellings on this site and to facilitate access and visibility, the hedgerow and landscaping adjacent to Whiteacre Lane was proposed to be removed as part of that application. The current proposal is similar in this respect. I am mindful that this application for up to 25 dwellings would have a greater material impact on highway and pedestrian safety than the approved scheme for 7 dwellings - in particular, Whiteacre Lane is a single width country road with no footways along part of its length. However, the comments of the county surveyor are awaited and this matter will therefore be reported further in the late item. I am however mindful that the lack of footways along this road may not encourage future residents to walk.

Trees and Impact on Character and Appearance

There is an extant consent for the development of part of the site to provide up to seven dwellings, which would necessitate the removal of the hedgerow along Whiteacre Lane to provide adequate visibility at the site access. The tree lined hedgerow separating the site from the field to the south would have been retained and it was intended that a replacement hedgerow would be planted behind the visibility splay. The same could be secured as part of this application.

The application is outline with access only, hence the layout of the development is a reserved matter. Notwithstanding this, the application proposes the development of the land to provide up to 25 dwellings and the impact of this on the character and appearance of the area is a fundamental consideration of this application.

Whiteacre Lane is predominantly characterised by ribbon development along the road side, reflective of the typical character of rural areas where development peters out towards open countryside. Whilst an indicative layout has not been presented with the application, a layout is included within the noise report and the level of the development shown on this plan would clearly result in a form of development that would be out of character with the area. Similarly, the erection of a 2m high acoustic fence along the eastern boundary of the site could itself be of detriment to visual amenity if not appropriately screened. A further point note is the indicative layout appears to show dwellings in very close proximity to protected ash trees along the western boundary. The layout of the development shown would restrict levels of sunlight

reaching the rear elevations and gardens of these dwellings and would be likely to result in tree resentment issues. The trees contribute to the character and appearance of the area and their removal or significant pruning would be detrimental to the visual amenities of the area.

In conclusion, the proposal would introduce an urban form of development at the fringe of the rural area, at odds with the existing pattern of development to the detriment of the visual amenity and character of the area. It is also likely that the development would result in the loss of additional landscape features, including the tree lined hedgerow separating the two fields. Although the indicative layout in the noise assessment shows the removal of this tree lined hedgerow, given layout is a reserved matter, I am limited as to the weight I can afford this. Nevertheless, the retention of landscape features helps to assimilate new development into the area and the cumulative impact of the level of development and the likely loss of this hedgerow only serves to demonstrate the negative impact of the development on the character and appearance of the area. This harm would need to be weighed in the planning balance.

Ecology

The proposal is likely to result in the loss of features of habitat value and the ecological report includes comprehensive proposals that would deliver a net enhancement of biodiversity to offset the losses. Any subsequent reserved matters applications would need to demonstrate how the detailed design achieves a net enhancement of biodiversity and if a net loss is likely, biodiversity offsetting would be required. I am satisfied that a net enhancement could be secured and no reason for refusal is therefore raised in this respect.

It is also noted that the ash tree identified as TN3 could have the potential to support bats and whilst it is not proposed for removal, further surveys would be required with any reserved matters application.

Developer Contributions

Lancashire County Council are yet to advise whether the impact of the development on services and infrastructure would require mitigation in the form of s106 contributions. Contributions may be required to mitigate the impact on sustainable transport and education facilities. This will be reported further in the late item.

The proposal would also place pressure on existing sports and open space infrastructure in the Borough. A comprehensive assessment of existing facilities in the Borough has identified a need for qualitative improvements to existing facilities and contributions would be necessary to mitigate the impact of the development. Open space would be secured on site.

Conclusion

Consideration of the adverse impacts and benefits would enable a conclusion to be reached on whether the proposal comprises sustainable development, as defined by the NPPF. In terms of benefits, there would be economic benefits in NPPF terms, job creation during the construction period and funding from the new homes bonus.

Whilst the provision of housing and affordable housing would normally comprise benefits, the NPPF is clear that housing provision is a benefit when it is of the right type and in the right location. In respect of the latter, the development strategy of the Borough has been modified at the request of the Inspector presiding over the Core Strategy and this identifies that at the

present time, Barrow is not the right location for further new housing development in the Borough. In the case of Barrow, planning permissions for residential development granted to date will already significantly increase the population of the village and the cumulative impact of further residential development in Barrow would undermine the social dimension of sustainable development. In addition, the proposal would undermine the environmental dimension of sustainable development as the applicant has not demonstrated that flood risk would be appropriately mitigated and it cannot therefore be concluded that the proposal would not increase flood risk elsewhere; the proposal would result in the loss of existing landscape features; and whilst layout is a reserved matter, the scale and level of the development as indicated would be urban in character, which would be at odds with the character and appearance of the rural context.

In this case, it is concluded that the adverse impacts of granting permission for this development proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. As such, the proposal does not comprise sustainable development and would compromise the implementation of the emerging planning policies of the Council, contrary to the interests of the proper planning of the area and the core principles and policies of the National Planning Policy Framework. It is therefore recommended that planning permission be refused.

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

1. The proposal, by reason of its scale and location, would lead to the creation of new residential development in the open countryside in excess of the identified residual number of dwellings proposed to be accommodated in Barrow. The proposal would undermine the social dimensions of sustainable development and would cause harm to the development strategy set out in the emerging Ribble Valley Core Strategy Submission Version as proposed to be modified. As such, the proposal does not comprise sustainable development and is therefore considered to be contrary to Policies G5 and H2 of the Ribble Valley Districtwide Local Plan, Key Statements DS1, DS2 and EN3 and Policies DMG1, DMG2 and DMH3 of the emerging Ribble Valley Core Strategy Submission Version as proposed to be modified and the National Planning Policy Framework.
2. The proposal would create a harmful precedent for the acceptance of similar unjustified proposals, which would have an adverse impact on the implementation of the emerging planning policies of the Council, contrary to the interests of the proper planning of the area and the core principles and policies of the National Planning Policy Framework.
3. The applicant has failed to demonstrate that the proposal would mitigate the risk of flooding and would not increase flood risk elsewhere, contrary to the National Planning Policy Framework, Policy G1 of the Districtwide Local Plan, Key Statements EN3 and Policies DMG1 and DME6 of the emerging Ribble Valley Core Strategy Submission Version as proposed to be modified.
4. The proposal, by reason of its scale and the level of development proposed, would result in a discordant and unsympathetic form of development that fails to respond to the inherent pattern of development in the immediate vicinity to the detriment of the visual amenities, character and appearance of the area. As such, the proposal is contrary to Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan, Policies DMG1, DMG2 and DMH3 of the emerging Ribble Valley Core Strategy Submission Version as proposed to be modified and 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: 3/2014/0183/P (GRID REF: SD 362058 443496)
PROPOSED HYBRID PLANNING APPLICATION SEEKING BOTH FULL AND OUTLINE PLANNING PERMISSION AS FOLLOWS: FULL PLANNING PERMISSION FOR WORKS AND A CHANGE OF USE TO A GRADE II LISTED KIRK MILL TO CREATE A HOTEL (18 BED, USE CLASS C1) AND BAR RESTAURANT (USE CLASS A3), WORKS TO THE BARN BUILDING TO CREATE 7 HOLIDAY COTTAGES (USE CLASS C1), CONSTRUCTION OF A HOTEL AND SPA (20 BED USE CLASS C1), WEDDING VENUE (USE CLASS D1), KIDS CLUB (USE CLASS D1) AND TRAILHEAD CENTRE (USE CLASS D1 AND A3), CHANGE OF USE OF MALT KILN HOUSE FROM RESIDENTIAL TO USE CLASS C1, CONSTRUCTION OF A NEW CRICKET PAVILION (SUI GENERIS), DEMOLITION OF THE GROUP OF DERELICT FACTORY BUILDINGS. OUTLINE PLANNING PERMISSION FOR 60 RESIDENTIAL DWELLINGS, SPLIT OVER TWO SITES, WITH A MAXIMUM OF 56 AND 4 UNITS ON EACH WILL ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS AT LAND AT MALT KILN BROW, CHIPPING

CHIPPING PARISH COUNCIL:

This response is based on information from both the Village Plan and a public meeting held on 27 March 2014 to discuss this planning application. The Parish Council opposes the plan to develop the cricket field and build 56 houses with points raised in a letter summarised as follows:

1. Oppose building on a greenfield site and precedent this may set.
2. The scale of the housing scheme is much bigger than agreed in the Village Plan and bigger than required according to the RVBC Housing Needs Survey.
3. A smaller housing development on the former factory site would be welcomed to maintain local schools and businesses.

The Parish Council response then lists some of the comments drawn from the public meeting under the headings of community, economic development, heritage, highways, infrastructure and planning and these issues have been raised by individuals commenting on this proposal and summarised later within this report.

BOWLAND WITH LEAGRAM PARISH COUNCIL:

Wish to make the following observations:

1. The applicant was invited to attend a public meeting on 27 March to present their case and answer questions but declined the invitation.
2. The meeting was attended by approximately 170 people with the overwhelming feeling being that of concerns over the scale of development being unsuitable for the AONB and that the narrow roads and infrastructure are unable to cope with such a large development.

3. The application does not include all comments gathered from the open days in April 2013.
4. Question the level of affordable housing against the Council's policy for 30% and states there is a need for affordable bungalows for the elderly which the applicant should consider.
5. The proposals do not concur with the Village Plan 2011 – it is building on greenfield land and is excessive. The Plan states all housing should be on brownfield land with a maximum of 50 properties to be built over 10 years.
6. The cricket ground should be retained as a sporting amenity for the village and the adjacent millennium woodland retained as a natural habitat.
7. If consent is granted, stringent conditions should be imposed regarding timing/phasing of the works to ensure the old mill is developed not just housing.
8. There have been many houses on the market for some time.
9. The market houses could only be afforded by commuters.
10. Great concern over the commercial viability and sustainability of two hotels in the village (this proposal and the Talbot). There is also the Gibbon Bridge approximately 2 miles away and the village hall in the centre of Chipping, which is a popular destination.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

Commented on 6 May 2014 that this application has been the subject of pre application discussions and generally, with the exception of the relocated cricket field, the proposals are acceptable in general terms. The traffic generation and distribution figures are acceptable and do not suggest any highway capacity concerns.

Since the proposal deals with various areas in Chipping I shall provide comments on each individual element, followed by the development as a whole and finally a section on planning conditions.

Residential development on the cricket ground off Fish House Lane

This site has a single proposed vehicle and pedestrian access point onto Fish House Lane. The boundary of the site fronting Fish House Lane has a high hedge atop a high bank. This would raise a number of issues related to visibility splays and the gradient of the internal access road. It will therefore be necessary to submit detailed plans of the access for approval showing the works necessary. In respect of pedestrian access the exit on to Fish House Lane is within the derestricted speed limit section with no provision for pedestrians. The approved site access scheme should therefore include details of pedestrian improvements to Fish House Lane to link to the

footway that will be required along the frontage to the trail head car park access. It would also be prudent at this stage to mention that the County Council would seek to extend the existing 30mph speed limit and street lighting and replace the street lighting on Church Raik and Malt Kiln Brow to heritage standard similar to the existing provision.

As mentioned previously there is only one pedestrian access shown to this large residential development, it would be advantageous to consider an additional route in addition to that via Fish House Lane and there would appear to be options to link into Kirkfield and the path that runs along the north side of this estate. This possibility should be actively explored by the applicant.

Small housing development off Malt Kiln Brow (5 units)

It is envisaged that the access to this development will remain unadopted, however I will be requesting the submission a more detailed plan for the site access proposals.

Kirk Mills

It is understood that the hotel at this location will operate a valet parking system, however it is not clear where the guests cars will be taken to and by which route. As with the previous elements of the development I would need to see a scheme showing the proposed amendments to the mill forecourt, also the swept path analysis submitted only indicates an analysis for a large car, no details are given of the requirements for deliveries, refuse collection etc.

The Barn, Child Centre, Hotel/Spa complex and Wedding Venue

It is unclear from the plans submitted whether or not these elements benefit from their own parking provision. If they do then the layout proposed should be shown including secure covered parking for cycles/motor cycles and mobility standard spaces at a ratio of 1:10. Safe pedestrian routes will be required within this complex to permit the safe movement of pedestrians between the various elements of the complex.

There are 2 existing vehicular access routes into these facilities off Malt Kiln Brow in addition to the proposed access to the Trail Head Centre off Church Raik, unfortunately it is unclear if these 2 existing access points are to be retained or closed to vehicular traffic. If it is the intention to close them this should be enforced by an appropriate planning condition and details submitted for approval showing how this is to be affected.

Trail Head and Car Park

The proposed site access will need to be submitted in more detail to ensure that the works proposed re visibility and

gradients are achievable. A footway should also be provided along the frontage onto Church Raikē to maintain visibility splays and provide for pedestrians. This should link to the pedestrian route to the residential development on the cricket field as mentioned in 1 above and link to the recently completed housing on Church Raikē. Details will also be required showing how the various car parks will be managed to prevent unauthorised occupation/ inappropriate after hours use.

In the pre application discussions I recall that it was suggested linking the car park to Talbot Street via the Talbot Hotel. Is this to be pursued and if so details will need to be submitted.

New Cricket Ground

Whilst I would have no concerns with the proposed location of the new ground the proposed access to the car park is a cause of some concern. The visibility to the right on exit is substandard and virtually non-existent due to a large tree and the adjacent property boundary. As such it is a safety issue both for emerging vehicles and also vehicles wishing to turn left into the site. This is not assisted by the fact that the narrow bridge is also carries a public right of way. As it stands the access is not acceptable, however there is the option to relocate the access further south which would provide improved sight lines and remove the conflict with users of the public footpath. This option should be actively explored and plans submitted for approval.

A development of this scale would inevitably lead to some inconvenience to the residents and visitors to the village during the construction phase. It would be beneficial if the developer could provide details of the phasing of the works prior to any works commencing also a close liaison with the Parish Council would be needed to air any ongoing concerns that may arise.

Bearing in mind the above comments relating to the various elements of the proposals, if your council is minded to approve the application I would request that conditions be attached to any permission that may be granted (the response details a series of conditions and Members are referred to the file for full details of these).

In light of the above comments it may be worthwhile having a further meeting with the applicants to discuss the nature of the works /amendments required

LCC PLANNING
CONTRIBUTIONS:

The application has been assessed by the LCC education team and has not resulted in a request for a planning contribution. There may be a request for a contribution from the LCC highways and sustainable transport teams in relation to

this proposal. However, the level of such a contribution has not yet been determined and will be submitted in due course.

LCC ARCHAEOLOGY:

Kirk Mill is a designated heritage asset, a grade II listed building, recorded on the Lancashire County Historic Environment record, PRN5762, as the site of a 17th century water powered corn mill, rebuilt in 1785 as a water and steam powered cotton spinning mill, and which lies within the Kirk Mill Conservation Area, and also a designated heritage asset.

Comments posted on the Borough Council's planning web pages from English Heritage have indicated that although they do support the principle of the development in order to secure the future of the site, problems with the detailed design of the project remain and they have therefore recommended a number of changes. The Lancashire County Archaeology service would like to take this opportunity to add their support to the recommendations for the changes made by English Heritage.

The Heritage Assessment by Oxford Archaeology North has outlined a number of proposed mitigation measures which LCAS is in agreement with. LCAS would therefore recommend that should the Local Planning Authority be minded to grant planning permission for this or any similar scheme, that the applicants be required to undertake those works proposed in section 7.2 of OAN's 2013 Heritage Assessment, and that such works are secured by the means of an appropriately worded condition. This is in accordance with NPPF paragraph 141 *'Local Planning Authorities should ... require developers to record and advance understanding of the significance of any heritage asset 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) public accessible'*.

PRINCIPAL AONB OFFICER:

The Forest of Bowland AONB welcomes the plan to regenerate and re-use the Grade II listed Kirk Mill, securing a long-term use for a listed building. In addition, the demolition and removal of the more modern buildings of the former chairworks is also likely to secure improvements to the AONB landscape within the environs of Chipping village.

However, the AONB believes the applicant has not provided sufficient information to demonstrate the proposed developments (including the full application for Kirk Mill restoration and hotel development and the Former Cricket Field and Malt Kiln House field residential developments) to be in the public interest. In particular, the AONB recommends that further consideration is necessary on several aspects of the full and outline application elements and advises the Council to seek further information from the applicant on a number of

issues relating to the submitted Landscape and Visual Impact Assessment (full details of these are within the full consultation response available to view on the officer file).

Overall the weaknesses and omissions outlined undermine the value of the applicant's LVIA and bring into question the judgments presented on the importance of the outline proposals' likely landscape and visual effects. I recommend that the Local Planning Authority seek to have the various issues addressed, especially the absence of methodology, suitable rendered photomontages and ZTV mapping. In the meantime, it would be prudent to exercise a degree of caution when considering the findings of the applicant's LVIA in respect of the proposal's likely landscape and visual effects.

Likely Landscape and Visual Effects

Kirk Mills Site

In principle, I support the proposal to re-use the vacant and clearly at risk Kirk Mills and redevelopment of the main mill complex which, fortunately, would involve removal of the vacant industrial buildings which were of a style, scale and massing that was inappropriate for the area's landscape character.

Many of the key design elements of the outline proposals for the Kirk Mills site – removal of inappropriate built features, building scale, massing, layout, vernacular style and overall character – are, in principle, sound and appropriate for the area's landscape character. However, there are some elements of the proposals which have not been well resolved and as such would likely affect the setting and character of the historic mill site and the area's landscape character. Of most concern are the following:

- a) degradation of Kirk Mills architectural and historical integrity through the addition of incongruous features e.g. the substantial and dominating glazed circulation space, glazed lean-to and the rather crudely designed 'Orangery'.
- b) large car park.
The applicant proposes to concentrate the bulk of the proposed parking in one relatively large and regimentally laid out car park (within a Conservation Area and the AONB) surfaced with tarmac. The size of the proposed car park and low cost tarmac surfacing are a cause for concern. The applicant proposes some planting within the car park but this would not be sufficient to break up the large expanse of tarmac surfacing, a material which really should be used sparingly in a designated area

characterised by the use of local stone building materials. In addition, insufficient space for screen planting would be provided on the eastern facing boundaries. An irregular layout, possibly related more strongly to and centred around the trailhead centre building and heavily interplanted with native trees and shrubs would have been more appropriate in landscape terms.

- c) the height and scale of the Spa Hotel roof is likely dominate and potentially lead to a loss of character within the Kirk Mills Conservation Area

Malt Kiln Brow Housing Site

Whilst the scale of proposed house development on this site would not be large enough to result in substantial landscape and visual effects I nevertheless consider this component of the scheme to be unacceptable in landscape terms as it would extend the urbanising effect of built development even further into the countryside, further fragment Chipping's northern rural fringe, increase overall visibility of built development, further erode landscape character/landscape amenity/landscape tranquillity and, effect the setting of Kirk Mill Conservation Area. There would also be landscape fabric losses which the applicant has no plans to compensate for.

Church Raikie Housing Site

There would likely be landscape amenity implications arising from completely relocating the village cricket pitch. I would not say that the pitch is a key feature of the village's landscape character – its location on the northern fringe ensures that it does not form a defining central feature around which the village buildings radiate – but it is part of the main village core being linked both geographically and socially. Relocating the cricket pitch to the very southern tip of the village would likely be seen by some local people as an unwanted disconnect of this – in the context of the village – important cultural/landscape feature.

Historically, one of the key features of Chipping has been its 'nucleated' settlement pattern focused around the junctions of Church Raikie, Club Lane, Windy Street and Talbot Street. In more recent times, this historic settlement pattern has been diluted to some extent by a more dispersed form of development such as that at Broad Meadow and the somewhat uneven northern expansion of the village in the vicinity of Kirkfield. The proposal to build a relatively substantial group of new houses at the Church Raikie site would further exacerbate this loss of historic pattern by concentrating yet more development on the northern fringe of the village.

The entrance/exit from the proposed Former Cricket Field residential development appears to include footways with kerbing etc. extending out into Church Raie. This is likely to have an urbanising effect on what is currently a country lane in character. The AONB would suggest removing these from the proposals. In addition, the AONB suggests the applicant considers whether improved pedestrian access to/from the Former Cricket Field to the village centre can be achieved which keeps pedestrians off what will become busy roads (Church Raie/Malt Kiln Brow).

The landscape mitigation proposals illustrated on the Indicative Masterplan submitted with the application have some weaknesses – insufficient planting along sections of the northern and southern boundaries – that, hopefully, would be addressed by more detailed design. However, it should be born in mind that effective mitigation through extensive tree/shrub planting of the proposed housing's landscape and visual impacts would significantly affect rear views from some of the existing properties along Kirkfield; the open aspect which provides dramatic views of the northern moors would be lost.

Also of significance is the fact that development of the cricket ground would result in substantial and permanent losses of landscape fabric and open green space. The applicant proposes to establish a new cricket pitch but as this would be on existing open green space, there would be no actual compensation for the fabric/green space losses arising from the housing development.

As with the Malt Kiln Brow Housing Site, the proposed housing would affect the setting of Kirk Mill Conservation Area through the introduction of built features in views where currently there is open space.

Despite these issues, it is considered that more appropriate mitigation of likely landscape and visual effects, especially along the southern site boundary together with a scaled back area of development to maintain the setting of Kirk Mill Conservation Area could make this site viable for housing.

New Cricket Field

The proposed changes to the small bridge at Town End leading to the proposed new cricket field is likely to lead to a loss of local landscape character and result in significant change to what is an locally important heritage asset (listed in the County's Historic Environment Record).

Conclusion

It is clear to me that in landscape terms, there is the capacity *in principle* to accommodate the following aspects of the proposals:

- a) redevelopment of the Kirk Mills site.
- b) development of housing on the Church Raike site.
- c) the new location for the cricket pitch.

However, as briefly outlined above, apart from the new cricket pitch, the applicant's proposals for these sites do have some significant shortcomings which need to be addressed and the LVIA has some serious weaknesses and omissions. In my view it would not be appropriate to approve the scheme until these matters had been satisfactorily addressed.

The effects of the proposed development at the Malt Kiln Brow Site would be unacceptable in landscape terms and there appears to be no real scope to mitigate them to acceptable levels. Consequently, I recommend that this aspect of the proposed scheme is deleted from the application.

For all these reasons the overall likely landscape and visual effects of the proposed housing and Kirk Mill redevelopment are deemed to be unacceptable. However, a combination of careful redesign (supported with a better Landscape and Visual Impact Assessment) of the Kirk Mill site, removal of the Malt Kiln Brow Site from the proposals and a scaling back of the extent of development on the cricket pitch may moderate the likely substantial landscape and visual effects to acceptable levels.

Additional comments were received on 27 August 2014 in response to information received from the applicant to address the issues raised above. Those details did address some of the concerns but some key concerns raised have not been satisfactorily addressed and thus remain as outstanding issues in the AONB Officer's opinion.

ENGLISH HERITAGE:

The initiative to regenerate and re-use Kirk Mill and the adjoining Main Mills complex is welcome and has potential to secure a long term use for a listed building which is vacant and clearly at risk of further deterioration. We support the proposed use and the principle of converting the Mill, however we recommend that several aspects of the scheme, outlined below, are given further consideration and that amended proposals are brought forward to avoid harming the significance of the heritage assets affected by the proposals. The application relates to five parcels of land, four of which are located on the northern edge of the settlement, within the Kirk

Mills Conservation Area and its immediate setting.

The proposals have potential to affect the significance of several designated heritage assets, particularly Kirk Mill and the related Conservation Area. The mill was developed in several phases from 1785 and is considered, in the applicant's comprehensive Heritage Assessment, to be a rare survival of a largely intact water-powered mill in Lancashire. The southern front elevation is the only surviving part of the original Arkwright-type mill and is assessed as being of high significance in the Heritage Assessment. Later phases replaced much of the original mill, however each phase is legible in the floor plan and elevations and adds to the understanding of the mill as it was expanded and remodelled.

The power source evolved during the early phases with a succession of larger water wheels being accommodated, and an early C19th phase possibly being associated with the installation of a steam engine. The engine house is expressed on the southern elevation with a 32 light window which is assessed as having high significance.

The mill is located in a narrow steep sided valley, cut into the surrounding rolling agricultural land. The landform has strongly influenced the settlement pattern with a clear distinction between the small cluster of mill buildings confined to the narrow valley and the farmstead, known as Old Hive, in an isolated position in the farmland to the west. Immediately north of the mill is the mill pond and race which make a highly significant contribution to the character and appearance of the industrial settlement.

The principle of re-using Kirk Mill is clearly welcome. The vacant and, to an extent, derelict condition of the mill dominates the Conservation Area and the constructive reuse of the building could be highly beneficial. Similarly the redevelopment of the vacant Main Mill complex, which overshadows the Conservation Area as a whole, with a contextual bespoke design could significantly enhance the character and appearance of the area. The introduction of a mix of complementary uses should have potential to regenerate the site and benefit the settings of both the Kirk Mill and Chipping Conservation Areas.

We therefore support the principle of the scheme. However there are several aspects of the detailed design which have potential to harm the significance of key heritage assets:

The proposed three storey glazed circulation space to the south elevation of Kirk Mill would obscure key elements of the elevation, including the two storey 32-light window to the

engine house. It would dominate the only remaining part of the original Arkwright-type mill from 1785, in contrast to the proposals to remove the C20th dust extraction tower which would clearly enhance the elevation. Although mitigation is offered in the form of the glazed elevations to the proposed addition, the scheme would have a significant impact on one of the most significant aspects of the listed building.

The proposed orangery would extend the full length of the ground floor of the original south elevation, obscuring parts of the building and adopting an architectural approach and materiality that have potential to confuse the historic phases of the building.

The proposed room plan will subdivide the large open floor plan to the mill to create the cellular form required for the hotel rooms. This will be mitigated to an extent by the central corridor that will extend the full length of the existing open space and allow a sense of the original scale of the interior.

Malt House Brow forms a spur connecting the narrow valley with the rolling area of land associated with the Old Hive farmstead. It provides a clear area of separation between the industrial hamlet of Kirk Mill, confined to the valley, and the more dispersed agricultural pattern of development of the surrounding landscape. In this context the proposed self-build plots would blur the distinction between the contrasting settlement patterns and undermine the setting of the Conservation Area and mill.

The steep pitch and dominant roof form to the proposed spa hotel on the Main Mills site could have potential to overwhelm the domestic scale of the existing cottages that form part of the context for the mill. The LPA should ensure that the proposed roofscape will sustain and enhance the character and appearance of the Conservation Area. The photomontage images provide only a wire-line assessment of the impact of the scheme and we recommend that fully rendered images are requested to illustrate the potential visual impact of the proposals. Precise viewpoints should be agreed with the LPA, however a view from just south-east of the junction of Church Raikie and Malt Kiln Brow towards Kirk Mill could be helpful in this respect.

While the scheme undoubtedly has potential to resolve a fundamental regeneration challenge within the Kirk Mill Conservation Area the NPPF requires LPAs to consider the desirability of sustaining and enhancing significance. Further, the NPPF also requires opportunities to be sought for new development to enhance or better reveal the significance of

heritage assets (NPPF 137).

In this context our view is that further consideration should be given to the above harmful impacts in order to fully integrate the proposed developed with the heritage assets that would be affected. We therefore recommend that the above issues area addressed and that the current application is amended. Solutions could involve:

- The redesign of the south wing of Kirk Mill, which is to be taken down and reconstructed, to house the circulation core, rather than the glass box approach.
- The repositioning of the orangery to project out from the west wing, rather than the original 1785 frontage, this could also have the benefit of retaining a more generous space in front of the mill, a space currently attributed high value on the heritage assessment.
- Removing the Malt House Brow self-build units from the application. The Supplementary Planning Statement refers to a viability report as part of the justification for the proposed quantum of development. The four self-build units represent a very small proportion of the total development. However, there could be potential for increasing the intensity of development on the Main Mill site.

Recommendation

We recommend that amended proposals are brought forward to address the above points to enable the regeneration of the application site to be achieved without causing harm to the designated heritage assets affected by the proposals.

We would welcome the opportunity of advising further. Please consult us again if any additional information or amendments are submitted.

COUNCIL FOR BRITISH
ARCHAEOLOGY:

The CBA supports the principle of reuse of this building. However, there are various elements of the proposal which do not protect or enhance the significance of the heritage asset as encouraged by NPPF paragraph 131 and the CBA recommends revision to the plans as detailed below.

Significance

Kirk Mill is significant as an early example of an Arkwright - type cotton mill. Built in 1785, coinciding with the lapse of the patent for Arkwright's water frame, the mill is part of the early series of mill innovation. The expansion of the cotton spinning industry is clearly shown through alterations to the mill as early as 1790 –1801. The extensions and alterations to the mill, in such a legible fashion through its history, provide much of the historic character and special interest of this building. They

represent an architectural form regularly adapted for functionality with a consistency in materials and details such as quoining. The extensions to house larger waterwheels are a clear example of this, where the former wheel house and its later counterpart to house a larger wheel can still be clearly read in the building's fabric.

The key features of the building include the water wheel with associated gears, and the visibility of the watercourse. Evidence of the line shafting permits reading of the functionality of the building, as does the relationship of the building to the mill pond.

Heritage protection

Kirk Mill and its associated mill pond are Grade II listed, highlighting their national significance. The mill is also of central importance to the Kirk Mill Conservation Area.

Proposal comments

The principle of returning the building to use is supported. However, the CBA have concerns about various elements of the application.

Firstly, the CBA advises that further information on the conservation and maintenance of the waterwheel is sought. The application lacks details as to the future provision for this key historic feature on the site.

Another aspect key to the character and understanding of the building are the external walls with patterns of alteration. There is a large amount of intervention proposed to the south façade, particularly at ground floor level. This façade displays the evidence of the changes that the building went through in its time as a functioning industrial building, and therefore is significant to the character and legibility. Although the façade is not neat and regular this is the character of the listed building and as such should be respected. The CBA recommends revision to the plans to respect the listed building, perhaps including greater visibility of the walls or an approach with less intervention at ground floor level.

In conclusion, as the proposal stands, it would harm the significance of the Grade II listed heritage asset. However, the CBA supports the principle of returning the building to a suitable new use, and therefore recommends that the proposals are amended in order to better sustain the heritage asset.

SPAB:

Kirk Mill is a mill of considerable importance. It is a rare surviving example in the North West of an Arkwright type cotton spinning mill and retains many of its original features.

While the waterwheel and machinery are surveyed and assessed in the supporting documents, where they are identified as being of high to exceptional significance, we were concerned to note that no mention was made of the planned treatment of these features. We would particularly like to emphasize the importance of retaining and preserving the remains of the breast shot waterwheel with pitch pine arms and of the associated gearing.

The wheel, after it ceased powering the cotton spinning machinery, was used to generate electricity for the mills and surrounding properties. While the proposals mention the possibility of installing hydropower facilities in future, there is no indication that the wheel is to be brought back into use, but this is something we would suggest could be investigated.

NATURAL ENGLAND:

From the information available Natural England is unable to advise on the potential significance of impacts on the Forest of Bowland Area of Outstanding Natural Beauty (AONB). We are not convinced that the LVIA provides us with a complete assessment of landscape impacts, however we are reasonably confident that there is not a significant risk to the AONB. The LVIA gives a good assessment of visual impacts from local viewpoints (VPs), but we are not clear how the development will be viewed from longer distance VPs. For example the visual impact of the proposed development from the areas of higher ground to the north-west, including from the various footpaths leading up to the summit of Parlick.

However, we advise you to seek the advice of the Forest of Bowland AONB Partnership. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the AONB designation. They will also be able advise on whether the development accords with the aims and policies set out in the AONB management plan.

Protected species

We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any

views as to whether a licence may be granted.

Biodiversity enhancements

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. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that '*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*'. Section 40(3) of the same Act also states that '*conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat*'.

CPRE: No comments received at time of report preparation.

LCC ECOLOGY: Please note Lancashire County Council does not support or object to planning applications when providing advice on ecological matters. The comments are intended solely to inform your decision-making, having regard to the requirements of relevant biodiversity legislation, planning policy and guidance.

Initially stated on 12 July 2014 that they were unable to provide full comments at this stage. At this stage the principal of the proposed development has not been established and the applicant has not demonstrated that the proposals would comply with the relevant legislation, planning policies and guidance as listed below. I will be able to provide further comments once information has been submitted to address the matters listed below.

RECOMMENDATIONS (summary - see main file for full details)

The following matters will need to be addressed before the application is determined:

- It is not clear what is proposed for parcel 5, parcel 4 or the south-east area of parcel 1 as part of this application or what the ecological impacts of any proposals would be. This should be clarified.
- There does not appear to have been an assessment of likely impacts on amphibians. There are waterbodies within 250m of the proposed development areas which may be suitable to support amphibians, such as Great Crested

Newt (European Protected Species) and Common Toad (Species of Principal Importance), and the site supports suitable habitat for amphibians. Information should be submitted (including the results of any necessary surveys) to address this matter. The likely impacts on amphibians need to be established prior to determination of the application. If impacts are likely then mitigation measures will need to be submitted.

- Reptile surveys have been carried out and the results include details of reptiles observed only. I recommend that information is also provided on any amphibian observed during these surveys (if any).
- It appears that the badger survey was restricted to land within the site boundaries only. The badger survey will need to be extended to include suitable habitat up to 30m from the site boundaries.
- It is not clear whether the level of survey effort on buildings to be affected is sufficient (in accordance recognised Bat Conservation Trust good practice guidelines) to establish the presence/absence of bat roosts.
- In addition, an assessment of the potential each building to be affected has to support roosting bats does not appear to be provided and I am therefore unable to assess what potential each building has to support roosting bats and whether the level of survey effort is in accordance with the BCT good practice guidelines.
- The presence of bat roosts in buildings 1 & 13 has been established (para 5.3.7, *Ecological Assessment*, Ecology Solutions Ltd, November 2013) and it is considered there is a need for a Natural England licence (para 5.3.11). Ribble Valley Borough Council should not approve the application if there is reason to believe that Natural England would not issue a licence. Ribble Valley Borough Council should therefore have regard to the requirements of the Habitats Directive in reaching the planning decision. Before the application is determined, information should be provided by the applicant to demonstrate how the three tests will be addressed.
- The proposals include works to the bridge across to the proposed Cricket Pavilion (parcel 6), such as re-pointing works. Such works have the potential to result in impacts on bats and their roosts and there does not appear to be any information about the likely impacts on bats resulting from these works.
- There does not appear to be any information submitted regarding likely impacts on Barn Owl. Buildings are to be affected which may be suitable for use by barn owls for roosting and/or nesting.
- The likely impacts on birds are not clear. Further information should be submitted to address this matter

prior to determination of the application in order to inform the mitigation/compensation measures required.

- I recommend that the Environment Agency and/or Lancashire County Council Flood Risk Management team is consulted regarding the proposals to discharge surface water into existing watercourse (as indicated on the submitted application form), de-culvert a stretch of watercourse, proposed works to the existing bridge and the proposed new bridge to access the proposed new cricket pavilion site.

Further information is required in order to demonstrate that the proposed development would comply with current legislation, policies and guidance.

The above comments are made without the benefit of a site visit and are based on a review of documents submitted with the planning application as well as a review of ecological records, maps, aerial photographs and images accessible to Lancashire County Council.

The County Council provides comments with regard to relevant wildlife legislation. The comments do not constitute professional legal advice.

Further comments were received dated 28 August 2014 in response to additional information submitted by the applicant and at that time the outstanding matters had been reduced to the need for more details to establish the presence/absence of bat roosts in the bridge to be affected and an appropriate assessment of likely impacts on amphibians. These matters remain unresolved in the most recent correspondence.

ENVIRONMENT AGENCY:

Have reviewed the submitted FRA in relation to the risk of flooding on and off site and are satisfied that the proposed development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere, provided that any subsequent development proceeds in accordance with the recommendations outlined in the FRA. Therefore, no objections are raised in principle subject to the imposition of conditions.

UNITED UTILITIES:

No objections subject to the imposition of conditions.

RIBBLE RIVERS TRUST:

In summary object on the basis of insufficient consideration to the riverine environment, specifically lacking in understanding of the impacts on the brook but also a failure to implement sufficient mitigation measures. Members are referred to the file for full details of the response.

SPORT ENGLAND: Objects to the application because the replacement cricket ground does not meet England Cricket Boards design guidance and there are limited details of the timing of the provision and completion of the new ground. Additionally the proposed pavilion is not considered fit for purpose as it has no storage, no disabled toilets, no showers and no umpire changing.

ELECTRICITY NORTH WEST: The development could have an impact on our infrastructure. The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity.

LANCASHIRE CONSTABULARY ARCHITECTURAL LIAISON OFFICER: Recommend that the development be built to secure by design to reduce the likelihood of crime affecting future visitors and residents.

ADDITIONAL REPRESENTATIONS: 69 letters have been received in relation to this application. One is in favour subject to securing safeguards and whilst many of the remainder accept the need for some development to take place, specific detailed objections are raised. Members are referred to the file for full details of all of these responses which can be summarised under the following headings:

Policy/Principle

1. A recognition that Council's must provide housing for the future but 60 houses in one village is too many for one development – the scale is out of keeping with a country village and will change the community beyond recognition
2. 60dws is greater in number than what has occurred in the past 40yrs and the building of a hotel and restaurant has never been mentioned in the Chipping Village Plan
3. At the launch of the project the owners admitted that the sale of the land for 60dws was necessary to fund the renovation of the mill. Can we guarantee that if planning permission is granted and the land is sold off to property developers plans for Kirk Mill would still go ahead?
4. Reference to the historic situation at the Talbot Hotel and promises that support for those plans would mean development would commence immediately. We are still waiting for that to happen.
5. Overall approve of the plans and recognise that the area needs to be developed in some way but specific detailed objections.

6. Surprise at the enormous scale of the application and question whether it is too large for existing infrastructure.
7. Any development should be limited to the brownfield site at Kirk Mill and there should be no loss of greenfield land.
8. The wedding venue/function room facility already exists at the village hall and nearby hotels (the Talbot has consent for a multi bedroomed hotel/restaurant/banqueting facility and the Gibbon Bridge is only 1.5 miles away) so does the village need 2 hotels/is it necessary?
9. This would undermine the Talbot in the heart of the village which has been an eyesore for many years. If Chipping is to have a hotel that is the logical place and not further out of the village centre.
10. Question what market research has been done for the demand for hotel/restaurant of this size in this location.
11. It is unlikely to create much local employment as present practice is to employ cheaper foreign workers.
12. Only type of housing needed is for the elderly residents who wish to remain in the village not large expensive family houses.
13. Chipping is a village not a town.
14. It would be good for the village to have more facilities but other than the swimming pool the village already has a gym and conference facilities in the village hall.
15. If planning permission is granted the potential separation of land from the redevelopment of the factory site is seen as a big risk for the completion of the whole project.
16. No objection to the development of the Kirk Mill site into hotel, bar and restaurant and new cricket pavilion but the new housing would have a major disadvantageous impact on the village.
17. There are other sites round the village which would have less of an impact if developed for housing.
18. Sites that have been developed for housing remain vacant so there is no need for anymore.
19. This development in spirit and content contradicts much of the previously controlled development which has been used over the years to ensure that the village and surrounding area continues to be a special place beauty.

Highway Safety

1. The proposed bridge for the relocated cricket pitch has inadequate visibility
2. Insufficient parking for a hotel and restaurant in the valley bottom will cause the road to be blocked by those waiting to access the hotel and prevent access for residents
3. There has been a significant increase in vehicles using Fish House Lane which is a narrow country lane and due to the increased usage there has been a significant road deterioration.
4. Concern about congestion in the narrow sections of Windy Street and outside the school, traffic turning into Church Raik by the Cobbled Corner Café and extra traffic throughout the village both during construction and post completion of development
5. It doesn't make sense to build houses in this inaccessible part of the village
6. Congestion and noise disturbance
7. Wedding venue traffic would add to the traffic congestion as people arrive and depart at the same time meaning large volumes of traffic travelling in and out of the village
8. During construction such a large development will cause major disruption and safety issues within the village and surrounding roads
9. The safety of pedestrians, cyclists, horse riders and road users is a concern for a village with narrow streets of a defined character
10. In order to reduce traffic issues on narrow streets why not build housing on the proposed cricket pitch?
11. On street parking has become more of an issue since parking charges were introduced on the village car park making it more difficult to negotiate the narrow village streets
12. There are a number of quiet lanes in and around the village which would suffer from an increase in traffic
13. Question some of the highway assumptions in the submitted information and contest the amount of traffic generated by Berry's Chairworks when operational
14. The current level and type of traffic from farm machinery and heavy goods vehicles already cause congestion and

vibration which will become much worse

15. The bus service is under threat thereby questioning the sustainability of the village

Ecology

1. The proposed cricket pitch is a traditional wildlife meadow – one of the few remaining in the County. Also it will result in local wildlife being pushed further out due to the loss of their natural habitat
2. Any development in the area and any measures taken to reduce flood risk are likely to affect the character and quality of Chipping Brook and threaten the existence of its wildlife
3. Land to the rear of Malt Kiln House is a valuable ecological site being ancient meadow land containing a diverse selection of wildlife and flora
4. Concern about plans to empty and inspect Kirk Mill pond with no guarantee that it will be refilled – there is an opportunity to work with the RSPB or other agencies to secure its long term future. Question how it will be managed long term – it would be a great loss if this pond were to be abandoned

Heritage

1. Chipping is a village steeped in history and the character of this place needs to be preserved for the future generations to enjoy
2. What is required is the development of the Mill into a heritage centre and accommodation to promote the only asset the village has
3. There are opportunities to include the old mill in National Lottery and other funding will be lost if this development proceeds. Much of the historic archaeological content associated with the old mill is at risk of being lost because of its belated categorisation and listed status
4. The historic pack horse bridge at the entrance to the village is not suitable for widening as an access road to the proposed cricket pitch. Building a new bridge alongside it would completely obscure views on arrival at the south side of the village and require the re-siting or removal of the Chipping village welcome sign. Land for the new bridge is not in the ownership of the developers
5. Agreement with the comments of English Heritage

regarding the works to the Mill both internally and externally

6. A number of properties in the heart of the village are Grade II listed which will inevitably deteriorate due to increased traffic and inability to repair properties

Landscape

1. Visual impact would be detrimental to the historic and scenic area of the village
2. It would encroach into the hamlet of Old Hive making it part of one large village which would spoil the whole aspect of Old Hive with light pollution and views being destroyed
3. Plans do not reflect the fact that Chipping is situated in the AONB
4. The leisure centre, spa, hotel complex and car park in the factory yard and valley floor would be an alien intrusion in a quiet corner of Chipping
5. Would involve the loss of agricultural land used for grazing and recreation ground as well as semi mature woodland and the wildlife habitat that provides
6. Building on green belt land in the AONB is totally unacceptable

Miscellaneous

1. Object to noise from the kitchen area of the Kirk Mill Hotel/restaurant as it faces onto an existing property. There will be extractor noise, general kitchen noise and delivery vehicles early morning and late at night
2. Chipping does not have the infrastructure to support this development – sewerage, electricity, schools, doctors
3. Location of the new cricket ground would compromise the privacy of residents
4. The potential loss of the cricket club field for the building of houses in a prominent location has come about because of a mistake when the previous owners failed to make legal the gift of the land to the village cricket club as was always intended
5. The cricket pitch has been registered as an asset of community interest and would be purchased and preserved by the community were it made available
6. Much of the chairworks site is in a floodplain. It is unsuitable for building without special measures and if this

involves raising the land level or building containment walls this will increase the risk of flooding downstream because of the reduced floodplain land

7. Adverse impact to existing dwellings from building on the existing cricket pitch through loss of light, increased noise, air and light pollution, litter and loss of privacy as properties on Kirkfields are set at a lower level
8. Devaluation of property prices
9. The cricket pitch area is subject to flooding so building a pavilion is questioned as is the ability of the club to get insurance
10. Issues raised regarding the public consultation – concerns about misinformation on how the scheme has been publicised
11. A need for a mechanism to ensure that the housing land is not sold off and the rest of the site remains unchanged
12. The cricket pitch is an important asset that should not be moved
13. Currently there is no crime/vandalism but an increase in population of this scale can only cause this to change
14. Building a large development would change the quiet nature of the village and discourage visitors
15. The wood was promised as a community amenity and funded by grant money so should not be removed
16. There should be a thorough examination of the viability information submitted in support of the application and appropriate triggers incorporated into any S106 agreement regarding the overall phasing of the development
17. The applicant should secure funding for the hotel etc independently and not seek to generate the income from the sale of the fields with outline consent for housing
18. Questions raised regarding water management namely a weir and water inlet upstream of Chipping Brook, a culvert supplying the pond and water wheel chamber and a culvert conveying water from the water wheel to the chamber to Chipping Brook under the modern factory yard

19. A concern that naturalising the banks of the Brook by removing the concrete protection could have consequences – if the unprotected banks erode debris could be carried downstream causing blockages, divert flood water and cause problems in the village
20. This should be looked at in its individual parts not as a whole planning application.

Proposal

The planning application is a 'hybrid' application including both full and outline elements briefly summarised as follows:

Full planning permission for:

- Works (including partial demolition) and a change of use to the Grade II listed Kirk Mill to create a hotel (18 bed) and bar restaurant;
- Demolition of redundant factory buildings;
- Works to the Barn building to create 7 holiday cottages;
- Construction of a Hotel and Spa (20 bed), Wedding Venue, Kid's Club and T railhead Centre;
- Change of use of Malt Kiln House to hotel use;
- Provision of Public Open Space;
- Provision of a new cricket pitch and construction of a new pavilion; and

Outline planning permission for:

- Up to 60 residential dwellings, split over two sites with a maximum of 56 and 4 units on each

The application proposals are described more comprehensively below:

Full planning permission

Works and a change of use to the Grade II Listed Kirk Mill to create a hotel (18 bed) and bar restaurant

It is proposed to refurbish the existing Kirk Mill to create an 18 bedroom hotel (Use Class C1) and restaurant bar (Use Class A3). The internal layout shows a kitchen, bar/restaurant at ground floor level alongside the hotel reception, with rooms on upper floors. A single storey lean to extension is proposed on the western gable elevation to accommodate restaurant facilities with an orangery proposed on the front elevation and flat roofed glazed extension up to the eaves of the Mill to house the reception, lift and stairwell. It is proposed to remove elements of the building which are later additions to the original building, in part replacing them with more modern, development. Materials to be used are slate as well as lead clad roof edging, large expanses of glazing and sandstone. Minimal planting is proposed within the area immediately adjacent to the Mill and the plans denote a 'pick up and drop off' area at the front of the hotel, with parking provided at the main mills complex.

The Barn

The existing barn on the former factory site will be refurbished with the addition of a 2 storey extension (approximately 26.4m x 11.3mx 7.4m to ridge) to create 7 holiday cottages (Use Class C1). The cottages will offer lounge, bathrooms and bedrooms with kitchenette facilities. A total of 18 bedrooms will be provided, through a mix of 2 and 3 bedroom cottages with 3 of these in the original barn and the remainder in the 2 storey extension. Materials to be used are sandstone with dressed quoins, timber framed windows and slate to match existing. Ornamental tree planting will provide the cottages with an area of semi-private gardens. Vehicular access will be taken into the main body of the site, with pedestrian access only to the cottages.

Hotel/Spa

It is proposed to erect a Hotel & Spa (Use Class C1) again on the former factory site with the building providing a reception area for the leisure facilities and a pool which is part indoor, part external. A gym will be provided at first floor level above the pool with a plant room on the second floor above, with the rest of the building providing hotel rooms (20 in total) on ground and first floors. Materials will be in-keeping with the aforementioned buildings, using slate and sandstone, with timber framed windows. Landscaping for this part of the site will be designed to provide therapeutic gardens using informal planting. The height of the spa block to ridge will be 12m, the hotel block 9.3m and the entrance block 3.3m with the spa building being of a design that has a Scandinavian approach with timber boarded gables. Vehicular access will be gained to the car park to the south of the building, with limited access close to the reception area.

Wedding Venue

The proposal seeks approval for the erection of a Wedding Venue (Use Class D1) with the building providing seating for c.150 guests as well as toilets and a kitchen/preparation area. Materials will include sandstone with dressed quoins, timber framed windows and slate roof. An ornamental woodland garden is proposed. The height to roof ridge will be 9m with the building being rectangular in shape measuring approximately 25.8m x 7.9m. Limited vehicular access will be available.

Kid's Club

Details are provided for the erection of a Kid's Club/Crèche (Use Class D1 Non-residential institutions). The Club will provide a two room layout – one room for infants and the other for juniors, with toilet facilities. Materials proposed are sandstone with dressed quoins, timber framed windows and a slate roof. Ornamental planting is proposed which will provide natural shading, whilst a wooden fence will be provided to ensure the areas are secure for children's play. The height to ridge will be 5.3m with a footprint of approximately 13.6m x 4.9m and in terms of access walkways will provide access to the building.

Trailhead Centre

The proposed development seeks approval of part of the former factory site to provide car parking facilities together with a new Trail Head centre with café (Use Class A3). The trailhead centre will provide a boot cleaning area, toilets, exhibition/store space, a shower and a refreshment kiosk in a building having overall floorspace approximate dimensions of 10.2m x 10.9m x 4.9m in height (the overhanging eaves design means a roofspan of approximately

14.3m x 15m). Sandstone and timber will be used with a slate roof. New tree and shrub planting is proposed in the vicinity. Access is gained via a new embanked route off Church Raike which will be planted with a woodland mix to blend with the tree planting that occurs on the existing steep banks that bound the area to the south west. The extensive concrete plinth, a legacy of previous uses, will be retained and utilised for a new parking area accommodating circa 100 car parking spaces for the proposed facilities. Concrete beams, recycled from the demolition of the large factory sheds will be used as an informal edge of car park restraint that can also be used as an informal seating element.

Plant Building

This building is required to house plant which will service the site having overall approximate dimensions of 17.8m x 11.8m x 5m in height. The building has been designed specifically to accommodate the required plant; which requires the building to be divided into several rooms. Materials proposed are sandstone, render, slate, timber and aluminium flashing to be in keeping with the other buildings proposed. A variety of planting is proposed close to the site, including the car park area which is adjacent. Access will be achieved from a new point off Church Raike.

Cricket Facilities

A new cricket pitch is proposed with a new build structure serve as a cricket pavilion (Use Class: Sui Generis). The pavilion will provide 2 changing rooms, a kitchenette, a toilet and an outdoor seating area. Modest car parking is to be provided. The building will consist of timber cladding with a shingles roof and will measure approximately 5.5m x 8.5m with a height to ridge of 3.45m. Existing vegetation will be retained and enhanced through the reinstatement of boundary hedges, with intermittent standard trees together with a small block of woodland planting encompassing the car park and pavilion area. Access is to be gained using the existing bridge leading from Longridge Road.

Public Open Space

Areas of land not previously open to the public will be created by the development and part of this will be provided in the heart of the development, forming an area which could be used for a variety of purposes, such as a farmers market.

Outline Application Parameters

Outline planning permission is sought for up to 60 residential dwellings - 56 dwellings are proposed on the former cricket pitch and juvenile woodland to the immediate north of the Kirkland and Kirkfield residential areas (the "Church Raike Housing – The Hive") and 4 self-build dwellings are proposed in the field accessed from Malt Kiln Brow, (the "Malt Kiln Brow Housing"). Details of layout are not being submitted as part of the outline application. However, an Illustrative Masterplan has been submitted as a tool to agree key design principles for the site for subsequent reserved matters application(s). A development area has been identified on the Malt Kiln Brow Housing site which is outside the Conservation Area. In terms of scale the Church Raike Housing – The Hive: Residential dwelling will be a maximum of 2 storeys. In respect of the Malt Kiln Brow Housing the Design and Access Statement sets out considerations in relation to scale in order to establish how development can be achieved and this is supplemented by a Decision Code for these 4 units. It is understood that these 4 plots would be developed as self-build units.

Access is being applied for at this time in relation to the 2 housing sites and in terms of the Church Raiké Housing – The Hive, the proposed access road will be located 125m to the west of the Church Raiké / Malt kiln Brow junction. As for the Malt Kiln Brow Housing a new access road will be delivered on Malt Kiln Brow approximately 50m to the north of the junction with Church Raiké. Access is defined as the accessibility to and within a site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network. Whilst layout is not being applied for at this time this does fix to an extent certain aspects of the footprint of development on these two parcels of land.

Site Location

The application covers 5 distinctive development parcels comprising approximately 5.67 hectares in total. All parcels of land lie within the Forest of Bowland Area of Outstanding Natural Beauty (AONB) and outside the settlement limit of Chipping as defined in the Districtwide Local Plan (DWLP). The land parcels are best described as follows:

i. Kirk Mill

Located within the Kirk Mill Conservation Area this is an early example of an Arkwright type cotton mill and is a traditional three storey stone mill containing a former waterwheel (or remnants of), associated wheel pit and associated water management system.

The Mill has been subject to a number of exterior alterations. There is a small yard area to the front which overlooks the River (Chipping Brook) and includes a large derelict crane which was previously used to get materials to the Mill. To the rear is the mill pond which contains the water that previously powered the Mill. The mill pond is bounded by Malt Kiln Brow and Mill Pond House to the east. Woodland borders it to the north and west.

Access to Kirk Mill is currently taken directly from Malt Kiln Brow which runs north to south, adjacent to the mill to the east.

ii. Main Mill Complex

This is the largest area of development and occupies the site of the former HJ Berry Chair making factory site. It is a brownfield site comprising a range of buildings from a traditional historic stone barn to large scale modern industrial buildings. There are also extensive areas of hard standing including an open sided timber store, which have been formed around Chipping Brook which runs through the site. The northern aspect lies within the Kirk Mill Conservation Area.

Access is gained either from the vehicular gate at the northern extremity of the site or from the main vehicular access to the site from Malt Kiln Brow.

iii. The Hive (Land off Church Raiké/Malt Kiln Brow)

This area is situated to the south west of Malt Kiln Cottage and the wider Kirk Mills complex. It extends to approximately 1.82ha and comprises a largely open area of land which is currently used as a cricket ground. There is a small pavilion towards the site's southern boundary with the residential developments of Kirklands and Kirkfields set running parallel to the south.

iv. Malt Kiln House and Surrounding Land

Located within the Kirk Mill Conservation Area Malt Kiln House sits on a corner plot accessed from Malt Kiln Brow. This is a detached stone cottage which has a small garden area to the

front. Malt Kiln House overlooks the Main Mills Complex to the east. To the west of Malt Kiln House lies the 2nd proposed residential parcel of land with the northern most section of the field lying within the Kirk Mill Conservation Area. The southern section on which the housing is proposed is outside the aforementioned Conservation Area.

v. New Cricket Pitch Site

The site for the new cricket pitch lies to the east of the southern gateway to the village. The site is greenfield and is approximately 1.39ha in size. To the west of the site runs Chipping Brook with access to the field gained via a stone bridge off Longridge Road to the south of Town End Barn. This bridge also forms the start point for a number of local footpaths. Further west lies a small residential community off Brooklands. To the north, east and south of the site are greenfields and agricultural land.

Relevant History

3/2014/0226/P - Works and a change of use to the Grade 11 Listed Kirk Mill to create a hotel (18 Bed) and bar/restaurant. Works comprising partial demolition and extension of Kirk Mill including demolition of the later addition to the east of the Mill and erection of a new extension built on the same footprint in traditional stone to match the existing mill; and removal of further modern alterations to the facade to restore the historic character of the building. Yet to be determined.

Relevant Policies

Districtwide Local Plan

- Policy G1 - Development Control
- Policy G5 - Settlement Strategy
- Policy G11 - Crime Prevention
- Policy ENV1 - Development in Area of Outstanding Natural Beauty
- Policy ENV6 - Development Involving Agricultural Land
- Policy ENV7 - Species Protection
- Policy ENV9 – Other Important Wildlife Sites
- Policy ENV10 – Other Important Wildlife Sites
- Policy ENV8 - Sites of Special Scientific Interest
- Policy ENV13 - Landscape Protection
- Policy ENV16 - Development within Conservation Areas
- Policy ENV17 - Development within Conservation Areas (information requirements)
- Policy ENV18 - Development within Conservation Areas (demolition)
- Policy ENV19 - Listed Buildings (setting)
- Policy ENV20 - Listed Building (demolition)
- Policy H2 - Dwellings in the Open Countryside
- Policy H20 - Affordable Housing - Villages and Countryside
- Policy H21 - Affordable Housing - Information Needed
- Policy EMP9 - Conversions for Employment Uses
- Policy EMP11 - Loss of Employment Land
- Policy RT1 - General Recreation and Tourism Policy
- Policy RT2 - Small Hotels and Guesthouses
- Policy RT3 - Conversion of Buildings for Tourism Related 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

Core Strategy Submission Version as proposed to be modified

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
Key Statement H1 – Housing Provision
Key Statement H2 – Housing Balance
Key Statement H3 – Affordable Housing
Key Statement EC1 – Business and Employment Development
Key Statement EC3 – Visitor Economy
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 DMH3 – Dwellings in the Open Countryside and AONB
Policy DMB1 – Supporting Business Growth and the Local Economy
Policy DMB2 – The Conversion of Barns and Other Rural Buildings for Employment Uses
Policy DMB3 – Recreation and Tourism
Policy DMB4 – Open Space Provision
Policy DMB5 – Footpaths and Bridleways

Historic Environment Planning Practice Guidance (HEPPG)
National Planning Policy Framework
Technical Guidance to National Planning Policy Framework
National Planning Practice Guide
Chipping Conservation Area Appraisal and Management Guidance
Kirk Mill Conservation Area

Environmental, AONB, Human Rights and Other Issues

This is a hybrid application seeking detailed consent for the leisure/tourism parts of the scheme and outline consent (save for access) for the residential elements (60 dwellings).

In assessing the outline part of the application a decision on the general principle of how the 2 land parcels can be developed is required with the details submitted needing to demonstrate that the proposals have been properly considered in the light of relevant policies and the sites' constraints and opportunities. Outline permission would be granted for the residential elements

subject to a condition (s) requiring subsequent approval of one or more reserved matters. As this part of the overall scheme is made in outline with matters of access applied for at this stage (ie 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) the reserved matters to be the subject of further detailed applications would be layout (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 (the height, width and length of each building proposed within the development in relation to its surroundings); appearance (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) and landscaping (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 screening by fences, walls or other means; the planting of trees, hedges, shrubs or grass; the formation of banks, terraces or other earthworks; laying out or provision of gardens, courts, squares, water features, sculpture or public art; and the provision of other amenity features).

The leisure and tourism aspects of the proposal are, as stated, applied for in full and thus detailed plans and particulars are provided for these elements in order to make a considered assessment of their potential impact. Members are required in both aspects of this proposal (full and outline elements) to give due regard to 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.
- iv) Section 72(1) provides that, with respect to any buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area in decision making.

It is also important to make Members aware of the relevant policies for decision-making in the NPPF – namely 196, 197, 14 and 6. 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.

Assets of Community Value

The cricket ground (on which it is proposed to erect up to 56 dwellings) was entered onto the Council's List of Assets of Community Value (ACV) on 12 March 2014. For Members information paragraph 2.20 of the Department for Communities and Local Government's Non-Statutory Guidance on ACV's provides that:

It is open to the Local Planning Authority (LPA) to decide whether listing as an ACV is a material consideration if an application for a change of use is submitted considering all the circumstances of the case.

In this particular instance, whilst it is acknowledged that the land has been used for a considerable period of time for community use, the proposal seeks to provide mitigation by way of a replacement cricket pitch and pavilion at the other side of the village. Therefore whilst recognising the ACV status of the land, I do not consider that it should in itself carry substantial weight in the overall planning balance which I discuss later within this report, as replacement facilities that will enable continued use to further the social well-being of the community are to be provided.

Establishing the Principle of Development

The application is for a mixed land use proposal comprising tourism and leisure facilities, relocated cricket pitch, including new pavilion, and housing (the latter aspect being applied for in outline). 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 version of the Core Strategy as proposed to be modified and those set out in the National Planning Policy Framework (NPPF). Guidance is also available within the National Planning Policy Guidance (NPPG).

In relation to the saved Local Plan the full aspects of the proposal (except for the cricket pitch and change of use of Malt Kiln House to hotel use) seek to reuse buildings and land that have previously been in employment use but remained empty and dormant for a number of years. The uses sought under this proposal would bring job opportunities to the village and promote tourism. Policy G5 of the DWLP seeks to restrict development outside settlement boundaries and as has been explained previously all of the application site(s) lie outside the defined village boundary of Chipping. Policies that are saved allow for tourism and recreational uses and whilst the caveat of small-scale is applied, Members need to remember that the glossary to the DWLP defines this as development whose overall size dimensions are small in relation to those of neighbouring development. The former factory site has numerous buildings already in situ and thus the reuse of this site with a different mass and footprint of built form in my mind accords with the intent of the policy. This was a major employment site within the village and bringing employment opportunities to the local community is an important consideration. Thus I am of the opinion that in principle and subject to matters of detail design and other Development Management considerations these uses, and indeed the relocated cricket pitch and conversion of Malt Kiln House, accord with the saved Policies of the DWLP. It should be recognised

however that the strategic policies in relation to settlement boundaries are considered dated and that there may be a need to accommodate development on greenfield land outside the existing settlement boundaries having regard to the emerging Development Strategy of the Core Strategy when making an assessment of housing and employment land provision. As such the policies of the NPPF, NPPG and emerging Core Strategy become far more material to the determination of planning applications in this respect.

The NPPF at its heart has a presumption in favour of sustainable development. It makes clear in paragraph 14 that for decision taking purposes 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 the policies in this Framework taken as a whole; or
 - Specific policies in this Framework indicate development should be restricted eg AONB.

Paragraph 7 of the Framework identifies three dimensions to sustainable development - economic, social and environmental, and paragraph 6 c 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:-

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) 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 Framework contains a set of 12 land use planning principles to underpin both plan making and decision taking at paragraph 17 and in the determination of this application it is important to have regard to the following:

planning should:

- *be genuinely plan-led ... Plans should ... provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;*
- *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 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... recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;*
- *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; and*
- *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 NPPF seeks to support sustainable economic growth outlining that planning should operate to encourage and not act as an impediment to such growth. It recognises that economic growth in rural areas such as Ribble Valley should be supported through the planning system in order to create jobs and prosperity both through the conversion of existing buildings and well-designed new buildings. Rural tourism and leisure development are encouraged and local plans should promote the retention and development of local services and community facilities in villages.

The use classes applied for in full under this proposal accord in principle with the thrust of NPPF in terms of utilizing brownfield sites and promoting economic growth to create in the region of

100 employees (equivalent number of full-time). As Members will be aware the mill and factory site closed in 2010 and HJ Berry was (according to the Chipping Village Plan 2011) the biggest employer in the village with a workforce of about 85. The proposal, the subject of this application, clearly offers different employment opportunities to those lost but nonetheless the scheme seeks to create jobs and promote Chipping as a destination for tourism and leisure. I am mindful that reference has been made by objectors to the presence in the wider area of other wedding/function venues and the history of The Talbot in the village centre. However it is for the market to decide whether all of these venues can operate successfully. The role of planning in this respect, in this location, is to provide the policy framework within which developments can be assessed and the NPPF promotes a pro-growth agenda. That is not to say that due consideration is not to be given to the detailed aspects of design and impact on landscape/townscape features and these are explored in detail elsewhere within this report. However as a principle, the conversion of the mill and other buildings with associated new build structures for tourism and leisure uses does, I consider accord with the aims and objectives of the Framework in respect of supporting a prosperous rural economy as outlined in paragraph 28 of the NPPF.

Turning to the relocated cricket pitch, the NPPF considers the issue of promoting healthy communities and makes clear that existing facilities should not be built upon unless the loss would be replaced by equivalent or better provision. This matter is discussed in detail under a separate heading but the framework does allow for such eventualities subject to a set of criteria. I believe the proposal meets those criteria.

With regard to the economic role of sustainable development 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 proposed delivery of new housing of the right type, at the right time and in the right location is fundamental to economic growth. In assessing this aspect of the proposal it is important to have regard to the emerging spatial strategy of the Core Strategy. The CS was submitted to the Secretary of State for Examination in September 2012 with the formal Hearing Sessions of the Examination in Public (EiP) taking place in January 2014. Following those sessions it was considered that a series of Main Modifications be made for the purposes of soundness with those proposed Modifications published for a six week consultation period from 23 May to 7 July 2014 with a further 6 week consultation period ending on 5 September 2014. The Development Strategy put forward in Key Statement DS1 as proposed to be modified (Main Modification 21 & 25) seeks to direct the main focus of new house building to the Strategic Site and the Principal Settlements of Clitheroe, Longridge and Whalley and Tier 1 villages which are considered the more sustainable of the 32 defined settlements. Members of this Committee ratified those modifications (on 8th May 2014) and the policies set out in the Core Strategy (as proposed to be modified) therefore represent the Council's proposed policy position. It is considered that the plan is at an advanced stage in the plan making process and the policies within the CS must therefore be afforded significant weight in the decision making process having regard to the guidance in paragraph 216 of the NPPF that concern itself with the weight to be given to relevant policies in emerging plans.

Paragraph 47 of the NPPF requires Local Planning Authorities (LPAs) 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 LPAs 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.

The policies of the emerging CS relevant to this application identify a Development Strategy to bring forward 5,600 dwellings over the plan period and as stated sets out that development should be directed to a strategic site in Clitheroe, to the 3 Principal Settlements of the Borough (Clitheroe, Longridge and Whalley) and then a smaller scale of growth within Tier 1 settlements. In Tier 2 settlements only housing that is intended to meet proven local needs or deliver regeneration benefits will be allowed as these are considered to be the least sustainable of the 32 defined settlements in the Borough. Chipping is defined as a Tier 2 village settlement in the Core Strategy as proposed to be modified with the sites for residential development falling outside of the defined settlement boundary.

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 30 June 2014. This indicates a position of a 5.10 year supply, employing the Sedgefield approach. 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.

Therefore, when assessing the housing aspects of the proposal against the Core Strategy policies at this stage, a central issue for consideration is whether the proposals would cause harm to the Development Strategy. Main modifications 21 and 25 of the Core Strategy Proposed Main Modifications (May 2014) outline the proposed modifications to Key Statement DS1: Development Strategy. This policy states that *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 principal settlements of Clitheroe, Longridge and Whalley and in addition to this development will be focussed towards the Tier 1 villages which are the most sustainable of the 32 defined settlements.* Main Modification 54 of the Core Strategy Proposed Main Modifications (May 2014) outlines the proposed modifications to Policy DMG2: Strategic Considerations. This policy states that *development should be in accordance with the Core Strategy Development Strategy and should support the spatial vision. Development in the principal settlements of Clitheroe, Longridge and Whalley and the more sustainable defined settlements (Tier 1 Villages) 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.* As this proposal seeks consent for 60 dwellings in total (spread across 2 sites) within the open countryside outside of the defined settlement it is not compliant with either Key Statement DS1 or Policy DMG2 of the Core Strategy. However, regard needs to be had to the fact that this is not just a scheme for housing but that the housing is a component part of a much wider development proposal that will bring forward a mix of land uses and thus there is also a regeneration argument that needs to be fully explored.

The Council's Head of Regeneration and Housing has been consulted on this proposal and has provided the following observations.

As a principle the scheme is supported. The commercial proposals will reuse a vacant brownfield site bringing it back into use creating employment opportunities and business growth that can support the local economy through employment and supply chains across a key economic sector for the borough and Lancashire. The proposal supports the borough's tourism offer and meets the key activity of supporting regeneration activities in smaller settlements across the borough and key growth sectors of sport and leisure and food and drink.

The development will (subject to details) help protect an important heritage asset bringing it back to life to the long term benefit of the local area and the Council's conservation aspirations. The mixed nature of the scheme provides a diversity of facilities and whilst I maintain my previously expressed view that I would prefer to see some elements of commercial B1 space included as part of the mix, I am satisfied that the proposal supports the economic and regeneration priorities of the borough.

New and enhanced sports facilities are included for the village which I view as a benefit. The scheme includes new residential development to support overall viability and delivery of the scheme and this does need to be carefully considered. Separate comments have been provided by myself and my team in relation to the affordable housing aspects however the delivery of housing is a government priority to support economic growth and where there is an opportunity to deliver appropriate affordable housing this has to be considered within the overall balance.

Members attention is brought to the NPPF at Section 12 Conserving and Enhancing this Historic Environment, Paragraph 140 which contains the following text *“Local Planning Authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies”*. Reference will be made to dialogue that has taken place with the District Valuer (DV) later within this report in relation to affordable housing and how the overall costings of the scheme influence that provision. However the supporting planning statement to the application makes the case that *“without the residential element of the proposal, none of the development will be possible – the monies are needed to fund the work to the mill, and therefore the viability report which considers the mill costs, and that of the wider site is of significance regardless. This is a holistic application, which although containing different elements, are all intrinsically linked”*.

The Viability Report is confidential but the case is advanced by the Applicant that the residential element of the overall proposal falls short of directly covering the costs of the works needed to be undertaken on the Grade II listed mill and will not cover ongoing costs that will need to be covered separately by the ongoing operation of the leisure use. It is claimed to be the minimum amount of residential possible to ensure the restoration and preparation of the mill for its new use.

NPPF recognises that residential development can play an important role in ensuring the vitality of existing centres. 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 enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings. Taken in isolation the residential units do not accord with the emerging spatial vision but they are inextricably linked with the delivery of the wider scheme that seeks to re-use brownfield land and buildings to return employment opportunities to the village and promote it as a tourism/leisure destination – all of which in principle accord with the policies of the emerging CS. This is something to be weighed in the planning balance later within this report once other considerations have been explored in terms of their compliance with plan policy and Development Management considerations.

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.

Affordable Housing

In considering the affordable housing element of the proposal, it is important to have regard to Policies H20 and H21 of the DWLP and Key Statement H3 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. Key Statement H3 carries affordable housing requirements forward into the plan period 2008-2028 with thresholds for the provision of affordable housing (it is noted however that these thresholds should not override the settlement strategy policies of the Core Strategy when establishing the appropriateness of development sites 'in principle' outside settlement boundaries) and the inclusion of the need to provide for housing for older people (15% of the units to be sought on sites of 10 or more split 50/50 between market and a affordable provision). The residential aspect of the scheme is made in outline for up to 60 dwellings. A draft Section 106 Agreement was submitted outlining that 20% of these units would be affordable, with a tenure split offered of affordable rent and shared ownership Key Statement H3 contains the following statement in respect of offers of affordable housing that do not meet the required threshold of 30%.

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.

The submitted viability appraisal has been assessed by the District Valuer in order to establish whether the reduced level of affordable provision is essential in order to maximise the receipt the land will provide and therefore enable the remainder of the development to come forward. Whilst the content of that report and the responses of the District Valuer are exempt information and not publicly available, it is fair to say that the initial evaluation did show a difference of opinion and that further dialogue between the applicant and District Valuer took place in late August.

It is also worth noting that the initial offer of 20% affordable provision was discussed by the Council's Strategic Housing Working Group in June 2014. They were aware of the need for an audit of the reduced offer and acknowledged that it would only be upon receipt of the audit that they would be able to comment on the acceptability of the reduced offer. In respect of the type of housing to be offered the details in the submission implied three bed detached mews houses and this would not meet identified needs in the village. The conclusion reached being that the type of housing required is housing for older people with the preferred house type being bungalows built to lifetime homes standards. In respect of the tenure type, the preference expressed was a mix of rental and discounted sale for households with a local connection. This provision would however need to be judged against the viability appraisal.

The result of the ongoing dialogue between the applicant and District Valuer is that the scheme was revised in respect of the affordable offer and a conclusion reached that the scheme could offer 25% of the 56 unit site for affordable provision with 15% of this ring fenced for the over 55's and built to Lifetime Home Standards. In terms of property sizes the applicant has stated that they provide a 70/30% split on 2 and 3 beds. The issue that required further consideration by the SHWG was the revised tenure mix as this detailed a split between rental and discounted sale but with the latter being a 25% discount from market values in order that the land value

created from the residential scheme could afford to fund the deficit on the commercial scheme. Members may be aware that a 40% discount from open market values is the norm and the applicants advised that if the Council were to insist upon this the affordable offer would need to be revised by reducing the number of rental units by 2 or the discounted sale by 3 for the figures to balance out. In summary to achieve a 25% provision of affordable housing some of the units provided would not in actuality prove genuinely affordable to local people and thus should a reduced offer that would result in affordable properties be accepted by the SHWG. The conclusion reached by the Working Group is that the standard discount of 40% from open market value should be applied and this is in the knowledge that applying the greater discount means the percentage of affordable provision will drop to 20%.

Highway Safety/Accessibility

In considering this aspect of the scheme regard should be had to Policies G1 and T1 of the DWLP, Key Statement DMI2 and Policies DMG1 and DMG3 of the emerging Core Strategy. In essence these seek to ensure that development should be located to 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 DWLP 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 a 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 key motive impacts of development are severe.

Paragraph 34 of the 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.* Paragraph 29 of the framework notes that: *opportunities to maximise sustainable transport solutions will vary from urban to 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.

The initial observations of the Highway Officer at LCC did raise a series of questions at some of the elements of the proposal as outlined earlier within this report. Since that time there has been an ongoing dialogue between respective highway professionals to resolve the outstanding matters. A response dated 21 October confirms that the scheme is acceptable in principle subject to the imposition of a series of conditions on any consent granted.

The proposal now details a pedestrian link from the residential development site (on the former cricket ground) into the Kirkfield/Kirklands estate and a footway from the trail head car park access linking to the recently completed housing on Church Raikie to improve pedestrian links into the village centre. In terms of the new cricket ground entrance an amended plan has been submitted that denotes treatment of the junction with Longridge Road in terms of give way markers on the road and an extension of the 30mph zone beyond the proposed access.

Comments were also raised about sightlines but the submitted plans do denote these and similarly provide details on gradients for the respective access points. More detailed plans have also been provided to show the layout of the car park.

Therefore notwithstanding the concerns raised by residents regarding matters of highway safety there is no substantive objection to the application from LCC in their capacity as Local Highway Authority that cannot be addressed by the imposition of conditions.

Public Open Space

Policy RT8 of the DWLP DMB4 of the emerging Core Strategy require that residential sites over 1 hectare provide adequate and usable public open space. The saved Policy RT8 is broadly in accordance 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 information 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.

This is a mixed use development spread across various parcels of land and when taken as a whole does create areas of public open space on land previously not open to the public such as the former factory site. There is to be an area created in the main development site that would lend itself to a variety of purposes with the applicants outlining a venue for a farmers market as a possible use. The scheme would also provide new leisure facilities through the provision of the hotel/spa and at this stage it is not known whether these would be for the exclusive use of guests at the hotel accommodation, but the implication from the applicants agent is that they should be considered as providing enhanced local facilities. The kids club has outdoor play space for persons utilising that facility and I am also mindful of the provision of the trail head centre. The latter is, I would argue, more of a facility for use by visitors to the area as supposed to specific provision for local residents but it does comply with the tenor of Policy DMB4 of the emerging Core Strategy, which seeks to encourage walking and cycling opportunities.

Turning to the cricket ground and provision of new and enhanced facilities, Members' attention is drawn to the second paragraph of Policy DMB4, which talks about the loss of existing public open space and that consent may be granted where replacement facilities are provided which are readily accessible and convenient to users of the former open space areas. It has already been explained that the existing cricket pitch is to accommodate the residential aspect of these proposals and thus replacement provision is provided at the other end of the village. The plans detail a new pavilion and whilst Sport England have raised issues associated with the quality of that facility, I am of the opinion that its scale and design should be proportionate to the anticipated use of the cricket pitch. I have been informed by the applicants that the design was finalised having regard to the requirements outlined by those who would use the facility and thus notwithstanding the observations received from Sport England I consider the proposals do in fact represent an enhancement to the existing provision. It is also important to have regard to

the timing of the provision of the new pitch and the submitted draft Section 106 Agreement does provide triggers for this to ensure that there will be no loss to the village and that the new pitch would be provided prior to any works commencing on the existing site. I am mindful of the status of the existing cricket pitch site as an asset of community value and the implications of that are detailed elsewhere within this report.

Turning to the site layout of the residential areas, this is for illustrative purposes at this stage. The applicants have confirmed that the public open space associated with these areas will be defined as part of the detailed design considerations at reserved matters stage. I am also mindful that the Council is currently in the process of undertaking an assessment of need in respect of the open space and sports facilities in the borough and that whilst currently in draft form the assessment is at an advanced stage of production. Once finalised that document will be presented to Community Committee and Planning and Development Committee and as Members will recall schemes were brought before this Committee in October 2014 for major residential development which made specific reference to this assessment with financial contributions towards off-site improvements of existing facilities sought on those three applications. In respect of this proposal the improvements identified would secure the following:

- Swimming Pool modernisation
- Grass Football pitch improvements
- Artificial Pitch
- Sports Hall Facility
- Fitness Gym/ Studio

The contribution towards improvement of facilities which would include the swimming pool would be in the region of £815,969 (£918 per dwelling) to mitigate the impact of the development on sport and recreation facilities. However, as Members will be able to see from the content of this report, viability is a key consideration and the impact of requiring this contribution to be paid on the scheme's ability to deliver affordable provision must be borne in mind. This is a scheme of component parts and all of these are inextricably linked. The submitted viability appraisal that has been scrutinised by the District Valuer does not make any provisions for improvements of off-site facilities and as it stands the project economics provide a reduction on the affordable contribution from that normally required. If we were to impose this additional cost on the scheme the outcome would undoubtedly be a further reduction on affordable units well below acceptable thresholds and thus a balanced judgement needs to be taken if we are to consider the residential element as an enabler to secure the future conservation of the listed mill building. For this reason I am of the opinion that a request for the sum outlined would be unreasonable given the specifics of this particular project as to do so would fundamentally undermine the project costings to such an extent that there would be minimal affordable contribution secured, which would clearly be contrary to both adopted and emerging planning policies on this matter.

Therefore subject to the details of the layout of the on site areas being submitted at the appropriate time, and agreement regarding the timing of the new pitch and associated facilities, I am of the opinion that in principle the approach taken to the provision of public open space across the development sites is in this instance adequate and thus requirements of Policies RT8 and DMB4 have been met. The development will also promote the principles of a healthy community and the interests of the wellbeing of existing and future residents in accordance with paragraphs 69 and 73 of the NPPF relating to the promotion of healthy communities.

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 asset's 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, Kirk Mill and its associated mill ponds, retaining walls, outflow and stone build leat (an eighteenth century textile mill that was converted in the mid nineteenth century as a chair works) is a Grade II Listed Building (listed 13 May 2011). The Mill forms the focus of the Kirk Mill Conservation Area which was designated in 2010 and encompasses the mill pond, the mill, the properties of Grove Square to the east of the mill, Malt Kiln House and part of the old factory site. The area was extended in 2011 in a northerly direction beyond the mill pond. It should also be noted that Kirk House which lies to the immediate north west of Kirk Mills is a Grade II Listed Building Grove House and 1-5 The Grove are subject to Article 4 D directions and that the centre of the village is covered by a separate Conservation Area designation.

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.

The list entry for Kirk Mill gives the following reasons for its designation:

- **Rarity:** it is a rare surviving example in the north-west of an Arkwright-type cotton spinning mill that exhibits two phases of C18 development
- **Intactness:** it retains its contemporary water management system comprising the mill pond's retaining walls, outflow and leat
- **Survival of original and early features:** it retains many windows and doors, the wheelpit and the waterwheel and its driving gears, together with evidence of how associated drive shafts and belts powered the early machinery
- **Historical:** Kirk Mill was built in 1785. it is one of the oldest surviving cotton spinning mills in the north-west and thus represents one of the earliest examples of a textile factory that soon became a crucial component of the Industrial Revolution.
- **Layout:** the mill's development over its two hundred year history remains clearly legible.

Turning in the first instance to the archaeological interests of the site, Policy ENV14 of the DWLP concerns itself with areas considered to be of high archaeological potential and Key Statement EN5 and Policy DME4 of the emerging Core Strategy carry these principles forward. ENV14 is considered to be NPPF compliant. Regard should also be had to paragraph 141 of the NPPF 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 Building Investigation and Heritage Assessment and the archaeological unit at LCC have been consulted on this application. They have not raised an objection to the development but suggest an appropriately worded condition to secure a programme of works prior to the commencement of development. Consultation has also taken place with The Council for British Archaeology who comment that machinery or equipment in the building should at least be recorded to an appropriate level and I am of the

opinion that the condition requested by LCC would secure this. Having regard to the comments of statutory advisors 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. In respect of the proposed physical alterations to the buildings and the impact of such works are examined below.

Full details of development proposals are set out in the plans and technical report submitted in support of the application but in summary the works to the Grade II mill involve alterations to the exterior of the building comprising the addition of a lift tower and single storey orangery on the southern elevation, the dismantling and reconstruction of the south wing and repair of window frames as necessary. The 20th century dust extraction tower and single storey sheds at the western end of the building are proposed to be removed with the aforementioned new additions constructed primarily in glass. In terms of internal works, fixtures and fittings associated with the use of the building as a chair works are proposed to be removed along with rows of inserted cast iron columns (wherever possible original columns are to be retained). Historic beams are proposed to be retained in situ together with the water wheel, whilst there will be partitioning of open plan floor layouts and replacing of floor surfacing.

In terms of making an assessment of the impact of the physical works to Kirk Mill and impact which they will have on its significance it is necessary in the first instance to have regard to the Heritage Impact Assessment submitted in support of this application and the conclusions made therein on the significance of the various elements of the mill building. That report identifies that some of the works are on an elevation of high significance (south facing) namely the demolition of the dust tower which is considered as a negative feature at the moment and thus its removal would enhance the elevation. Repairs to historic windows would maintain and enhance the significance of the elevations and thus can be argued to provide a benefit to the historic structure. Internal works are recognised as having a medium/high impact in terms of the loss of historic fittings and open plan layout with the installation of new steel columns recognised as being an intrusive installation into historic fabric. The report suggests mitigation measures for these losses. The key works to the fabric from a street scene perspective are the dismantling and rebuilding of the south wing in traditional materials as opposed to the present brick and the erection of a lift tower and single storey orangery against the front of the mill. The impact of these two is that they would obscure views of the main historic elevation and whilst they are of predominantly glass construction enabling some views of the historic fabric, this does impinge on how this elevation is viewed.

Regard should be had to saved Policies ENV19 and ENV20 of the DWLP and Key Statement EN5 and Policy DME4 of the Core Strategy Submission Version as proposed to be modified. Essentially these promote the presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings by recognising that the best way of ensuring the long term protection of heritage assets is to ensure a viable use that optimises opportunities for sustaining and enhancing its significance.

Chapter 12 of the NPPF is specific to conserving and enhancing the historic environment with the following paragraphs key to the determination of this application:

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... (para 128)

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. (para 129)

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. (para 131)*

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... (para 132)

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. (para 133)*

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. (para 134)

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution or to better reveal the significance of the asset should be treated favourably. (para 137)

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. (para 141)

The Council's Design and Conservation Officer has been consulted on these proposals and in comments dated 1 May 2014, he identified concerns as follows:

The proposals will result in substantial harm (as relate to principal reasons for designation) to the character and setting of Kirk Mill and the character and appearance of Kirk Mill Conservation Area. The proposals result in less than substantial harm to the character and appearance of Chipping Conservation Area (coalescence) and the setting of Kirk House (historic and spatial relationship to the industrial hamlet). NPPF paragraph 133 suggests that permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits. NPPF paragraph 134 requires less than substantial harm to be balanced against public benefits, including the securing of optimum viable use. The Lyveden New Bield and Pond Farm decisions provide further confirmation of the weighting to be given to the conservation and preservation of designated heritage assets in the 'planning balance' and the consideration of RVBC's Planning (Listed Buildings and Conservation Areas) Act 1990 duties. Mindful of the NPPF and particularly paragraph 7 and 8, I do not consider the proposals to be 'sustainable development'.

Members are reminded that these are the views of one officer and these need to be considered alongside the responses received from statutory consultees having regard to the wider regeneration aspects of the proposal in line with paragraph 140 of the Framework. Indeed Members will note from the response of English Heritage to the application that concerns are expressed regarding certain aspects of the design of works to the mill. The County Archaeologist was aware of these observations when submitting his comments on the application and The Council for British Archaeology express similar reservations in their response. The Society for the Protection of Ancient Buildings have expressed views about the waterwheel and need to preserve its remains. Reference has been made to the alterations to the frontage of the building in respect of the glazed orangery and three storey glazed circulation space and these will change the immediate impressions of the building. However the use of glazing to mitigate their impact would allow the original fabric to be viewed. I acknowledged that English Heritage have raised concerns over these elements and that these concerns are supported by some of our other consultees but ultimately it is for the LPA to make a balanced judgement as to whether these additions prove so detrimental to warrant an unfavourable recommendation. It is accepted that whilst some of the works to the mill such as the removal of the 20th century dust extraction tower will enhance the significance of the building but there are some elements of the works that can be seen to cause a degree of harm by blurring the capacity to immediately assimilate the historic phases of development of the building. Guidance contained within the Framework advises on considerations of substantial/less than substantial harm and I come to a discussion on these in due course. I am also mindful of the statutory duty to have special regard to the desirability of preserving the building and any features of special architectural or historic interest which it possesses. This is an important consideration when coming to an overall conclusion on the acceptability of these proposals when weighing this factor in the planning balance with other material considerations that have not been given special statutory status and is a matter to be returned to later within this report.

In terms of the relationship of the works with the Listed Building adjacent to the mill and how the works on the former factory site, that are part within and part outwith the Kirk Mill Conservation Area, and can be judged to be within the setting of the listed buildings regard should be had to the following:

- (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 fact that a view of an asset 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. The application was initially submitted with a Heritage Assessment and following the comments of the Council's Design and Conservation Officer and Urban Design Officer a Heritage Setting Assessment for Kirk Mill was submitted on 24 July as an addendum to the initial report. 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.

Policy ENV19 of the DWLP 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.

Regard should also be had to the Conservation Area setting of the Mill and part of the former factory site and policies ENV16, ENV17 and ENV19 of the DWLP and Key Statement EN5 and Policy DME4 of the Core Strategy Submission Version as proposed to be modified are applicable.

It has already been identified that there are substantial works to be undertaken on the former factory site that is partly covered by the Conservation Area designation and all of which, due to local topography, could be argued to form the setting of the listed Kirk Mill. In terms of the detail design discussion of those buildings that is included within a separate section to this report, but it is important to mention the concern of English Heritage in this respect within this section. The proposed spa/hotel building does have a steep pitch to it and it will occupy a prominent roadside position. However, I am mindful that the overall site is covered with substantial buildings that in

my opinion do little to preserve or enhance the Conservation Area. There is a stone barn that is to be retained and converted and I believe securing a beneficial use for that building would not prove harmful to the Conservation Area. Returning to the spa building, comments have been made by English Heritage that the Local Planning Authority should ensure that the proposed roofscape will sustain and enhance the character and appearance of the Conservation Area. Present buildings in situ are (except for the stone barn) of more modern design for their intended purpose, ie manufacturing, and after giving careful consideration to the design put forward, I am of the opinion that a more modern design should not be disregarded out of hand for the new build elements of the proposal. The NPPF sets out the need for good design whilst not preventing or discouraging appropriate innovation. The works on the former factory site will undoubtedly have an impact on the character and appearance of the Conservation Area, its setting and in turn to the setting of the mill itself, but the overriding consideration is any harm that is created and whether the proposals serve to preserve and enhance (the statutory test referred to previously).

It is important to refer to the four self-build units proposed which are applied for in outline and whose built form would abut the extended boundary to the Kirk Mill Conservation Area. This aspect of the overall scheme has been the subject of discussions with the applicants in terms of its necessity from a viability perspective to bring forward not only the beneficial reuse of the mill and works to the factory site within the Conservation Area but in terms of the delivery of affordable housing. As mentioned throughout this report the viability appraisal and supporting documentation outline that all component parts of this proposal are inextricably linked. English Heritage have commented that these units represent a very small proportion of the total development and whilst this may be the case in terms of floor space that does not necessarily translate into the financial elements of the scheme. The viability information is not in the public domain and thus English Heritage would not be aware of this but their concerns over the new build elements adjacent to the Conservation Area and potential impact on matters of setting of heritage assets has been given due consideration. The applicants have provided a design code to set broad design parameters for this aspect to give some clarity as to the final built form. The maximum height and a palette of materials are put forward and these broadly accord with the development in the local area. Whilst the detailed design of properties will still be subject of subsequent reserved matters applications, these would need to accord with the general guidelines approved here. I am mindful of the purposes of the designation of the conservation area and its subsequent later extension and do not consider that these dwellings would significantly affect that or other heritage assets within the valley bottom to the east/northeast.

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.

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

fundamental consideration in this respect therefore is whether these proposals are considered to represent substantial harm or less than substantial harm to the identified heritage assets.

It is clear from the observations of the Council's Design and Conservation Officer that in his opinion substantial harm is apparent to the character and setting of Kirk Mill and the character and setting of the Kirk Mill Conservation Area. However, it is interesting to note that none of the civic amenity bodies consulted on this proposal use that language. They do state that the proposals as submitted would harm the significance of the Grade II listed asset but are generally supportive of the reuse of the building and enhancements to the Conservation Area that would be brought about as a result of this scheme.

In making an assessment as to whether substantial harm would be caused, I am mindful of the reasons for designation of Kirk Mill and its associated features in terms of rarity, intactness, survival of original and early features, historical and layout aspects. Having regard to the various responses received to the application from civic amenity bodies and from studying all of the submitted documentation, the proposals would not, I consider, lead to substantial harm to Kirk Mill when having regard to these factors. Yes, there will be a change to the appearance and function of the building but this does not necessarily mean that the scheme should be resisted. The glossary to the framework defines conservation (full heritage policy) as *the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance*. As English Heritage recognise the proposals have the potential to resolve a fundamental regeneration challenge within Kirk Mill Conservation Area and taking the scheme as a whole, I conclude that the harm to the designated assets is less than substantial.

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 duties under Sections 66(1) and 72(1) of the 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.

Nature Conservation/Ecology/Biodiversity/Trees

In assessing this aspect of the proposal regard should be had to Policies within the DWLP, emerging Core Strategy and NPPF. Policies ENV7 and ENV13 of the DWLP 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 Strategy. In respect of the environmental role of NPPF, specific guidance is offered on conserving and enhancing the natural environment and paragraph 109 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 in para 113 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 118 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 the site(s) fall within the AONB which is a designated site in NPPF terms due to its landscape importance and that parts of the site fall within the Kirk Mill Conservation Area which affords protection to the trees within it. There are County Biological Heritage sites to the immediate north of the Malt Kiln Brow housing site (4 self-build units) and to the northeast of the mill pond with Bowland Fells SSSI (a SPA – Special Protection Area for birds) set approximately 1940m to the north/northwest of the site(s).

This proposal in part comprises greenfield site(s) and as part of the application an Arboricultural Survey report has been submitted. A total of 89 items of vegetation (64 individual trees and 25 groups of trees) were surveyed. These are categorised as retention categories A-C with 7 trees and 2 groups identified as retention category U requiring removal for arboricultural reasons regardless of ongoing site development. Species surveyed include Sycamore, Elm, Ash, Hawthorn hedge, Oak, Holly, Apple, Beech, Field Maple, Silver Birch, Cherry, Lombardy Poplar, Hawthorn, Hazel, Rowan, Goat Willow, Norway Maple, Norway Spruce, Yew, Horse Chestnut, Scotts Pine, Lime, Aspen, Copper Beech, Elder and Alder.

The Council's Countryside Officer has commented that the tree survey has identified what he considers to be a number of veteran trees which are given additional protection under the NPPF and as such they should be retained wherever possible. Most of the trees listed are earmarked for retention whilst a small number are indicated for removal (1 on the residential plot and 2 on the proposed cricket field site). Whilst the loss of any tree is regrettable for both visual amenity and ecological impacts the tree survey gives clear reasons for removal where necessary due to issues such as decay which had led to the trees becoming structurally unsound. Mitigation for such losses could be secured via an appropriately worded planning condition regarding replacement tree planting. It will be important that reserved matters applications for the residential phase 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. 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.

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, 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 badger, water vole or otter and habitats present on site are considered to offer suitable foraging and nesting opportunities for a range of birds. The surveys identified trees with features suitable to support roosting bats and buildings present on site as minor/small daytime roosts for Pipistrelle and Myotis bats – buildings are to be retained and renovated as part of the proposals.

Natural England have commented that it is for the LPA to assess the proposal having regard to their Standing Advice on protected species. The Ecology Unit at LCC did raise several concerns in respect of the ecological information initially provided and supplementary information was provided by the applicants on 22 July. Further to that LCC only raised 2 concerns that must be addressed before the application is determined – namely information on bats in the bridge to be affected and there is a concern regarding whether the assessment of likely impacts on amphibians (Great Crested Newts) is adequate. Additional correspondence from the applicant has been exchanged with LCC but there remain issues that they consider need to be addressed before the application is determined – the bridge is considered to have moderate potential for bat species with further surveys (dusk emergence/dawn re-entering surveys) stated as necessary and in terms of GCN a pond within 250m of the existing cricket pitch should be investigated with information also required regarding the likely impacts of development on the Common Toad.

It is important to bring to Members' attention a duty of the Local Planning Authority under the Habitats Directive to have regard to the requirements of the Habitats Regulations in respect of determining the application given that there is a need for a Natural England Licence due to the presence of bats within some of the buildings and the potential in the bridge. The licensing tests given in the aforementioned Regulations therefore need to be given consideration. In summary these are:

1. The development is required for the purpose of
 - preserving public health or public safety,
 - for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
 - for preventing serious damage to property.
2. There is no satisfactory alternative
3. The proposal will not be detrimental to the maintenance of the population of the species at a favourable conservation status.

The proposed development is likely to affect bats with roosts in 2 buildings. Thus consideration has been given to the three tests above and the following conclusions drawn. Firstly, in respect of overriding public interest the proposal is a holistic approach to a development scheme of numerous parts that taken as a whole will bring back into use a derelict listed building that would otherwise be left vacant along with the treatment of a range of substantial buildings on the former factory site within the Conservation Area that do little to enhance its appearance. Thus there are considered to be overriding public interest issues and beneficial consequences to the borough by the restoration/renovation of the Grade II listed mill and enhancements to the Conservation Area with resultant provision of employment opportunities for the village that were lost with the closure of the chairworks. 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 these buildings would eventually lead to the dilapidation and loss of the buildings and their bat roosts. Finally, in terms of the favourable maintenance of the conservation status of the species a mitigation strategy has been devised and compensation for bat roosts 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 in respect of works to the buildings on the site(s). Having regard to the potential for roosts within the bridge and matters associated with amphibians further clarification has been sought from the Council's Countryside Officer on the approach to take and there has also been dialogue with the applicants ecological advisers. Given the duties under the Habitat Directive the LPA needs to be certain of the presence of otherwise of bats prior to final determination of this scheme. The Council's Countryside Officer is of the opinion that in this particular instance, the findings submitted are such that conditions are appropriate and that there is no reason to withhold consent on these grounds.

Mitigation measures are recommended within the Ecological Impact Assessment and LCC Ecology have provided detailed comments on how measures 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 as the component parts of this scheme come forward 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 on the basis of the information available at the time of drafting considered to be significant and mitigation and compensation is feasible.

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 and that some of the site lies within a flood plain and is unsuitable for building without special measures, such as raising land levels, which may increase the risk of flooding further downstream.

United Utilities have been consulted on this application and conclude that subject to the imposition of conditions 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 primarily within flood zone 1 (defined as having a low probability of flooding) with parts of the site located in flood zone 3 (highest probability of flooding). 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 a package of measures will be implemented that include raising of finished floor levels of the new development, removal of obsolete bridges along Chipping Brook and ground raising on some of the development parcels. 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 flood risk assessment 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 the natural environment by protecting and enhancing valued landscapes.

Valued landscapes are not defined in the NPPF and paragraph 113 of the Framework advises LPAs to set criteria based policies against which proposals for any development on or affecting protected landscape areas will be judged. The application site(s) do however fall within a designated landscape with the National Planning Policy Framework stating (within sections 115 – 119) 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 conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- *the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
- *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated*

The area of the application site(s) is characterised as undulating lowland farmland with parkland, lying outside any defined settlement boundary and thus in landscape terms Policy ENV1 of the DWLP, Key Statement EN2 and Policy DME2 of the emerging Core Strategy apply. In essence these seek to ensure that the development proposals will contribute to the

conservation of the natural beauty of the area and not undermine the inherent quality of the landscape.

The application has been submitted with a Landscape and Visual Assessment (LVIA). Additional information was submitted to supplement this by way of a series of photo montages of representative wire line drawing views from a selection of the viewpoint locations. The LVIA has been carried out following recognised guidance and in accordance with 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.

The LVIA provides an assessment on landscape condition, value and sensitivity and concludes that during the construction phase there will be a period of short term locally adverse effects but that these will be confined to short distance views. At year 15 once new planting has established, overall importance of visual effects are considered to be generally of minor beneficial rising to major beneficial importance with the development associated with Kirk Mill and the modern factory site redevelopment. They consider the effect on the wider landscape character of the AONB to be negligible as the development in their words *'is generally visually contained and restricted to the edge of the existing settlement'*.

Members will note that consultation has taken place with both Natural England and the AONB Officer at LCC regarding the potential landscape impact of this proposal given the site(s) fall within a designated landscape (AONB). Both raised concerns regarding the submitted LVIA and Natural England stated it more appropriate in this instance to seek the views of the Forest of Bowland AONB Partnership because of their knowledge of the location and wider landscape setting of the development. Since initial submission additional information has been received from the applicant in relation to the views expressed by the AONB Officer quoted earlier within this report. Therefore, whilst some of the concerns raised have been satisfactorily addressed, there are some key issues remaining as far as the AONB Officer is concerned that relate to the following:

- Additional photomontages showing fully rendered visualisations of the proposed development (accepting that the layout and design of the housing is not finalised) to compare with the photomontages of the existing viewpoints.
- Additional information (including detailed landscaping plans) to justify the conclusions that the landscaping of the development will be able to reduce the landscape and visual impacts for:
 - Former cricket field residential development from in 'medium adverse' to 'minor adverse'
 - Malt kiln house field residential development from 'medium adverse' to 'minor adverse'

In respect of the first point, the application does provide some photomontage information of the development and I am satisfied that sufficient information is provided in order that the potential impacts of the full aspects of the proposal can be evaluated in terms of impact on the AONB. Comments are made about the need for additional photomontages of the residential aspects but those are applied for in outline. From experience at a number of Public Inquiries when such issues have been raised, there are various ways to illustrate such proposals by block shading or wire line drawings and I do not consider that neither satisfactorily address this issue or result in a true visual representation in order to assess visual impact. From studying the submitted information and from walking around the area, whilst acknowledging the outline aspects will have a visual impact I do not consider them sufficiently harmful to warrant a refusal on that ground. The request for detailed landscape plans for the residential site is not appropriate given the nature of the application in relation to them and the description states the maximum number

of dwellings ie 56 and 4 units on each parcel – the reserved matters submission may result in less dwellings and irrespective of this, further consideration will be given to landscaping at that time.

Committee should remember that even though this is a major development in a designated area, the AONB Officer clearly states in his initial response to the application that *many of the key design elements ... for the Kirk Mill site namely removal of inappropriate built features, building scale, massing, layout, vernacular style and overall character are, in principle, sound and appropriate for the area's landscape character.*

Moving on from comments in relation to the overarching landscape impact to more detailed specific considerations of the scheme, as stated previously this is a hybrid application with all matters applied for in full in respect of the hotel/leisure and cricket club aspects of the proposal with all matters except for access reserved for future submission on the residential parcel(s).

There has already been some commentary provided on the design of the works to the mill building in order to convert it to hotel accommodation. The orangery at ground floor on the front elevation is primarily sandstone with the circulation core above being glazed. It cannot be denied that these will be prominent features on this elevation but the mill has undergone numerous transition periods (as the information submitted as part of this application demonstrates) with a design put forward to clearly differentiate between the existing and modern addition. Whilst matters of design by their very nature are subjective assessments, I do not consider that these work nor the restaurant or other external works to this building would so significantly affect the visual amenities of the area to warrant a recommendation of refusal. I am mindful that the glazed circulation core may raise issues associated with light spillage/pollution and give a greater level of visual dominance during nocturnal hours but consider that a suitably worded condition regarding lighting can be imposed on any consent granted to minimise this impact.

Turning to the manufacturing site, reference has been made elsewhere within this report to the retention of the existing stone barn with an extension provided. There is a considerable amount of demolition on the manufacturing site of existing buildings and some of these are attached to the barn in question. Works to the actual barn in terms of conversion do proposed the insertion of a number of new window openings and I am mindful of the advice in Policy RT3 which comments that *“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”*. The supporting text to that Policy notes that the *“value of such buildings can be damaged if a conversion leads to an appearance of the urbanisation in an otherwise wholly rural view”*. In this particular instance whilst mindful of the new openings to be formed and the design guidance of Policy H17 I consider it important to have regard to the nature of this site. The barn is a small part of a larger manufacturing site and is not therefore a typical rural view. The works of conversion are I consider sympathetic to the conservation area setting and the overall design approach being adopted to the regeneration of this site. The new build accommodation would be clear as a later addition having a lower profile (albeit still two storeys) and simple fenestration detailing is shown with sandstone to the south west facing elevation (render to rear) with timber windows under a slate roof. Thus I do not consider this element would compromise the visual qualities of the AONB or harm the Conservation Area or setting to heritage assets.

The proposed hotel/spa building has brought forward comments in relation to its visual impact and whether it would be unduly prominent and uncharacteristic in this location. It is important to remember that the existing manufacturing buildings on site are of sizeable form both in terms of

footprint and massing and that the photomontages proposed indicate the overall height of this element not dissimilar to buildings presently on site. The palette of materials to be used ties in with those already mentioned (stone, slate, timber windows and doors) except for the use of horizontal timber boarding to the gable ends of the spa building – the elevation running parallel to the road (which is set slightly higher) will be principally sandstone under a slate roof. It is acknowledged that the use of a mansard roof form on the spa building may to some appear to hint at a Scandinavian approach that is considered incongruous and alien in this setting. However, I remind Members that the NPPF seeks to promote good design and create development that is visually attractive. In particular paragraph 60 states:

“planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness”.

The applicants when questioned about the design rationale for this particular building have commented that *“the form of the building is a modern interpretation of the local vernacular”* being designed so as to conceal the necessary plant space in the second floor above the pool/changing at ground floor and gym at first floor. Again I am of the opinion that this building would not harm the area and would introduce a focal building (the spa element of the building) in place of the large tower currently in situ on site which is visible from distance.

Other buildings on the factory site proposed are a wedding venue, kids club, plant building and trail head centre. All have been designed specifically to cater for their intended uses and make use of stone, small sections of render, timber and slate. The plant and trail head buildings will be in the basin to the rear of the recently constructed dwellings on the road frontage and when considered in conjunction with the proposed car park actually reduce the overall extent of solid built form on this part of the overall site. The scale and massing of these buildings is such that they would not be over dominant in the wider landscape to the detriment of the visual amenities of the area. I consider they have been sensitively designed and whilst concerns were expressed by the AONB Officer regarding the car park, Members must remember that at present there are buildings on site in this location and their removal would prove visually beneficial to the area.

Turning to the relocated cricket pitch with its pavilion, works to form the pitch would not in themselves prove harmful to the visual characteristics of the AONB. A modest pavilion is proposed that given its overall dimensions and design, would not appear incongruous in the wider landscape. A small parking area is proposed beyond the pavilion extending in an easterly direction but tree planting along the southern boundary to enhance existing coverage will assist in assimilating this area into the wider landscape.

With regard to the residential aspects, these are applied for in outline. A parameters plan and information submitted in the Design and Access Statement indicate that development on the former cricket pitch will be a maximum height of 9m (2.5 storeys) as indeed will the four self-build plots. The parameters plan also denotes areas to be kept free of built form and a design code has been submitted to cover the self-build plots. This would guide future reserved matters applications on that particular site and in addition to specify maximum heights of building (no more than 9m above existing ground level) states roof pitches to be a minimum of 30°, a minimum of 3m separate between each unit to maintain views through the site, planting to be predominantly native deciduous species with a materials palette of predominantly locally matched stone for external walls, painted timber window frames, slate roofs and driveways to be blocked

paved. The Design Code also makes reference to garden boundary treatments (back gardens to have hedgerow and intermittent standard tree planting and dry stone walling or country/estate railings being more appropriate to front gardens) and other landscape considerations. This is sufficient to make an assessment of the potential visual impacts of these aspects of the development at this stage and conclude that the impacts are not such that would warrant an unfavourable recommendation.

Given that the change of use of Malt Kiln House from residential to use Class C1 does not involve any external alterations to the building. There are no discernible visual impacts associated with this aspect of the proposal to be discussed.

Therefore, to summarise I am of the opinion that whilst the proposed development will have an effect on the landscape my overriding conclusions 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 and thus no significant detriment to the visual qualities of the AONB.

Residential Amenity

In assessing this it is important to give consideration to the potential impacts of each of the respective land uses on the dwellings that surround the various sites.

In respect of the proposed residential development there are dwellings set approximately 75m to the northwest of the site boundary of the proposed four self-build units at a slightly higher level and approximately 55m – 75m to the north/northeast at the bottom of the valley close to the mill. Given the distances and topography I do not consider that there would be any significant adverse impacts on their current levels of amenity.

Turning to the site for up to 56 dwellings, there are existing properties to its south that form the estates of Kirklands and Kirkfield and a property known as The Fields to the southwest. Whilst the submission in respect of this is made in outline (save for access) and thus the exact positionings and proportions of the proposed dwellings are not fixed. Information is available in the Design and Access Statement to indicate that the scale across the site is anticipated to be two storeys comprising a range of housing types from individual dwellings to short lengths of terraced housing. As access is a matter applied for in detail at this time, it does fix circulation routes throughout the site thereby giving an indication of layout. I am of the opinion that on the basis of the information available at this time, there would be sufficient distance between existing and proposed built form to respect privacy levels but as Members are aware this will be a detailed matter to finalise as part of any reserved matters application. The topography of this particular site and its adjacent land and built-form would not lead to a development that has an overbearing or oppressive impact on existing residents. Having regard to the internal relationship of the development site, the illustrative master plan and design principles set out in the D&A indicate that the properties will be inward facing to the development with regard garden areas (that would face outwards to the surrounding countryside and existing housing estates) defined by traditional hedgerows and intermittent standard tree planting. It is worth remembering that this is an outline application for the residential aspects with matters of layout reserved for future submission. Whilst the details submitted set the broad parameters of development and general arrangements there will be scope for repositioning of the proposed dwellings to achieve greater separation distance from existing built form if considered necessary at a later detailed stage.

Next regard should be given to the conversion of the mill to a restaurant/bar on the ground floor and hotel on the upper floors, the conversion of the existing barn building to holiday cottages, erection of new buildings comprising a hotel/spa, wedding venue, kids club and trail head centre with car park. There are dwellings to the east, west and south of the mill and to the north and southwest of the former manufacturing site. Having regard to the works proposed I do not consider that there would be any significant detriment caused through overlooking or loss of privacy. The application has been submitted with an assessment and control of noise impact study that has assessed the potential noise impacts of the development. This has considered noise from car parking, breakout from the restaurant bar, spa and wedding venue (including external areas) as well as servicing activities and mechanical services noise. The conclusions reached and considered by colleagues in Environmental Health are that subject to the imposition of conditions regarding restricting delivery times and improving the sound insulation of trading areas, there would be no significant adverse effects on existing residential amenity by virtue of noise emanating from these parts of the development proposal. The final component part of this proposal is the relocated cricket pitch at the southeast of Brooklands. The pitches propose to run north/south with the modest pavilion along the site's southern boundary. In assessing the potential impact of this I am mindful that facilities provided are not a function room that could be used for purposes other than the stated use and that the pitch will be used during the cricket season which generally runs March to September. It is noted that Sport England have been consulted on this application and whilst they have raised issues regarding the quality of the pitch and the pavilion, they have not queried the positioning of the pitch in relation to surrounding built-form and the potential for over-sailing cricket balls. It is acknowledged that the re-siting of the pitch is likely to have some impact on existing residential amenity from the noise associated with its use but it is considered that the level would not be so significant as to result in an unduly detrimental impact.

Therefore having regard to all the various land parcels and suggested uses, it is considered that the impacts on the residential amenities of existing properties would not be so significant as to lead to an unfavourable recommendation.

Miscellaneous

Members will note that reference has been made by the Parish Council and objectors to the Chipping Village Local Plan and that the level of development proposed exceeds the limits set out in that document. It is important to set out the planning status of that document and the first point to make is that it dates from 2011 which is pre NPPF. The Village Plan is a statement of community intent and wishes for the future. It is not a Neighbourhood Plan which would be drawn up under the relevant legislation carrying the full statutory force. It was developed by Chipping and Bowland with Leagram Parish Councils to help shape how they would like to see the village look in a 10 year period. The document outlines how much housing they would like to see (a maximum of 50 properties), the wish for a minimum of 30 jobs in the village (to replace those lost by Chipping residents with the closure of HJ Berry Ltd) and that a prime site for job creation should be the former HJ Berry site. Whilst I have been mindful of the aspirations of that document in the determination of this application the weight that can be attached to it as a material planning consideration is, I consider, at best limited.

Section 106 Agreement

The purpose of planning obligations is to make acceptable development which would otherwise be unacceptable in planning terms and should only be sought where they meet all 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.

There are various component parts to the draft Legal Agreement which will provide for the following key aspects:

1. Affordable Housing

- i) 20% of the housing units to be affordable to be split between affordable rental unit and discounted sale (40% discount of open market value).
- ii) Triggers for the provision of the affordable units proportionate to the delivery of market dwellings including that no more than 90% of the market housing units shall be occupied until 100% of the affordable housing units have been constructed and made ready for residential occupation.

2. Replacement Cricket Pitch

- i) To provide, layout and equip a replacement cricket field of an equivalent or better standard than the facility formerly provided on the current cricket field.
- ii) To complete the works of provision and laying prior to commencement of development on the residential site(s).
- iii) Not to allow the replacement cricket facility to be uses as anything other than a community sports facility without the prior written approval of the Council.
- iv) To use reasonable endeavours to grant to the trustees of Chipping Cricket Club right on reasonable terms to use the replacement cricket club within 2 months of completion of the works. In the event the trustees refuse the accept the right offered by the owner within 2 months of completion of the works to offer use of the replacement cricket field on reasonable terms to other local teams' clubs and schools.

3. Timing of Works

- i) Not to begin the construction of the dwellings without first preparing a schedule of the works that will be required to make the mill wind and water tight and obtain the written approval of the Council to such schedule. Works to include reroofing the mill and refurbishment of the external envelope of the mill (apart from the windows) to safeguard the building's long term survival. This will include repointing the external brickwork of the mill and carrying out any repairs that may be required to the exterior of the mill save for that part of the exterior which has been identified and authorised for removal pursuant to the terms of the planning permission.
- ii) Not to occupy or permit occupation of any dwellings until:
 - the mill works have been completed in accordance with a schedule;

- the Kirk Mill complex works have been completed which are demolition of the factory, warehouse and office buildings at the Kirk Mill complex but leaving the stone barn in place.

4. Marketing Strategy

- i) Not to begin the construction of the dwellings without first preparing a marketing programme aimed at securing a leisure operator to run or purchase the mill and Kirk Mill complex and obtaining the written approval of the Council to such a programme.
- ii) To use reasonable endeavours to implement the programme approved as soon as reasonably possible thereafter.

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 14 of the Framework comes into play. I am mindful of the 2nd bullet that concerns itself with specific policies of the Framework which indicates development should be restricted but consider that whilst the site(s) are within the AONB and designated heritage assets are a concern the proposals have been put forward in such a manner that this part of the NPPF is not engaged.

It is important to consider the potential harms and benefits associated with and potentially resultant from the proposal should planning consent be granted. From an analysis of the submission documentation for this application and substance of this report in considering the overall planning balance I offer the following observations:

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 relation to the Core Strategy it is important to remember that Chipping is a Tier 2 Settlement identified to accommodate only limited growth over the Plan period subject to specific restrictive criteria set out within the emerging Plan. All of the development site(s) fall outside the defined settlement boundary and in addition to the employment uses on previously developed land and the relocated cricket pitch this application seeks permission for 60 dwellings outside the defined settlement limits. Reference has been made to the 'exceptions' for residential development in such locations (affordable or regeneration benefits) and the conclusion reached that in this particular instance, and having regard to this particular set of circumstances, the scheme can be judged to accord with emerging Core Strategy policies in respect of housing provision (Members are reminded that this is a location where, were it not for the holistic approach to enabling development brought forward in this overall scheme this is a location where we would seek to resist residential development). Thus, this report has identified that this aspect should be weighed in the planning balance against other factors such as the need to bring back into beneficial economic use a heritage asset that would otherwise be left to deteriorate and the

removal of unsightly industrial buildings in the heart of the Conservation Area that, whilst demonstrating the past use of the site, do little to contribute to the visual qualities of the AONB or conserve and enhance the significance of the heritage asset.

It is clear from the observations of the County Surveyor that notwithstanding concerns expressed by local residents to the proposal there is no significant detrimental highway safety impact that would give rise to an objection to the development on highway safety grounds. Thus whilst it can be recognised that increased traffic through the village is 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.

After careful consideration of the documentation submitted in respect of heritage assets and the various consultation responses received, I am of the opinion that whilst the proposal would have an impact on designated assets and in some respects prove harmful I have applied the considerations of NPPF and concluded that the impact is less than substantial. Given that harm is apparent this carries weight in the overall planning balance. Whilst the policies of the Framework are consistent with the approach set out in the statutory duties, the latter require the LPA to accord considerable importance and weight to the desirability of preserving and enhancing in the planning balance. Thus there is considerable weight and importance to be afforded to the statutory objective in the planning balance separate to the requirements of NPPF in respect of harm identified to heritage assets whether it be substantial or as in the case in relation to this application less than substantial.

In terms of landscape character greenfield development can seldom take place without landscape character change and visual effect. It is important to remember that the area is a designated landscape in NPPF terms and thus could be argued as being highly sensitive to landscape change. In this regard I am mindful of the content of the Framework in terms of the need for major developments to be an exceptional circumstance in the public interest and 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 moderate weight to this in the planning balance.

Having regard to habitats and biodiversity, the technical documentation and surveys submitted indicate that whilst development 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 60 dwellings. 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 proposal for tourism/leisure uses with an additional 60 dwellings is likely to create a number of permanent jobs on the site – equivalent to 100 full time employees. In addition there are likely to be 'indirect' jobs in the local economy as well as construction jobs on site. Members are reminded that New Homes Bonus would be generated over a six year period from habitation of the residential aspects of the development which based on 60 dwellings at an average Band D Council Tax = £88,080 (80% to RVBC £70,464 and 20% to LCC £17,616. As committee will be aware the bonus is not ring-fenced and it is for the Local Authority to decide how to spend

this money. It is also stressed that these figures are under the scheme as it currently stands and there is debate as to whether this scheme will continue.

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.

As well as the social benefits of having ready access to what must be recognised as limited services in the settlement, future residents will also have ready access to the surrounding countryside, encouraging a healthy lifestyle. 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 Chipping, albeit outside the defined settlement limit of a Tier 2 village, would assist in the provision of affordable housing to meet the needs of present and future generations. The overall proposal will result in a high quality built environment, with additional accessible local services that the community can utilise to support their health, social and cultural well-being. Reference has been made to the impacts on heritage assets as a “harm” but it is also important to recognise, as indeed English Heritage have, that the principle of re-using Kirk Mill is clearly welcome. The vacant and, to an extent, derelict condition of the mill dominates the Conservation Area and the constructive reuse of the building could be highly beneficial. Similarly the redevelopment of the vacant Main Mill complex, which overshadows the Conservation Area as a whole, with a contextual bespoke design could significantly enhance the character and appearance of the area. The introduction of a mix of complementary uses should have potential to regenerate the site and benefit the settings of both the Kirk Mill and Chipping Conservation Areas.

Overall Conclusion

This report has made reference to several planning policies within the Districtwide Local Plan, emerging Core Strategy and NPPF. It has been recognised that some of the policies of the DWLP are dated and that in respect of the emerging Core Strategy whilst that plan has yet to be adopted the Council considers it carries substantial weight given the stage it has reached. It is therefore recognised that the proposal before Members 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.

The absorption of a mixed use development that has the potential to rebuild the rural economy, will bring back into a beneficial economic use a designated heritage asset and provide a combination of new build and re-use of existing buildings, in a manner that seeks to conserve and enhance the significance of heritage assets does I believe carry the full weight of the Framework in terms of delivering sustainable economic growth.

With regard to adverse effects identified 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. The effect of the development upon a Grade II Listed Building from the physical alterations to its fabric, to its setting and significance of heritage assets in the vicinity has been considered. It is concluded that whilst harm has been identified it is not such that the scheme falls foul of the

LPA's statutory duty under the relevant Act(s) or the requirements of the NPPF as the benefits identified sufficiently rebut the strong presumption to "do no harm" to heritage assets. In respect of landscape and visual impacts the application proposes development at the edge of a settlement which under the emerging spatial strategy is defined as one of the least sustainable of the villages. However, the policies of the emerging plan allow for residential development which brings regeneration benefits and, as has been outlined within this report, Members need to remember that this scheme should be considered as a whole and not assess the housing in principle in isolation from the other employment generating aspects. 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 my opinion, having regard to the submission documents and representations received, the overall conclusion reached is that whilst the scheme will have some impacts on the village and its environs 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 as there is an outstanding objection to the development from Sport England, subject to the imposition of conditions and a S106 Agreement to secure the measures identified in brief above.

RECOMMENDATION: DEFERRED AND DELEGATED to the Director of Community Services for approval following the conclusion of departure procedures, satisfactory completion of a legal agreement (substantially in accordance with the terms described in the Section 106 Agreement sub-heading of this report) within 3 months from the date of this departure decision or delegated to the Director of Community Services in conjunction with the Chairman and Vice Chairman of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following condition(s):

Conditions in relation to the outline aspects (as detailed land parcels 3 & 4 on Dwg No. 05024_MP_00_105 Site Wide Planning Guide)

Implementation

1. No part of the development hereby permitted shall be commenced until full details of the layout, scale and appearance of the buildings and landscaping (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority.

The submitted details shall include plans identifying the layout, design and external appearance of the buildings; surface material finishes for the highway, footpaths, cycleways, private drives and all other hard surfaces; landscape and boundary treatments; recreation and public open space provision; existing and proposed ground levels, proposed finished floor levels and building heights. The submitted reserved matters shall accord with the Illustrative Masterplan 05024-MP-00-103 REV B with the details in relation to land parcel 2 in substantial accord with the parameters and objectives laid out in the Design and Access Statement 03.2014 and in relation to land parcel 4 the details shall accord with the submitted Design Code dated received on 10 October 2014. The development shall be carried out in accordance with the approved details.

REASON: In order that the Local Planning Authority should be satisfied as to the details and because the application was made for outline permission.

2. Applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: In order that the Local Planning Authority shall be satisfied as to the details as the application was made for outline permission.

3. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

REASON: In order that the Local Planning Authority shall be satisfied as to the details as the application was made for outline permission.

4. No more than 56 dwellings shall be developed on parcel 3 and 4 dwellings on parcel 4 of the application site edged red on the submitted Dwg No. 05024_MP_00_105 Site Wide Planning Guide and the vehicular and pedestrian accesses to the sites shall be constructed in accordance with the details shown on the following submitted plans:

- i) Proposed Residential Access Plot A TPMA1001 – 107.
- ii) Proposed Residential Access Plot B TPMA1001 – 108.

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

Highways and Parking

5. The new estate roads/accesses between land parcels 3 & 4 and Fish House Lane / Church Raike 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 sites.

REASON: To ensure that satisfactory access is provided to the sites in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

Play Space

6. Prior to commencement of development a Play Space Management Plan including long term design objectives, timing of the works, management responsibilities and maintenance schedules for the play area(s) 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 and its maintenance and indicate a timescale when the play spaces shall be provided and made available for use. 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 Policy G1 of the Ribble Valley Districtwide Local Plan and Key Statement DMG1 of the Core Strategy Submission Version as proposed to be modified.

Energy/Sustainability

7. 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 of the Core Strategy

Pd removal

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any subsequent re-enactment thereof no extension to dwellings, outbuilding, or other works permitted by Class A, B, C, D, E, F, G and H shall be constructed or erected on land parcel 4 as defined on Dwg No. 05024_MP_00_105 Site Wide Planning Guide without express planning permission first being obtained.

REASON: In the interests of controlling matters which may be detrimental to the original visual concept in accordance with policies ENV1 and G1 of the Ribble valley Districtwide Local Plan and Policies DME2 and DMG1 of the Core Strategy Submission Version as proposed to be modified.

9. Notwithstanding the provisions Schedule 2 Part 40 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008, or any Order revoking and re-enacting that Order, no solar photovoltaics or solar thermal equipment shall be attached to the new dwellings erected on land parcel 4 as defined on Dwg No. 05024_MP_00_105 Site Wide Planning Guide unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and the amenities of nearby residents in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN2 and DME2 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

Conditions in relation to the full aspects of the proposal (as detailed land parcels 1, 2 & 5 on Dwg No. 05024_MP_00_105 Site Wide Planning Guide)

Implementation

10. 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.

11. Precise specifications and samples of walling and roofing materials and details of any window and door surrounds including materials to be used shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan, Policy DMG1 of the Core Strategy Submission version as proposed to be modified.

12. Prior to the commencement of the development hereby permitted, details of the type, coursing and jointing of the natural stone to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built to conform with the details which shall have been so approved.

REASON: In the interest of the visual amenity of the area and so that the Local Planning Authority shall be satisfied as to the details and in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission version as proposed to be modified.

13. Before work commences on the mill building, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the type of mortar to be used on the building. The required details shall include the ratio of the materials to be used in the mortar, its colour and the proposed finished profile of the pointing. A 1m square panel shall be erected on site indicating mortar colour and pointing technique and the works shall be carried out strictly in accordance with the approved details.

REASON: In the interests of the character and appearance of the Listed Building and in accordance with Policies G1 and ENV19 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME4 of the Core Strategy Submission Version as proposed to be modified.

14. Sample panels of the stonework to be used on land parcel 2 (on Dwg No. 05024_MP_00_105 Site Wide Planning Guide) demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

REASON: In order that the external appearance of the buildings are satisfactory in the interests of visual amenity in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME2 of the Core Strategy Submission Version as proposed to be modified.

15. Before the development commences, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, cills or lintels.

REASON: In the interests of the character and appearance of the area and in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME2 of the Core Strategy Submission Version as proposed to be modified.

16. Before the commencement of any works, full details of the proposed rainwater goods, including the eaves detail, to be used on the building shall have been submitted to and been approved in writing by the Local Planning Authority. All works undertaken on site should be strictly in accordance with the approved details.

REASON: In the interests of the character and appearance of the area in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME2 of the Core Strategy Submission Version as proposed to be modified.

Noise

17. No sound amplifying equipment, which would produce audible noise outside the premises, shall be installed without the consent, in writing, of the Local Planning Authority.

REASON: In the interests of the amenities of occupiers of nearby properties in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

18. No part or phase of the development hereby permitted shall begin until details of any fixed noise sources (including noise rating levels) 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 residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

19. Prior to commencement of development a scheme of noise control measures shall be submitted to and approved in writing by the Local Planning Authority that details how the impact of noise from the restaurant, bar and wedding venue shall be suitably controlled. The scheme of measures shall thereafter be implemented in accordance with the details so approved and retained thereafter.

REASON: In order to protect the amenities of the occupiers of nearby properties and in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

20. No deliveries to the buildings on site shall take place outside the hours 0700 – 2300hrs.

REASON: In order to protect the amenities of the occupiers of nearby properties and in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

21. The use of the wedding venue in accordance with this permission shall be restricted to the hours between 0800 and 0100 hours.

REASON: In order to protect the amenities of the occupiers of nearby properties as use of the premises outside these hours could prove injurious to the character of the area in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

22. The use of the restaurant/bar area in accordance with this permission shall be restricted to the hours between 0630 and 2400 hours

REASON: In order to protect the amenities of the occupiers of nearby properties in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

Highways and Parking

23. Cycling facilities shall be provided to the hotel and leisure facilities in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning

Authority. The facilities shall thereafter be provided in accordance with the approved details before the use of the premises hereby permitted becomes operative and retained thereafter.

REASON: To allow for the effective use of the parking areas in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

24. Motorbike facilities shall be provided to the hotel and leisure facilities in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be provided in accordance with the approved details before the use of the premises hereby permitted becomes operative and retained thereafter.

REASON: To allow for the effective use of the parking areas in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified. Note this requirement relates to the hotel and leisure facilities

25. The new estate road/access between the main car park and Fish House Lane / Church Raike 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 the development hereby permitted becomes operative in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

Lighting to mill building

26. Prior to commencement of development a detailed lighting specification for the glazed circulation core on the front elevation of the mill building to demonstrate how the illuminance of the glazed area will be minimised during nocturnal hours shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the details so approved and retained thereafter unless agreed otherwise in writing with the Local Planning Authority.

REASON: In the interests of the amenities of the area in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME2 of the Core Strategy Submission Version as proposed to be modified.

Ecology and Biodiversity

27. No works associated with the bridge to access the relocated cricket pitch shall commence until an updated protected species survey of the underside, fascia and parapets has been carried out during the optimum period, the results of which shall inform any Natural England European Protected Species licence application required. The findings and details of the updated survey and any licence application shall be submitted to the Local Planning Authority.

REASON: In order to protect the bat population from damaging activities and reduce or remove the impact of development/repairs/restoration in accordance with Policy ENV7 of the Ribble Valley Districtwide Local Plan and Policy DME3 Of the Core Strategy Submission Version as proposed to be modified.

Conditions in relation to the whole of the proposal

Plans

28. The permission shall be carried out in accordance with the proposal as detailed on drawings:

(MP) Site Plans

Site Edged Red, Location Plan 05024_MP_00_000
Existing Survey of Site 05024_MP_00_101
Parameters Plan 05024_MP_00_102 REVA
Indicative Masterplan 05024_MP_00_103 REVB
Block Plan and Proposed Landscaping 05024_MP_00_104REVB
Site Wide Planning Guide 05024_MP_00_105
Demolition of Buildings 05024_MP_01_000

(B1) The Mill Plans

Location Plan 05024_B1_00_100
Demolition Plan – Ground Floor 05024_B1_01_000
Demolition Plan – First Floor 05024_B1_01_001
Demolition Plan – Second Floor 05024_B1_01_002
Demolition Plan – Third Floor 05024_B1_01_003
Demolition – Existing Elevations 1, 2 & 3 05024_B1_01_100
Demolition – Existing Elevations 4, 5 & 6 05024_B1_01_101
Existing Ground Floor Plan 05024_B1_02_000 REVA
Existing First Floor Plan 05024_B1_02_001
Existing Second Floor Plan 05024_B1_02_002
Existing Third Floor Plan 05024_B1_02_003
Proposed Ground Floor Plan 05024_B1_02_004 REVB
Proposed First Floor Plan 05024_B1_02_005 REVB
Proposed Second Floor Plan 05024_B1_02_006 REVB
Proposed Roof Plan 05024_B1_02_008 REVB
Existing Elevations 1, 2 & 3 05024_B1_04_000
Existing Elevations 4, 5 & 6 05024_B1_04_001
Proposed Elevations 1, 2 & 3 05024_B1_04_002 REVB
Proposed Elevations 4 – 7 05024_B1_04_003 REVB
Proposed Elevations 8 - 10 05024_B1_04_004 REVB
Existing Sections AA & BB 05024_B1_05_000
Proposed Sections AA & BB 05024_B1_05_001 REVB
Section BB 05024_B1_05_002

(B2) The Barn

Location Plan 05024_B2_00_100
Ground Floor Demolition Plan 05024_B2_01_000
First Floor Demolition Plan 05024_B2_01_001
Barn Cottages Demolition Elevations 1-4 05024_B2_01_010
Barn Demolition Elevations 5-7 05024_B2_01_011
Existing Ground Floor Plan 05024_B2_02_000
Existing First Floor Plan 05024_B2_02_001
Proposed Barn Conversion Ground Floor Plan 05024_B2_02_002 REVA
Proposed Barn Conversion First Floor 05024_B2_02_003 REVA
Proposed Barn Conversion Roof Plan 05024_B2_02_004
Barn Cottages Existing Elevations 1-4 05024_B2_04_000

Barn Existing Elevations 5-7 05024_B2_04_001
Barn Proposed Elevations 1-4 05024_B2_04_002 REVB
Barn Proposed Elevations 5-9 05024_B2_04_003 REVC
Existing Sections AA, BB & CC 05024_B2_05_000
Proposed Sections AA, BB & CC 05024_B2_05_001 REVA

(B3) Hotel/Spa Plans

Location Plan 05024_B3_00_100
Proposed Ground Floor Plan 05024_B3_02_000 REVA
Proposed First Floor Plan 05024_B3_02_001 REVA
Proposed Second Floor Plan 05024_B3_02_002 REVA
Proposed Roof Plan 05024_B3_02_003 REVA
Proposed Elevations 1, 2 & 3 05024_B3_04_000 REVB
Proposed Elevations 4 & 5 05024_B3_04_001 REVC
Proposed Sections AA & BB 05024_B3_05_001 REVA

(B4) Trailhead Plans

Location Plan 05024_B4_00_100
Proposed Ground Floor Plan 05024_B4_02_000 REVA
Proposed Roof Plan 05024_B4_02_001 REVA
Proposed Elevations 1-7 05024_B4_04_000 REVB
Proposed Sections AA 05024_B4_05_001 REVA

(B5) Wedding Venue Plans

Location Plan 05024_B5_00_100
Proposed Ground Floor Plan 05024_B5_02_000 REVA
Proposed First Floor Plan 05024_B5_02_001 REVA
Proposed Roof Floor Plan 05024_B5_02_002 REVA
Proposed Elevations 1 & 2 05024_B5_04_000 REVB
Proposed Elevations 3 & 4 05024_B5_04_001 REVB
Proposed Sections AA & BB 05024_B5_05_000 REVA

(B6) Cricket Pavilion

Location Plan 05024_B6_00_100 REVA
Proposed Ground Floor Plan 05024_B6_02_000
Proposed Roof Floor Plan 05024_B6_02_001
Proposed Elevations 1 – 4 05024_B6_04_000 REVA

(B7) Kids' Club

Location Plan 05024_B7_00_100
Proposed Ground Floor Plan 05024_B7_02_000 REVA
Proposed Roof Plan 05024_B7_02_001
Proposed Elevations 1 – 2 05024_B7_04_000 REVA
Proposed Elevations 3 - 4 05024_B7_04_001 REVA
Proposed Sections AA & BB 05024_B7_05_000

(B8) Mechanical Plant Building

Location Plan 05024_B8_00_100
Ground Floor and Roof Plans 05024_B8_02_000
Elevations 1-4 5 05024_B8_04_000 REVA

Highways/Access Plans

Proposed Kirk Mill Access TPMA1001 - 201

Proposed Residential Access Plot A TPMA1001 – 107

Proposed Residential Access Plot B TPMA1001 – 108

Proposed Hotel/Trail Head Access Road TPMA1001 – 106 REVB

Cricket Pitch Existing Access Bridge 12-155 – B1 REVB

Proposed Cricket Club Access TPMA1001 – 109 REVB

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

Archaeology

29. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

REASON: The site is of archaeological importance and archaeological recording will be necessary during any ground disturbance associated with the development to ensure that anything of archaeological importance may be adequately recorded as required by Policies G1, ENV14 and E NV15 of the Ribble Valley Districtwide Local Plan reason and Policy DME4 of the Core Strategy Submission Version as proposed to be modified.

Landscape and Open Space

30. No development shall take place on any land parcel as defined on Dwg No. 05024_MP_00_105 Site Wide Planning Guide 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 including full details of the colour, form and texture of all hard landscaping (ground surfacing materials);
- 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 Submission Version as proposed to be modified.

31. All landscaping schemes approved for each phase of development 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 Submission Version as proposed to be modified.

Refuse storage – submission of details

32. Prior to the commencement of development plans and particulars showing the provision to be made for the storage and disposal of refuse and recycling receptacles, shall be submitted to and approved in writing by the Local Planning Authority. Such provision as is agreed shall be implemented concurrently with the development and thereafter retained. No part of the development shall be occupied until the agreed provision is completed and made available for use.

REASON: In order that the Council may be satisfied with the details of the proposal in the interests of the amenities of the area in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

Highways and Parking

33. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plans and the vehicular turning spaces shall be laid out and be available for use before the development is brought into use and maintained thereafter.

REASON: In the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified as vehicles reversing to and from the highway are a hazard to other road users.

34. The car parks shall be surfaced or paved in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plans, before the use of the premises hereby permitted becomes operative.

REASON: To allow for the effective use of the parking areas in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

35. No part of the development hereby approved shall commence until a scheme for the construction of the site access points to all elements of the application and the off-site works

of highway improvement has been submitted to, and approved in writing by the Local Planning Authority.

REASON: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified. (The offsite highway works relate to the provision of footways on Church Raiké and Fish House Lane)

36. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 35 has been constructed and completed in accordance with the scheme details unless agreed otherwise in writing by the Local Planning 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 in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

37. Prior to the commencement of any development an order shall be placed for staff costs, the advertising and implementation of traffic regulation orders for an extension of the speed limit on Fish House Lane, to the satisfaction of the Local Planning Authority.

REASON: In the interest of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified and compliance with current highway legislation.

38. Prior to the first use of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Business Travel Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals not greater than 18 months to ensure that the approved Plan is carried out.

REASON: To promote and provide access to sustainable transport options in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

Construction management

39. No development approved by this permission shall commence on any land parcel as identified on Dwg No. 05024_MP_00_105 Site Wide Planning Guide until a Construction Method Statement/Management Plan for that land parcel has been submitted to and approved in writing by the Local Planning Authority. The approved Statement/Management Plan shall be adhered to throughout the construction period and shall provide for:

- i) the routing of heavy (HGV) construction vehicles;
- ii) parking of vehicles of site operatives and visitors within the site;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in constructing the development;
- v) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- vi) wheel washing facilities;
- vii) a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures including measures to prevent pollution of habitats adjacent to development areas;
- viii) a scheme for recycling/disposing of waste resulting from construction works (there shall be no burning on site);
- ix) A scheme to control noise during the construction phase;
- x) details of lighting to be used during the construction period which should be directional and screened wherever possible;
- xi) Details of hours of working including delivery times for construction materials;
- xii) Pollution prevention measures to be adopted throughout the construction process to ensure watercourse sand waterbodies on and adjacent to the works are adequately protected; and
- xiii) Contact details of the site manager.

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.

Energy/Sustainability

- 40. Before development begins 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 of the Core Strategy

Drainage and Flooding

- 41. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Policy G1 of the Ribble valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

- 42. The development permitted by this planning permission shall only be carried out in accordance with the approved FRA (v1.1, dated October 2013) and the following mitigation measures detailed within the FRA:

- 1. Limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

2. Implementation of all mitigation measures set out in Sections 4 and 7 of the FRA (v1.1, dated October 2013).

The mitigation measures shall be fully implemented prior to occupation and subsequently 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 flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

43. 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 hydrogeological 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 Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

Land Quality

44. 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 the development does not pose a risk of pollution to controlled waters in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

45. No occupation shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: To ensure the development does not pose a risk of pollution to controlled water in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

46. 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 unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

REASON: To ensure the development does not pose a risk of pollution to controlled water in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

Ecology and Biodiversity

47. No development shall take place until details of the provisions to be made for bird nesting opportunities to be installed within the re-developed buildings and new buildings have been submitted to and approved in writing by the Local Planning Authority. The details shall include provision of appropriate nesting opportunities for House Sparrow, Song Thrush, Jackdaw and Swift and shall be implemented before the development 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 Submission Version as proposed to be modified.

48. No tree felling, vegetation clearance works, demolition work, development works, works affecting stone walls or riverside masonry or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless surveys by a competent

ecologist show that nesting birds would not be affected and these have been submitted to and approved in writing by the Local Planning Authority.

REASON: To minimise the impacts on local biodiversity and to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

49. Prior to commencement of works a further precautionary inspection/assessment of trees to be affected for their suitability to support roosting bats shall be carried out by a suitably qualified person. Should any trees have developed features suitable for roosting bats impacts on these should be avoided where possible. Should impacts be unavoidable then the protocol detailed in table 8.4 (protocol for inspection of trees) of the recognised Bat Conservation Trust guidelines (Bat Surveys: Good Practice Guidelines, 2nd edition, 2012) shall be followed and advice sought from an appropriately qualified ecologist regarding the need for a Natural England licence.

REASON: To minimise the impacts on local biodiversity and to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

50. Immediately prior to commencement of works a further precautionary survey of the site and adjacent suitable habitat for evidence of Otter shall be carried out by an appropriately qualified person. If the survey reveals evidence of Otter then advice should be sought regarding the need for a Natural England licence.

REASON: To minimise the impacts 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 Submission Version as proposed to be modified.

51. No part of the development shall be commenced until a non-native species removal and disposal method statement has been submitted and agreed in writing the Local Planning Authority. The details of which shall include details of the eradication and removal from the site of Himalayan Balsam.

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 Submission Version as proposed to be modified.

52. No development shall take place until a great crested newt survey has been carried out during the optimum period March/April/May/June inclusive for pond/terrestrial/egg and larvae - July/August for Habitat and larvae - September for Habitat and November/December - for Hibernating newts.

The findings of the survey should include details of Habitat Suitability Index [HSI] Assessment, Presence/Absence details, population size and mitigation/translocation details.

REASON: To ensure there are no adverse effects on the favourable conservation status of a great crested newt population in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

53. Prior to the commencement of works there shall be a repeat survey for evidence of badgers on the site and extended to include suitable habitat within 30m of the site boundaries. The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to Ribble Valley Borough Council for approval. Any necessary and approved measures for the protection of badgers will be implemented in full.

REASON: In the interests of nature conservation to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

54. If works are to be carried out within 5m of the bank tops of suitable Water Vole habitat, a further precautionary survey for evidence of water voles shall be carried out immediately prior to commencement of works. The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to and approved in writing by the Local Planning Authority. Any identified necessary and approved measures for the protection of water voles shall thereafter be implemented in full.

REASON: In the interests of nature conservation to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

55. No site clearance, site preparation or development work shall take place until a fully detailed habitat creation/landscaping plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate adequate planting to compensate for losses and will demonstrate maintenance, enhancement, protection and adequate buffering of retained and established habitats. The species mixes for replacement habitat and habitat along site boundaries and the river corridor shall comprise native species/habitats appropriate to the locality only. The approved plan shall be implemented in full.

REASON: In the interests of biodiversity to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

56. No site clearance, site preparation or development work shall take place until a Long Term Landscape and Ecological Management Plan to include long term design objectives post completion management responsibilities and maintenance schedules for the Mill Pond and all landscaped/habitat areas (other than privately-owned domestic gardens) including any areas of public open space such as grasslands, hedges, trees and any sustainable drainage features 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):

- detailed plans outlining the management and maintenance regimes and responsibilities to be adopted for the mill pond;
- 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 (where applicable); and
- appropriate timings of management works to ensure avoidance of bird nesting seasons etc.
- management of the woodland area to be used for "informal foraging" (parcel 5) and other areas to be used as for access/public open space (such as area south east of parcel 1)
- details of the level of proposed access/usage, measures to control recreation pressures (such as access points, zoning access/no go areas and monitoring visitor numbers)
- full assessment of likely impacts, and measures to offset impacts and enhance the areas for biodiversity.

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 Submission Version as proposed to be modified.

57. All trees, hedgerows and the brook corridor being retained in or adjacent to the application area will be adequately protected during construction, in accordance with existing guidelines (e.g. *BS5837: 2012 Trees in relation to design, demolition and construction-Recommendations*).

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 ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

Lighting

58. No external lighting associated with the development shall be installed without prior written approval from Ribble Valley Borough Council. Any lighting scheme shall demonstrate that (1) external sources of lighting shall be effectively screened from the view of a driver on the adjoining public highway (2) there would be no lighting of/light spill onto suitable bat roosting features (including trees with bat roost potential) or hedgerows, ponds or chipping brook (3) that dark unlit bat commuting/foraging corridors will be retained through the site and to the wider area including to/from features with bat roost potential and (4) that bird nesting opportunities would not receive excessive light spill. The principles of relevant guidance shall be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance *Bats and Lighting in the UK, 2009*). Lighting shall be installed as approved only.

REASON: In the interests of nature conservation and to avoid glare, dazzle or distraction to passing motorists in the interests of highway safety in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

Informatives

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 contact the Environment Directorate for further information by telephoning the Developer Support Section (Area East) on 0300 123 6780, writing to Developer Support Section, Lancashire County Council, Environment Directorate, Highways Office Burnley, Widow Hill Road, Burnley, BB10 2TJ or email lhscustomerservice@lancashire.gov.uk .
2. The Environment Agency has a right of entry to Chipping Brook by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act. The developer must contact James Jackson on 01772 714134 to discuss our access requirements.
3. The Environment Agency recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Reference should also be made to the Department for communities and local Government publication 'Preparing for Floods'
4. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
5. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 *Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan* and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at <https://www.gov.uk/government/organisations/environment-agency> for more information.

6. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking/servicing areas should be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained.
7. Trees have the potential to support bat roosts (such as T87 & T88) and nesting birds. The applicant should be aware of the legislation afforded to bats/bat roosts and nesting birds and should be aware that works to trees may require a Natural England licence if bat roosts would be affected.

8. In order to retain habitat connectivity for Species of Principal Importance, such as hedgehogs, boundary treatments should not be flush to the ground, or suitably sized gaps should be left at strategic points.
9. The provision of a mains water supply could be expensive. United Utilities 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.
10. A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.
11. Should this planning application be approved, the applicant should contact United Utilities Service Enquiries on 0 845 746 2200 regarding connection to the water mains or public sewers.
12. Public sewers cross this site and UU will not permit building over them. They will require an access strip width in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement.
13. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.
14. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities assets and the proposed development. United Utilities offer a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 0870 751 0101 to obtain maps of the site.
15. 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. Chipping Brook adjoining parts of the site is designated a "main river" and is therefore subject to Land Drainage Byelaws. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without prior written Consent of the Environment Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Environment Agency for consideration. For works to the Ordinary Watercourse section of Chipping Brook the Lead Local Flood Authority (LLFA), which is Lancashire County Council, should be consulted.
17. The Development should not proceed without the prior acquisition of a licence from Natural England for the derogation of the protection of bats under the Habitats Directive.

APPLICATION NO: 3/2014/0188/P (GRID REF: SD 377579 437273)
PART DEMOLITION OF EXISTING MILL AND PROVISION OF 37 NO. NEW-BUILD HOUSES,
2 NO. DWELLINGS IN A CONVERTED RETAINED MILL BUILDING AND ASSOCIATED
HARD AND SOFT LANDSCAPING AND DEMOLITION OF CHIMNEY. VICTORIA MILL, WATT
STREET, SABDEN BB7 9ED.

PARISH/TOWN COUNCIL:

Sabden Parish Council have raised no objections to the proposal but have made the following representations:

- The Transport Statement contains inaccurate bus information with only one service per hour to Burnley and Clitheroe and not five as claimed.
- A clause should be included in the S.106 to ensure a proportion of the monies be allocated for use on projects which will be carried out within the parish to benefit the community.
- Sabden has experienced a large amount of development but has not benefitted from any S.106 monies to date. There will be a need to improve facilities to cater for a larger community.
- Concerns are raised in relation to community Highway Safety due to the increase in number of properties within Sabden.
- There has been an increase in village traffic and consequently impacts upon Highways Safety.
- Provisions should be made through S.106 agreement to improve and enhance Highways/Road Safety. A footbridge at Bull Bridge on Padiham Road would greatly enhance safety in the area and be of community benefit.
- It is also suggested that a pedestrian crossing on Padiham Road in the vicinity of St. Nicholas Avenue and/or a roundabout at the junction of Clitheroe Road with Whalley Road, Wesley Street and Padiham Road be considered.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

Lancashire County Council Highways have raised no objection to the proposal but have made extensive representations which are detailed later in this report. These can be summarised as follows:

- Provision for a footway along the frontage fronting Whalley Road is required.
- S.106 Highways Improvements are requested to an approximate value of £15,000 for bus stop improvements and associated works.

ENVIRONMENT AGENCY:

The Environment agency has raised an objection to the proposal stating that the Flood Risk Assessment (FRA) is inadequate.

A revised FRA has been submitted by the applicant, the Environment Agency have no objection to the proposal subject to the imposition of relevant planning conditions.

UNTIED UTILITIES:	United Utilities have raised no objection to the proposal subject to relevant conditions being attached in relation to foul and surface water drainage details.
ANCIENT MONUMENTS SOCIETY:	No response received.
LCC CONTRIBUTIONS:	No longer requested.
LCC ECOLOGY:	LCC Ecology have raised no objection to the proposal but have suggested that a number of conditions be attached should consent be granted. It has been stated that the proposal will require a Natural England Licence to be issued prior to the commencement of the works and that owing to the potential impacts on the Mill Pond that The Environment Agency be consulted in respect of this element.
LCC ARCHAEOLOGY:	Have recommended that should the LPA be minded to grant planning permission that the applicant(s) are required to undertake a programme of archaeological mitigation, comprising archaeological building recording of the standing structures as well as below-ground archaeological investigation of the site and that such work is secured by planning condition.
VICTORIAN SOCIETY:	<p>The Victorian Society have objected to the demolition of the spinning block and chimney. Full details of the representations made are included later in this report and they can be summarised as follows:</p> <p>The Victorian Society strongly object to the demolition of the spinning block and chimney. It is considered that these two structures are the mills most prominent surviving buildings and that they contribute positively to the identity of the site and that of the wider Sabden Conservation Area.</p> <p>The Victorian Society have been further consulted on the amended proposal and comments are awaited.</p>
ENGLISH HERITAGE:	<p>English heritage have commented that the proposal as submitted results in substantial harm to the character and appearance of the Conservation Area and therefore the application cannot be supported.</p> <p>Full details of the original representations made are included later in this report.</p> <p>English heritage have been further consulted on the amended proposal and comments are awaited.</p>
ADDITIONAL REPRESENTATIONS:	3 letters of representation have been received raising the following concerns:

- The chimney should be made safe and retained.
- The retention of the chimney would be a hazard.
- The proposed footbridge should be upgraded to accommodate vehicles negating the need for access off Whalley Road.
- Concerns the development will not 'blend well' with the existing area.
- The 3 storey and 2.5 storey dwellings are not in-keeping with the area.
- The footbridge will be a long-term maintenance liability.
- Loss of trees should be minimised particularly to the northern boundary.

Proposal

The application seeks permission for the creation of 37 dwellings (originally 40) on the site of the Victoria Mill located on the corner of Watt Street and Whalley Road, Sabden. The application now proposes the demolition of a number of buildings on site including the Weaving Sheds and several outbuildings. Members will note that a previous consent on site proposed the retention of the Spinning Mill and its conversion into 22 apartments. It is further proposed that the buildings fronting Watt Street that were formerly used as the main offices for 'Marbil' will be converted into 3 x 3 bedroom dwellings.

The proposal, as originally submitted, proposed the demolition of the Chimney on site, it is now proposed that this will be retained, albeit with a reduction in height by 10.1m from 28.6 to 18.5m in height (above proposed ground levels) to be retained as a symbol of the site's industrial past.

Additionally the submission originally proposed the demolition of the former Spinning Mill. Following officer concerns that this would result in substantial harm to a designated heritage asset, Sabden Conservation Area, by fundamentally undermining the area's special architectural or historic interest. The demolition of the aforementioned building is therefore no longer proposed.

Site Location

The site is located on the western edge of the village boundary of Sabden. The site is located within the Sabden Conservation Area (CA) and the Forest of Bowland AONB as designated by the Ribble Valley Districtwide Local Plan. The application site is approximately 1.10 Hectares in size and fronts Whalley Road and Sabden Brook to the north and Watt Street to the east.

Relevant History

3/2011/0129/P – Proposed demolition of part of Victoria Mill and conversion of former Spinning Mill into 22no. apartments, conversion of former office building into 3no. townhouses, erection of 4no. affordable elderly care bungalows, 23no. other affordable dwellings, 18no. dwellings and the creation of a new pond – Granted Conditionally

3/2010/0845/P – Proposed demolition of existing mill, opening up of Sabden Brook, the erection of 46 dwellings (20 affordable), a new access road to Watt Street and retention of the mill chimney – Withdrawn.

3/2010/0844/P – Demolition of buildings at Victoria Mill, with retention of the Mill Chimney – Withdrawn.

3/2008/0622/P – Conservation Area Consent for the part demolition of Victoria Mill – Granted Conditionally.

3/2008/0621/P - Mixed use development comprising erection of general industrial unit (B2), 28no. houses and conversion/extension of mill building into 22no. apartments (Resubmission) – Granted Conditionally.

3/2007/1083/P – 1.23ha mixed use development comprising of the part conversion part extension of existing mill into 21no. apartments; the erection of 27 no. townhouses and 1858sq.m. of general industrial (B2) space. – Withdrawn.

3/2001/0125/P – Extension of the loading/unloading area – Granted Conditionally.

3/2000/0607/P – Use of first floor premises for the manufacture and sale of leather three-piece suites – Granted Conditionally.

3/1999/0006/P – Change of Use of industrial unit to form coach depot for six coaches including repair & maintenance facilities (Retrospective) – Granted Conditionally.

3/1997/0126/P – Outline Application for residential development (40 units) – Withdrawn.

3/1994/0092/P – Extension to engineering works – Granted Conditionally.

3/1990/0783/P – Change of use for land as storage for caravans and other vehicles – Granted Conditionally.

3/1990/0025/P – Change of use from industrial to offices – Granted.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

Policy ENV1 – Area of Outstanding Natural Beauty.

Policy ENV7 – Species protection.

Policy ENV13 - Landscape Protection.

Policy ENV16 – Development in Conservation Areas.

Policy ENV18 – Retention of important buildings within Conservation Areas.

Policy H15 – Building Conversions – Location.

Policy H16 – Building Conversions – Building to be converted.

Policy H17 – Building Conversion – Design Matters.

Policy H20 – Affordable Housing – Villages & Countryside.

Policy H21 – Affordable Housing – Information Needed

Policy RT8 – Open Space Provision

Policy T7 – Parking Provision.

Ribble Valley Core Strategy (Post Submission Version as proposed to be modified).

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMG3 – Transport & Mobility

Policy DME1 – Protecting Trees & Woodland

Policy DME2 – Landscape and Townscape Protection

Policy DME3 – Site and Species Protection and Conservation

Policy EN2 - Landscape

Policy EN4 – Biodiversity

Policy EN5 – Protecting heritage Assets

Policy DME4 – Protecting Heritage Assets

Policy H3 – Affordable Housing

National Planning Policy Framework (NPPF).

Sabden Conservation Area Appraisal

Environmental, AONB, Human Rights and Other Issues

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).

In accordance with the economic role of sustainable development, housing is seen as a key component to economic growth and is recognised as such not only within the Framework but in the Government Policy ‘The Plan for Growth’. Para 47 of the NPPF requires LPA's to boost significantly the supply of housing and the theme throughout is that LPA's should make every effort to objectively identify and then meet housing needs. However the Council is in a position to identify a five year supply of housing sites in accordance with the Development Strategy of the emerging Plan.

The Core Strategy was submitted to the Secretary of State for Examination in September 2012 with the formal Hearing Sessions of the Examination in Public (EiP) taking place between 14 and 22 January 2014. Following those sessions it was considered that a series of Main Modifications be made for the purposes of soundness with those proposed Modifications out for a six week consultation period from 25th July to 5th September 2014. The Development Strategy put forward in Key Statement DS1 as proposed to be modified (Main Modification 21 & 25) seeks to direct the main focus of new house building to the Strategic Site and the Principal Settlements of Clitheroe, Longridge and Whalley and Tier 1 villages which are considered the more sustainable of the 32 defined settlements.

It further proposes that in the remaining 23 Tier 2 villages (which includes Sabden) development will need to meet proven local needs or deliver regeneration benefits. It is considered the plan is at an advanced stage in the plan making process and the policies within the Core Strategy must therefore be afforded weight in the decision making process.

In respect of the housing requirement for the borough, an annual figure of 280dpa is put forward in the Proposed Main Modifications to the Core Strategy and this has also been adopted for (July 2014) is that the Council is able to demonstrate a 5.1 year supply using the Sedgefield method of calculation. The figure of 250dpa was considered at the Hearing Sessions of the EiP and has now increased up to 280dpa as a result of comments made by the Inspector following on from those sessions in January of this year.

Housing provision is a benefit when it is of the right type and in the right location but the ability to demonstrate a five year supply alters the weight to be attributed to this 'benefit' in the planning balance under Para. 14 of the NPPF when determining applications. This said, the modification in relation to the 280 figure is subject of public consultation and may still attract objections and thus the weight to be attached to this and the emerging Development Strategy must be reflected in the overall planning balance.

As a consequence I consider that whilst the principles of development still remain the in the first instance to be assessed against the provisions of the NPPF (due to the fact the Core Strategy has not yet been adopted) the weight to be attributed to the Core Strategy has increased post the EiP sessions and this, coupled with the ability to demonstrate a 5yr supply of housing, must be reflected in any decision taken.

The Head of Regeneration & Housing has offered the following comments in respect of the application: The Council can demonstrate a 5 year land supply against its latest monitoring position, I do not consider at present that there is an urgent regeneration priority to be addresses that requires the immediate redevelopment of the site or its loss from its current land use of employment. Any issues regarding the future state of the land could be addresses as appropriate through other powers should the need arise.

Heritage/Conservation

Victoria Mill opened in 1847, predating the town's other major cotton and weaving mills by some ten years. It enjoyed periods of growth and prosperity, particularly in the 1890s, when two hundred and fifty locals were employed there.

The surviving mill complex comprises five principal buildings: the office block, weaving shed, spinning block, tall chimney and a range of buildings along the southern side of the yard. Consent was granted in 2008 and 2011 for the redevelopment of the site. The current application draws on those consented schemes, but differs primarily by proposing the reduction in the height of the chimney (in-lieu of full retention) and the demolition of the spinning block (in-lieu of conversion) and the omission of a centrally located block of apartments.

The Local Planning Authority's Conservation & Design officer considers that the proposal results in an adverse impact which seriously affects a key element of Sabden Conservation Area's special architectural or historic interest and that it would result in **substantial harm** according to the NPPG and the significance assessments in the Sabden Conservation Area Appraisal and the Heritage Statement accompanying 3/2011/0129.

NPPF paragraph 133 requires the Borough Council to **refuse** planning permission unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm 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.

The Design and Conservation Officer considers that substantial public benefit can only outweigh the harm if the harm or loss is necessary and Local authorities must look at the benefit of demolition, rather than just the benefit of the overall scheme.

In design terms, the proposed new build would not be an appropriate or effective response to local character and history, and nor would it reflect the particular identity and distinctiveness of the local surroundings.

The Victorian Society has made additional representations in respect of the proposal strongly objecting to the demolition of the spinning block and chimney, although members will note the demolition of both structures is no longer part of the proposal. Their comments are consistent with the advice of the Design and Conservation Officer and concludes that as originally submitted, the demolition aspects of the scheme would represent substantial harm and be contrary to Paragraph 133 of NPPF.

The Victorian Society have been further consulted on the revised proposals and any response will be reported verbally if received prior to the date of Planning & Development Committee meeting.

English Heritage have also raised a number of objections to the proposal and considered that the initial proposal which included the demolition of the mill chimney and main spinning block as well as an alteration of housing type and layout to the west, is harmful to the character and appearance of the conservation area and therefore we do not support the revised application.

We were supportive of the consented scheme that was developed with a good understanding of the context of the conservation area. We believe the current application is a more harmful scheme based on the additional demolition of elements of the mill complex that add to the character of the conservation area and through the development of housing types that are alien to the conservation area. In considering planning applications, local planning authorities are required to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area in line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In summary, we feel that the demolition of the chimney and spinning building and the current form and layout of the proposed development does not relate to the Sabden conservation area and therefore causes harm to the character and appearance of the conservation area. We therefore cannot support the revision within its current form on heritage grounds.

English Heritage have been further consulted on the revised proposals and any response will be reported verbally if received prior to the date of Planning & Development Committee meeting.

In assessing the loss of harm to a designated heritage asset, in this case, the Sabden Conservation Area. It is imperative that the Local Planning Authority give adequate consideration to the aims and objectives of Paragraphs.133 and 134 of the National Planning Policy Framework (NPPF) which state that:

Para.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.*

Para.144: *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.*

The Sabden Conservation Area Appraisal (SCAA) identifies that the villages industrial past and links to cotton weaving and printing play a special interest in the significance of the CA and that these were integral to its original designation.

It is argued that the proposal, as originally submitted, would result in a substantial level harm to the Conservation Area through the loss of the Spinning Mill and the Mill Chimney.

It is recognised that the proposal now makes provision for the retention and conversion of the existing 'Marbil' office building which is a building of identified townscape merit (SCAA) and that it could be argued that the partial retention of the Chimney safeguards, in the long-term, a structure identified as a 'Focal Building' (SCAA) within the Conservation Area, albeit at a reduced height.

The submission now proposes the retention of the Spinning Mill, although at this stage no firm details of its re-use, adaptation or conversion have been brought forward. The applicant has suggested that a scheme for the further adaptation, re-use and/or structural safeguarding of the Spinning Mill will be brought forward at a later stage, with the timings for the submission and implementation of such details to be controlled through planning condition and S.106 agreement.

This would allow the Local Planning Authority to be confident that the Mill will be retained in the long-term without the building falling into disrepair and allow for a margin of time for further work to be undertaken to ensure the Mill is adapted/converted in a sensitive manner and that it will be brought into or incorporated into a future viable use.

The applicant has further submitted a phasing plan that sub-divides the development site into three phases as follows:

Phase 01: Land to the south of the existing culvert, fronting Watt Street (33 Dwellings)

Phase 02: Land north of existing culvert, fronting Whalley Road (4 Dwellings)

Phase 03: Land to north of existing culvert fronting Whalley Road (Includes Spinning Mill)

It is suggested that the phasing will allow for appropriate triggers to be included within a S.106 agreement and through planning condition that will control the phasing of works and the number of dwellings that can be occupied prior to a scheme for the Mille re-use/adaptation or measures for long-terms safeguarding being submitted and further triggers controlling occupation in relation to the agreed scheme/details being implemented.

Highway Safety

LCC Highways have raised no objection in relation to the principle of the development but have made a number of comments in relation to the internal layout and access point which will be dealt with through on-going negotiation as these issues are not viewed as insurmountable.

The County surveyor requests S106 funding to improve the bus stops in Whalley Road near to the site. The bus shelter should be replaced on the south side of the carriageway, and other improvements appear to be possible, such as raising kerbs, as residents do not appear to park cars here. The bus stop on the northern side of the carriageway, however, will need to be investigated by the developer to determine whether the issues that will arise concerning displacement of residents' parking can be resolved.

In relation to financial contribution to off-site highways works he estimate for improvements to the two nearby bus stops in Whalley Road is approximately £15,000.

This amount is to cover the cost of the following for the bus stop on the south side of Whalley Road:

- New bus shelter.
- Demolish and dispose of existing bus shelter.
- Construct a DDA quality bus stop (raised kerbing and other features to the extent this is possible here).

For improvements to the bus stop north of Whalley Road the following works will be required:

- Construct build out near to number 91 Whalley Road, with DDA standard kerbing, plus other works as required (such as drainage works that may be necessary).
- Construct a DDA quality bus stop (raised kerbing and other features to the extent this is possible here).

Affordable Housing

In considering the affordable housing element of the proposal it is important to have regard to Policies H20 and H21 of the Ribble Valley Districtwide Local Plan and Policy H3 of the Ribble Valley Core Strategy (Post Submission Version as proposed to be modified) and the latter, in this case requires that on sites proposing 5 or more dwellings or 0.2 hectares or more the Council will seek 30% of the units on site to be affordable.

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.

In discussion with the Council's Strategic Housing Officer it has been established that there is no demand for affordable housing provision within the Sabden area due to a potential current oversupply when taking into account previous consents issued in the area.

Therefore it has been agreed that a financial contribution in lieu of on-site provision will be required, it is envisaged that this will be secured via a Section 106 agreement.

The applicant had originally submitted a viability appraisal (V.A) based on a number of assumed contributions including public open space, a contribution towards educational provision, highways/bus stop improvements and the provision for a footpath to Whalley Road. The viability appraisal claimed that any financial contribution towards off-site affordable housing and/or the retention of the Chimney and Spinning Mill would render the proposal unviable.

The Council had commissioned an independent appraisal of the V.A which concluded the following:

We have not seen any valuation evidence to support the £1.5m site value as an existing use value and therefore believe that this should be more accurately stated as £625,000.

This would make the scheme more viable by £875,000 which is approximately 12% more viable. This means that the scheme would be capable of producing a developer's profit of approximately 22% which is a more normal level of profit and in line with what a developer would expect and need to see in the current market.

Therefore the introduction of any affordable housing, and or the retention of the chimney and spinning mill would render it unviable.

Given the calculation contained within the originally viability appraisal were largely based on assumed levels of contribution, the applicant subsequently undertaken a revised calculation. The revised calculations have resulted in a number of the assumed contributions being reduced and/or removed. This has subsequently resulted in an increase in the financial contribution offer towards the provision for off-site affordable housing from nil to £239,949, the calculation also includes costs associated with the retention of the Chimney (albeit at a reduced height).

The original and revised calculations are as detailed below:

Planning Obligations/Contributions	Original Viability Appraisal	Revised Appraisal
Bridge across Sabden Brook (Cost)	£23,550	£23,550
Bat Roost (Build cost)	£57,050	£57,050
Footpath (Whalley Road)	£23,061	Nil request
Highways/Bus shelter improvements	£87,500	£15,000
Educational Contribution	£137,710	Nil Request
Affordable Housing Contribution	Not Offered	£239,949
POS Contribution	£57,600	Nil Request
Chimney retention (cost)	Not Offered	£48,922
Total	£384,471	£384,471

Using the adopted methodology for the calculation for calculating off-site affordable provision the request would be as follows:

40 units (As proposed) – Affordable housing request of 30% = 12 units.	
Using sale values from Cobden Mill average of £157,500 for 2 and 3 bed property.	
Using 36% of Open Market Value (OMV) to provide the discount a Registered Provider (RP) would expect to apply to secure the unit.	
36% of £157,500 = £56,700	
Therefore £56,700 is the difference between OMV and RP value per property .This is the agreed methodology for the calculation of the commuted sum.	
12 X £56,700 = £680,400	
Therefore a commuted sum for the off-site provision of 12 affordable units totals	£680,400

Applying the same calculation based on a reduced 20% provision (As set out in Policy H3) the calculation is as follows:

40 units (As proposed) – Affordable housing request of 20% = 8 units.	
Using sale values from Cobden Mill average of £157,500 for 2 and 3 bed property.	
Using 36% of Open Market Value (OMV) to provide the discount a Registered Provider (RP) would expect to apply to secure the unit.	
36% of £157,500 = £56,700	
Therefore £56,700 is the difference between OMV and RP value per property .This is the agreed methodology for the calculation of the commuted sum.	
8 X £56,700 = £435,600	
Therefore a commuted sum for the off-site provision of 8 affordable units totals	£435,600

Members will note that the current offer for the offsite contribution towards affordable housing (£239,949) equates to a level of approximately 10% on site provision.

This falls short of the 30% requirement by £440,451 and the 20% requirement (in the case of a viability appraisal being submitted) by £195,651.

The applicant has further offered that 3 units will be provided on-site at a reduced 20% market value. The Local Authority's Housing Strategy officer has raised concerns in relation to the level of discount offered and this matter is currently subject to on-going discussions and negotiations.

The Head of Regeneration & Housing has made the following comments: Whilst I acknowledge there are a number of matters to be drawn together in considering the planning balance, including viability, the commuted sum proposed does not provide for an affordable housing contribution that is considered acceptable and in accordance with the council's policy. Unless viability evidence clearly demonstrates any scheme to be undeliverable, at this stage, I do not support the affordable housing contribution proposed and consider the application to be contrary to the councils approach to affordable housing.

Members shall note that the above offer in relation to off-site affordable housing and discount Open Market value housing is likely to further reduce given recalculations will have to be undertaken in relation to the retention of The Spinning Mill.

The retention of the building results in a loss of 3 proposed detached dwellings and the applicant has stated that the cost of retaining the building and ensuring its structural integrity will add further costs which may further reduce the off-site offer put forward.

Layout/Scale/Visual Amenity

The proposal as submitted draws many parallels with the previously approved scheme for the redevelopment of the site. A number of the house-types/units have been altered / amended in terms of their overall form and elevational appearance.

However it should be noted that the Local Planning Authority have some concerns regarding a number of detailed design aspects in relation to the house-types presented and it is envisaged that these will be subject to further negotiation.

Given the off-set distances from existing properties/neighbouring occupiers I do not consider that any significant impact would be resultant from the development as submitted.

Conclusion/Planning Balance

As previously stated in this report the phasing of the development will allow for appropriate triggers to be included within a S.106 agreement and through planning condition. It is envisaged that these will control the phasing of works and the number of dwellings that can be occupied prior to a scheme for the Mill re-use/adaptation or measures for long-terms safeguarding being submitted and further triggers controlling occupation in relation to the agreed scheme/details being implemented.

It is considered that the benefits associated with the proposal (as amended) are as follows:

- The long term retention of the existing Chimney on site (Heritage Asset)
- The retention of the Spinning Mill Building (Heritage Asset and identified Building of Townscape Merit).
- The retention and conversion of the existing 'Marbil Office' Building.
- Minor Highways Improvements.
- Financial contribution to off-site affordable provision of £239,949 (Members will note that this figure may be reduced as further information is received)
- 3 Units provided on-site at 20% reduced market value (Members will note that the number of units/reduction in market value may vary as further information is received and subject to further negotiation).
- There would be economic benefits in NPPF terms and economic benefits associated with funding from the new homes bonus. Approximately £54, 316 in total, RVBC to receive 80% equating to £43,453 for 6 years and LCC to receive £10,863 for 6 years . It should be noted that these figures are under the scheme as it currently stands and there is debate as to whether this scheme will continue.

The applicant has put forward that *'No more than 90% of the dwellings hereby approved shall be occupied until a scheme of works in relation to the mill building to be retained have been submitted to and approved in writing by the Local Planning Authority'*. The applicant has further stated that *'Anything more onerous would effectively render the whole scheme unviable'*.

The applicant has not put forward any information at this stage to demonstrate that a more onerous condition would render the scheme unviable, it is expected that further information will be forthcoming to substantiate this claim.

At this stage it is considered that allowing 90% of the scheme to be occupied prior to any scheme being submitted to the Local planning Authority does not adequately safeguard the Mill Building, nor does it ensure that the Mill would remain compatible with the development or be developed/brought into use within an adequate time period that would prevent against long-term deterioration.

Notwithstanding this consideration the Local planning Authority is of the view that the suggested condition fails to specify the trigger points for the implementation of an agreed 'scheme'. It is further considered that a scheme of works (including a methodology) for the retention and structural safeguarding of the Mill should be sought prior to any demolition works being undertaken, particularly as a number of buildings proposed for demolition are directly linked to the Spinning Mill and these may structurally undermine the Mill.

It is also suggested that a programme of long-term maintenance, repair and/or a scheme for the re-use, conversion or adaptation be submitted to the Local Planning Authority prior to the occupation of a number of units on site (yet to be agreed) to ensure that the Mill is safeguarded throughout the construction phase and lifetime of the development.

Members will therefore note that a suggested condition in relation to the nature and timings of the details to be submitted to the Local Planning Authority has been included within the condition section of this report that will likely be subject to further discussion/negotiation which may result in the re-wording of the condition. This may be largely influenced by the receipt of further information in relation to viability and/or phasing/triggers which would require further consideration by the LPA.

The recommendation is to Defer and delegate to the Director of Community services for a period of 3 months to allow for further work/negotiation to be undertaken. It is therefore suggested that should members consider it necessary and reasonable that a comprehensive consent is sought, including a detailed proposal for the conversion/re-use of the Mill, that further work to secure such details could be undertaken within the 3 month period in agreement with the applicant and reported back to Committee if deemed appropriate.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Community Services for approval to allow for further negotiation to be undertaken in matters relating to planning conditions and following the satisfactory completion of a Legal Agreement within three months from the date of this Committee Meeting or delegated to the Director of Community Services in conjunction with Chairman and Vice Chair of Planning & Development Committee should exceptional circumstances exist beyond the period of three months 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 with the proposals as detailed on the submitted drawings accordance (unless explicitly required by condition within this consent):

(Drawings numbers TBC)

DEMOLITION/CONSTRUCTION MANAGEMENT/TIMINGS

3. No development shall take place, including any demolition, until a Construction & Demolition Method Statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
 1. The parking of vehicles of site operatives and visitors
 2. The loading and unloading of plant and materials
 3. The storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding
 5. Wheel washing facilities
 6. Measures to control the emission of dust and dirt during construction and demolition.
 7. The highway routeing of plant and material deliveries to and from the site.
 8. Measures to limit noise disturbance during construction & demolition
 9. A scheme for the recycling/disposing of materials/waste resulting from demolition and construction

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 (Submission Version as proposed to be modified).

BUILDING/FEATURE RETENTION

4. Prior to the commencement of the development a detailed phasing plan including timetables for completion and commencement of each phase of development shall be submitted to and agreed by the Local Planning Authority. The development shall be carried out in strict accordance with the approved phasing and timings unless otherwise agreed in writing.

REASON: To avoid parts of the development site remaining undeveloped and in order that the Local Planning Authority shall retain effective control over the development and to prevent further deterioration on the buildings proposed to be retained on site. In accordance with Policies G1, ENV16, ENV17 and ENV18, of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN5 and DME4 of the Ribble Valley Core Strategy (Submission Version as proposed to be modified).

5. All external works to the building(s) to be converted into dwellings or buildings indicated to be retained by this approval, shall be completed prior to the expiration of two years from the date of the commencement of development.

REASON: In order that the Local planning Authority retains effective control over the development and to ensure that there is no significant deterioration in the condition of the building. In accordance with Policies G1, ENV16, ENV17 and ENV18, of the Ribble Valley

Districtwide Local Plan and Policies DMG1, EN5 and DME4 of the Ribble Valley Core Strategy (Submission Version as proposed to be modified).

6. Prior to the commencement of the demolition works on site, a methodology and schedule of works in relation to all proposed demolition shall be submitted to an agreed in writing by the Local Planning Authority.

For the avoidance of doubt the submitted details shall contain a further building condition survey relating to the buildings/structures to remain on site, details regarding the method and phasing of demolition and details in respect of demolition works relating to or affecting the Spinning Mill building.

The schedule and timing of works shall also include detailed proposals to ensure the structural stability of the Spinning Mill during the course of demolition and construction of the development and include elevational and engineering details as to how the Spinning Mill will be retained in a satisfactory and sound condition thereafter.

All works shall be carried out in strict accordance with the agreed details.

REASON: To protect and conserve the Spinning Mill Building on site and to ensure that there is no significant deterioration in the condition of the building In accordance with Policies G1, ENV16, ENV17 and ENV18, of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN5 and DME4 of the Ribble Valley Core Strategy (Submission Version as proposed to be modified).

7. No development approved by this permission shall be commenced until a detailed methodology & management plan for the retention, conservation and on-going maintenance and programme of repair of Spinning Mill building has been submitted to and approved in writing by the Local planning Authority.

The Spinning Mill shall thereafter be retained and maintained in strict accordance approved methodology & management plan. Any proposed alterations to the Mill building shall be carried out in strict accordance with the approved details and all proposed works completed prior to the expiration of two years from the date of the commencement of development unless otherwise agreed.

REASON: To ensure that there is no significant deterioration in the condition of the building in accordance with in accordance with Policies G1, ENV16, ENV17 and ENV18, of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN5 and DME4 of the Ribble Valley Core Strategy (Submission Version as proposed to be modified).

8. No development approved by this permission shall be commenced until a detailed methodology for the reduction in height of the chimney on site including a management plan for the retention, conservation and on -going maintenance of the chimney has been submitted to and approved in writing by the Local planning Authority.

For the avoidance of doubt the methodology/management plan shall include section details of how the chimney will be made structurally sound and methods by which its structural integrity will be maintained during any works (including demolition) undertaken on site.

The Chimney shall thereafter be retained and maintained in strict accordance with the approved methodology/management plan. Any proposed alterations to the chimney shall be

carried out in strict accordance with the approved details and all proposed works completed prior to the expiration of two years from the date of the commencement of development.

REASON: To protect and conserve the existing chimney on site and to ensure that there is no significant deterioration in the condition of the building in accordance with Policies G1, ENV16, ENV17 and ENV18, of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN5 and DME4 of the Ribble Valley Core Strategy (Submission Version as proposed to be modified).

9. Prior to the commencement of the development, a schedule of works including a sequence of operations for the scheme of conversion of the former Marbill Office building shall have been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the submitted details shall also include full details of the methods of 'cleaning' the external fabric of the building (where necessary).

All external proposed works to the building shall be completed prior to the expiration of two years from the date of the commencement of development and all internal works must be completed prior to 50% of Phase 01 being occupied, all works shall be carried out in strict accordance with the approved details.

REASON: To ensure the Local Planning Authority remains satisfied as to the extent of necessary works to be undertaken, the manner in which they are carried out and to ensure that there is no significant deterioration in the condition of the building. In accordance with Policies G1, ENV16, ENV17 and ENV18, of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN5 and DME4 of the Ribble Valley Core Strategy (Submission Version as proposed to be modified).

10. Prior to the commencement of any construction or demolition works on site, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

REASON: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

DETAILED DESIGN/EXTERNAL APPEARANCE

11. Notwithstanding the details provided on the submitted plans, precise specifications or samples of all external materials, including surfacing materials and their extents, of the development hereby approved shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1, ENV16, ENV17 and ENV18, of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN5 and DME4 of the Ribble Valley Core Strategy (Submission Version as proposed to be modified).

12. Prior to the commencement of the development section details at a scale of not less than 1:20 of each elevation of the proposed dwellings and buildings to be converted shall have been submitted to and approved by the Local Planning Authority.

For the avoidance of doubt the sections shall clearly detail all eaves, guttering/rain water goods, soffit/overhangs, window/door reveals and the proposed window/door framing profiles and materials. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality in accordance with Policies G1, ENV16, ENV17 and ENV18, of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN5 and DME4 of the Ribble Valley Core Strategy (Submission Version as proposed to be modified).

13. Notwithstanding the submitted details and prior to the commencement of the development, section details at a scale of not less than 1:20 of the proposed boundary treatments/fencing, walling including any coping details shall have been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality in accordance with Policies G1, ENV16, ENV17 and ENV18, of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN5 and DME4 of the Ribble Valley Core Strategy (Submission Version as proposed to be modified).

14. The car parking areas shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

REASON: To allow for the effective use of the parking areas and in the interests of the appearance of the area in accordance with Policies G1, ENV16, ENV17 and ENV18, of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN5 and DME4 of the Ribble Valley Core Strategy (Submission Version as proposed to be modified).

15. Prior to the commencement of the development further details of bin/refuse storage areas including access arrangements shall be submitted to and agreed in writing by the Local Planning Authority. The proposal shall be carried out in strict accordance with the approved details.

REASON: To ensure adequate bin storage in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 Ribble Valley Core Strategy (Submission Version as proposed to be modified).

16. Prior to the commencement of the development, details and the locations of interpretation boards (or other another measures) regarding the history of the site shall be submitted to and agreed by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details. The approved details/scheme shall be implemented, maintained to a reasonable standard and retained thereafter in perpetuity.

REASON: In order that the Local Planning Authority may ensure a recorded history of the site is provided on site in accordance with Policies G1, ENV16, ENV17 and ENV18, of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN5 and DME4 of the Ribble Valley Core Strategy (Submission Version as proposed to be modified).

LANDSCAPE/ECOLOGY

17. No development approved by the granting of this consent shall be commenced until details of existing and proposed land levels, including slab levels, shall have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details

REASON: In order that the Local Planning Authority can ensure the accurate variation of land levels on site in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy (Submission Version as proposed to be modified).

18. Notwithstanding the submitted details, prior to the commencement of the development, full details of the proposed landscaping shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the landscaping details shall indicate all trees and hedgerows identified to be retained or how those adjacent to the proposed development and/or application area/boundary will be adequately protected during construction, in accordance with BS5837: 2012 'Trees in relation to design, demolition and construction' or equivalent unless otherwise agreed. The agreed protection measures shall be put in place and maintained during the construction period of the development.

The approved landscaping scheme shall be implemented in the first planting season following first occupation or use of the development and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those original planted.

REASON: To protect trees and hedges on and adjacent to the site and to ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan and Policies DME1 and DME3 of the draft Ribble Valley Core Strategy (Submission Version as proposed to be modified).

19. No site clearance, site preparation or development work shall take place until the approved method statement for impacts on common toad and their habitat has been implemented in full.

REASON: To protect and conserve the habitats of species of conservation concern in accordance with G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and EN4 of the Emerging Core Strategy (Submission Version as proposed to be modified).

20. No site clearance, site preparation or development work shall take place until a construction environment management plan has been submitted and approved in writing by Ribble Valley Borough Council in consultation with specialist advisors. The approved scheme shall be implemented in full. The scheme shall include but not be limited to details of protective fencing for retained habitats and trees (in accordance with guidelines *BS5837:2012 Trees in relation to design, demolition and construction – Recommendations*), directional and screened lighting to avoid impacts on wildlife habitat, and pollution prevention measures for the protection of waterbodies/watercourses.

REASON: To protect and conserve the habitats of species of conservation concern in accordance with G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and EN4 of the Emerging Core Strategy (Submission Version as proposed to be modified).

21. No site clearance, site preparation or development work shall take place until a scheme of replacement bird nesting opportunities (as recommended by the ecology report) has been submitted and approved in writing by Ribble Valley Borough Council in consultation with specialist advisors. The approved scheme shall be implemented in strict accordance with the approved details.

REASON: To protect, conserve and enhance the habitats of species of conservation concern in accordance with G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and EN4 of the Emerging Core Strategy (Submission Version as proposed to be modified).

22. No site clearance, site preparation or development work shall take place until a scheme for the removal of the culvert has been submitted and approved by in writing by Ribble Valley Borough in consultation with specialist advisors. The approved scheme shall be implemented in strict accordance with the approved details.

REASON: To ensure the proposed works do not have a negative impact on the habitats of species of conservation concern or the adjacent Brook in accordance with G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and EN4 of the Emerging Core Strategy (Submission Version as proposed to be modified).

23. No site clearance, site preparation or development work shall take place until details of methods for the rescue of fish (including Species of Principal Importance) has been submitted and approved in writing by Ribble Valley Borough Council in consultation with specialist advisors. The approved scheme shall be implemented in strict accordance with the approved details.

REASON: To protect species of conservation concern and reduce the impact of the development in accordance with G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and EN4 of the Emerging Core Strategy (Submission Version as proposed to be modified).

24. No site clearance, site preparation or development work shall take place until a scheme of site lighting has been submitted and approved in writing by Ribble Valley Borough Council in consultation with specialist advisors. The approved scheme shall be implemented in full. The scheme shall demonstrate that there will be no artificial illumination (above existing levels) of retained and created habitats such as boundary trees, the brook corridor, bat roosts, bat foraging and commuting habitat, or ponds. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance *Bats and Lighting in the UK, 2009*).

REASON: To protect, conserve and enhance the habitats of species of conservation concern and reduce the impact of the development in accordance with G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and EN4 of the Emerging Core Strategy (Submission Version as proposed to be modified).

25. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds will be avoided between March and August inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections and agreed in writing by the Local planning Authority.

REASON: To protect, conserve and enhance the habitats of species of conservation concern and reduce the impact of the development in accordance with G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and EN4 of the Emerging Core Strategy (Submission Version as proposed to be modified).

26. No site clearance, site preparation or development work shall take place until a scheme of habitat creation, enhancement and management has been submitted and approved by Ribble Valley Borough Council in consultation with specialist advisors. The approved management plan shall be implemented in strict accordance with the approved details. The scheme shall include but not be limited to further details of adequate replacement tree planting (numbers, species, location), brook corridor treatment, nesting bird habitats, replacement ponds and surrounding terrestrial habitat, and habitat connectivity within the application and the wider landscape.

REASON: To protect, conserve and enhance the habitats of species of conservation concern and reduce the impact of the development in accordance with G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and EN4 of the Emerging Core Strategy (Submission Version as proposed to be modified).

27. Prior to the commencement of works there shall be a repeat survey for the presence of badgers. The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to Ribble Valley Borough Council for approval in consultation with specialist advisors. Any necessary and approved measures for the protection of badgers implemented in strict accordance with the approved details.

REASON: To protect species of conservation concern and reduce the impact of the development in accordance with G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and EN4 of the Emerging Core Strategy (Submission Version as proposed to be modified).

28. Prior to the commencement of the development, full details of a scheme for the eradication of Japanese Knotweed (*Fallopia Japonica*) and Himalayan Balsam (*Impatiens Glandulifera*) on site shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of these species during any operations such as mowing, strimming or soil movement. It shall contain measures to ensure that any soils brought into the site are free of seeds/root/stem of any invasive plant covered under the Wildlife & Countryside Act 1981. The Scheme shall include a timetable for implementation and works shall be commenced within one year of approval, and the development shall proceed in accordance with the approved method statement. A delay of more than one year will render the approved scheme void and further site survey must be undertaken and submitted to the Local Planning Authority for approval in order to ensure that the agreed scheme is still applicable.

REASON: To ensure the development does not contribute to the further spread of these invasive species.

29. No development shall take place until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting have been submitted to, and approved in writing by the Local Planning Authority. Details shall identify the actual wall and roof elevations into which the above provisions shall be incorporated. The artificial bird/bat boxes shall be incorporated into the buildings prior to the buildings being first brought into use, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and reduce the impact of development in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and EN4 of the Emerging Core Strategy (Submission Version as proposed to be modified).

30. The bat mitigation proposals for the protection of bats as contained within ECOLOGICAL SURVEY AND ASSESSMENT (INCLUDING SURVEYS FOR PROTECTED SPECIES) Dated February 2011 (Updated February 2014) will be implemented in full, subject to any changes required by Natural England at the Licensing stage.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and reduce the impact of development in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and EN4 of the Emerging Core Strategy (Submission Version as proposed to be modified).

HIGHWAYS

31. 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 splays 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 roads –

1. from the continuation of the nearer edge of the carriageway of Watt street to points measured 43m in each direction along the nearer edge of the carriageway of Watt Street (2 junctions) from the centre line of the access;
2. from the continuation of the nearer edge of the carriageway of Whalley Road to points measured 43m in each direction along the nearer edge of the carriageway of Whalley Road from the centre line of the access;
3. 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.

CONTAMINATED LAND

32. Prior to commencement of development within a phase, the sampling and analytical strategy of the site investigation for that phase shall be submitted to and approved in writing by the local planning authority. The strategy shall address; the nature, degree and distribution of contamination and ground gases; an identification and assessment of the risk to receptors

as defined under Part IIA of the Environmental Protection Act 1990, focusing primarily on risks to human health and controlled waters; implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes; and on wider environmental receptors including ecological systems and property. The site investigation shall be carried out in accordance with the approved details and the results submitted to and approved in writing by the local planning authority prior to commencement of development.

If the site investigation(s) indicates remediation is necessary, Remediation Statement(s) detailing the recommendations and remedial measures to be implemented within the site, including timescales for implementation, shall be submitted to and approved in writing by the local planning authority. The remediation shall be carried out in accordance with the agreed statement and on completion of the development/remedial works with each phase, the developer shall submit a Verification Report to the local planning authority for approval in writing that certifies that all works were completed in accordance with the agreed Remediation Statement prior to the first occupation of each dwelling in that phase.

REASON: To prevent pollution of ground and surface waters both on and off site and to ensure the site is suitable for its end use in accordance with Policies G1, ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the emerging Ribble Valley Core Strategy as proposed to be modified.

ARCHAEOLOGY

33. 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 work. 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 ensure and safeguard the recording and inspection of matters of archaeological and historical importance associated with the site.

FLOOD RISK/DRAINAGE

34. The development permitted by this planning permission shall only be carried out in accordance with the approved FRA (Ref: ELLUC-BW-329-270214- FRA-F1) and the following mitigation measures detailed within the FRA:

1. The existing culvert on Sabden Brook on this site must be removed prior to development commencing. The prior written Consent of the Environment Agency must be obtained before development commences.
2. Finished floor levels are set no lower than 142.92 metres above Ordnance Datum (m AOD) in the eastern part and 140.05m AOD in the western part of the site.
3. Use of sustainable drainage systems (SUDS) to be reviewed following completion of ground investigation.

The mitigation measures shall be fully implemented prior to occupation and subsequently 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 reduce the risk of flooding from blockages to the existing culvert(s). To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

35. 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 hydrogeological 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. Surface water run-off rates post development need to be restricted to 58 litres per second as stated in the FRA (Ref: ELLUC-BW-329-270214-FRA-F1). 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.

36. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.

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

FURTHER CONTROL OVER DEVELOPMENT

37. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, amending or re-enacting that Order) any future extensions or external alterations to the buildings including the insertion of any new openings to the external surface of the building (including any roof plane) and any development within the curtilage shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: In order that the Local Planning Authority may ensure that the character and appearance of the development remains appropriate to the locality in accordance with Policies G1, ENV16, ENV17 and ENV18, of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN5 and DME4 of the Ribble Valley Core Strategy (Submission Version as proposed to be modified).

APPLICATION NO: 3/2014/0517/P (GRID REF: SD 361304 437393)
OUTLINE APPLICATION FOR UP TO 220 DWELLINGS WITH ALL MATTERS RESERVED,
SAVE FOR MEANS OF ACCESS FROM DILWORTH LANE/BLACKBURN ROAD,
LONGRIDGE, PR3 3ST

Members will be aware that on the 16th October 2014, the Planning and Development committee resolved to be minded to refuse the application with concerns specific to visual amenity impact as well as residential amenity. The report now takes account of their concerns and the reason is included at the end of the report.

This report has also been amended to include the changes in relation to the planning conditions outlined at the meeting and updated in other respects.

TOWN COUNCIL: Objection. Serious concerns about this being yet another addition to the cumulative impending developments within Longridge. There is prematurity in this and earlier planning applications given that the Core Strategy has not yet been passed. Concerned that we are being asked to make decisions and recommendations in the absence of an integrated Longridge development plan, which would explore total transport and utilities constraints and solutions, as well as proposals from developers to enhance community assets. Also 4 trees will be lost at the proposed entrance to the site.

CAMPAIGN TO PROTECT RURAL ENGLAND: Objection. Objectively assessed housing need should be met on sites that are suitable and sustainable. Concern that the development would fundamentally alter the local character, loss of habitat and wildlife and loss of a site that is of amenity value for local residents.

ELECTRICITY NORTH WEST: No objection. Overhead lines would need to be diverted.

ENVIRONMENT DIRECTORATE (ARCHAEOLOGY): No objection. I have checked our records and there are no significant archaeological implications. I can confirm agreement with the conclusions reached in CgMs' *Archaeological Desk-Based Assessment: Dilworth Lane, Longridge* (June 2014) section 6.5 that no further archaeological work is considered necessary.

ENVIRONMENT DIRECTORATE (CONTRIBUTIONS): On the current information, a contribution of £1,010,488 is requested for 84 primary school places. No contribution required for secondary school places. A recalculation will be undertaken at reserved matters stage once bedroom information is available.

ENVIRONMENT DIRECTORATE (ECOLOGY): In general much of the application area appears to be of relatively low biodiversity value, comprising intensively managed agricultural land which will not provide habitats of any particular value to protected or priority species. The loss of such intensively managed land will not therefore result in any significant impact on biodiversity. There are however features and habitats of greater biodiversity value, such as hedgerows and mature trees (and offsite, the adjacent reservoirs) and these do constitute the habitat of protected and priority species and will need to be appropriately retained and treated as part of development proposals. In my opinion the applicant has submitted sufficient information (assessment of impacts on biodiversity) to enable determination of this application. Provided mitigation and compensation for impacts can be secured as part of any planning approval, reserved matters applications or by planning condition, then

it should be possible to at least maintain biodiversity value and the proposals will be in accordance with the requirements of relevant biodiversity legislation, planning policy and guidance.

ENVIRONMENT
DIRECTORATE
(COUNTY
SURVEYOR):

No objection. The impacts on the existing transport network arising from additional traffic generated, including cumulative impacts with existing development, can be adequately accommodated and managed on the local highway network.

The site has the potential to provide for the safe and reasonably direct movement of pedestrians and cyclist to access the surrounding built environment, including access to existing bus stops and new bus stops. This requires the provision of new bus stops, together with new/improved footway linkages. Footpath and cycle routes should be provided at 3m width and with lighting to provide functional and safe routes for pedestrian access that provide links with local facilities, to create an environment that should encourage walking/cycling as a key mode of travel, to satisfy NPPF. S106 contributions requested.

ENVIRONMENT
DIRECTORATE
(MINERALS):

The Minerals Report submitted with the application considers the environmentally and financially acceptability of a commercial minerals extraction operation (quarry) on the proposed site and finds that a quarry would be unacceptable on both counts. However, the report does not consider the possibility of prior extraction as part of the proposed development; neither does it present any information on the depth of overburden or the presence of any mineral resource at workable depth, which is essential to determining the practicability of any prior extraction.

Whilst the impacts described as being associated with quarrying are relevant, they are equally relevant to the ground works and construction phase of development. Prior extraction, if practicable, could be incorporated into the groundworks phase without significantly increasing the duration or magnitude of these impacts to extract minerals that would otherwise have been sterilised.

In conclusion, the Council may wish to consider the opportunity for prior extraction as part of the proposed development in accordance with Core Strategy Policy CS1, and Policy M2 Mineral Safeguarding. The Minerals Report refers to the amount of reserves of sand and gravel and sandstone in Lancashire and the quantities of these reserves informs the conclusion that the exception requirements of Policy M2 have been met.

ENVIRONMENT
AGENCY:

No objection subject to conditions relating to surface water.

HIGHWAYS AGENCY:

No objection. We have reviewed this application and in particular, consideration has been given to the impact this development, together with other committed developments in the area, would have on the strategic road network, i.e. junction 31a of the M6 motorway. Having

done so, we have concluded that the impact of the proposed development on the junction would not be significant.

LANCASHIRE
CONSTABULARY:

Design and physical security should be incorporated into the development so that crime and disorder, fear of crime does not undermine the quality of life or community cohesion. This would also contribute to reduced demand for emergency services and repair costs in general. Recommendations appended.

NATURAL ENGLAND:

Based upon the information provided, Natural England advises that the proposal is unlikely to affect any statutorily protected sites. The impact of the development on protected landscapes, protected species and local sites should be assessed in consultation with local advisors and Natural England's Standing Advice.

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. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.

This application may provide opportunities for Landscape enhancements to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

PRESTON CITY
COUNCIL:

The National Planning Policy Framework sets out a Duty to Co-operate between authorities on cross boundary matters, particularly strategic ones such as housing delivery. As part of the Duty to Co-operate between Preston City Council and Ribble Valley Borough Council (RVBC), Preston has been identified to accommodate 200 dwellings set out within RVBC's Core Strategy. Recent planning permissions in Preston have been granted for 220 dwellings on land north of Whittingham Road (Ridings Depot); 78 south of Whittingham Road (Mosses Farm); 10 at the former DJ Ryan depot on Inglewhite Road; and 190 dwellings on land south of Inglewhite Road. Therefore, the Duty to Co-operate has been fully discharged.

In terms of the above planning application at land north of Dilworth Lane, I can confirm that in principle Preston City Council raises no objection to the proposal. However, the development proposals would inevitably result in increased vehicular traffic entering Preston along Whittingham Road (B5269) towards Broughton and along Longridge Road (B6243) through Grimsargh. At present the strategic highway network suffers from a level of congestion, with queuing at peak times on the A6 corridors through Broughton Crossroads, together with flows through Grimsargh village, including the pinch point at Skew Bridge. In order for future development proposals to come forward without having an unacceptable severe impact upon the strategic highway network, highway infrastructure improvements identified in the Central Lancashire Highways and Transport Masterplan (CLHTM) would need to be brought forward. The CLHTM identifies strategic highway improvements at the North West Preston Strategic Location, including the Broughton Bypass and the Preston Western Distributor, in addition to improvements at M6 Junction 31a.

On 30 September 2013, Preston City Council's Community Infrastructure Levy came into effect which sets out that planning approval for new developments will provide a CIL contribution, which will be used towards the funding and delivery of identified strategic infrastructure projects. These include both improvements to the Broughton Congestion Relief, Preston Western Distributor Road and M6 Junction 31a. Therefore, as the proposed development submitted to RVBC is likely to generate increased vehicular movements on this strategic highway network, there would be a requirement for the developer to provide a financial contribution towards this infrastructure in order to mitigate this impact. I would envisage that the precise level of contribution will be provided to you by Lancashire County Council.

SUSTRANS:

1. We would like to see a separate pedestrian/cycle only entry to the site on the western side of the proposed development, as shown. The developer should demonstrate how cyclists join Dilworth Lane safely at this location.
2. The Lancashire Cycleway runs along Dilworth Lane, and National Cycle Network route 6 passes to the west of Longridge. With the development planned for Longridge, the B roads, Preston Road and Cumeragh Lane will become less suitable for cycling toward employment sites, in particular, on the NE side of Preston. We would therefore like to see a development of this scale make a contribution to improving the pedestrian/cycle network on the Preston side of Longridge (please also see our comments on the Chipping Lane site at Longridge, ref 3/2014/0438).
3. The internal layout should restrict vehicle speeds to less than 20mph.
4. The design of any smaller properties without garages should include storage areas for residents' buggies/bicycles.
5. We would like to see travel planning set up for the site with monitoring and targets and with a sense of purpose.

UNITED UTILITIES: No objection subject to conditions relating to foul and surface waters.

ADDITIONAL REPRESENTATIONS: 202 letters of objection have been received from local residents, including a letter of objection from Dilworth Hill Action Group. The main concerns raised include:

- The growth of Longridge should be considered in a balanced and holistic manner within the context of the Housing and Economic Development DPD – failure to do so would negate the need for the DPD.
- By virtue of the topographical and locational characteristics of Longridge, growth should be properly considered particularly given the growth in Preston. The application is premature.
- Site is too large and in the wrong place on land unsuitable for housing.
- There are already two strategic sites – Standen and Barrow.
- Taylor Wimpey already have planning permission for 650 properties at Whittingham Road in Preston.
- No road improvements or infrastructure improvements are proposed – schools, healthcare, jobs.
- Housing survey shows demand for bungalows not just family homes and there should also be flats for young people and adapted accommodation for the retired.
- Application is an attempt to avoid both the Core Strategy and the Neighbourhood Plan.
- Encroaches into the countryside.
- There are no major employers in Longridge and new residents would add to overcrowded roads to Preston to reach employment.
- Dilworth Lane is narrow and steep and the increase in traffic is unsustainable. The impact of lorries during construction has not been taken into account – noise and vibration is already excessive.
- Due to the acoustics in the area, noise from the houses would be amplified.
- Will the Council or Taylor Wimpey provide helicopters to get emergency cases to Preston Royal Infirmary given the traffic in Goosnargh and Ribchester.
- Lower Lane would be affected by increased traffic and residents along this road should be notified.
- Noise statement highlights that road noise from Dilworth Lane will exceed acceptable levels in gardens living rooms and bedrooms and mitigation measures are proposed, but not for existing homes.
- Detrimental to character of the area.
- Site unsuitable for housing for the elderly as Dilworth Lane is too steep.
- Overlooking to houses on Dilworth Lane.
- Overdevelopment of Longridge.
- Additional pressure on doctors surgeries, dentists and schools. Parks are already run down – need to make sure existing residents don't suffer.

- Impact on wildlife.
- The 633 figure should be further adjusted downward to reflect additional development approved by Preston.
- Changes to the settlement boundary should be properly assessed and planned for rather than amended on the basis of ad hoc schemes.
- The site is not in a primary location for expansion and would inappropriately extend the settlement.
- Council has 5 year land supply.
- Concern that the site could accommodate 330 dwellings at modern development densities.
- Other sites in Longridge more suitable.
- Longridge is a sought after commuter town and benefits tend to flow out rather than in, hence growth should be planned to avoid it turning into a dormitory town.
- Site is isolated and would lead to satellite housing on approach to Longridge.
- Starter homes needed for local people and those downsizing – build for need not greed.
- Only one entrance to the site onto an already busy road creating highway and pedestrian safety issues
- The land is used for grazing and it's important to keep the pastoral aspect of the setting of Longridge.
- Detrimental impact on quality of life for residents.
- Lower Lane floods and this has included sewage. Site is poorly drained.
- Land banking.
- Loss of light, privacy and view. Adequate distances between properties should be met.
- Police station in Longridge is rarely manned and fire station inadequate for level of new housing proposed.
- Building on the hillside would spoil the entrance to Longridge.
- Roads not wide enough for cycles.
- Large developers build top end 3, 4, 5 bed houses through greed and the town is saturated with these. Problems with lack of infrastructure and services. The Government has created country wide problems by taking local control away.
- Land to the north cannot be developed and would leave a ribbon of undeveloped land between the site and housing to the north.
- Lack of continuous footpath along Dilworth Lane.
- Water table in Longridge is very high and SUDs will not alleviate drainage problems.
- Loss of habitat. Bats use the site. There are nesting owls and birds present on the land.
- Noise from the development would deter wildlife.
- Proposal serves only to satisfy simplistic, neo-liberal market based thinking that whichever option provides the greatest financial incentive for landowners and developers must therefore be good for all of us – the application reflects vested interests and not the requirements of the town.
- An additional few hundred vehicles negotiating Grimsargh railway

bridge is an interesting prospect.

- Not in the public interest for development to take place here.
- Rowland Homes development is not fully occupied – no demand.

One letter of support has been received, which states that houses are needed in Longridge for families wanting to stay in the town. This site would have the least impact on traffic through the town as Lower Lane can accommodate more traffic and traffic may also go towards Clitheroe and Blackburn rather than through the town, as would happen with the other developments.

Proposal

Outline planning permission is sought for a residential development comprising up to 220 dwellings including vehicular access from Blackburn Road and pedestrian/emergency accesses from Dilworth Lane. All other matters are reserved for subsequent approval. 154 of the dwellings would be market units and 66 would form affordable units, equating to 30% affordable housing provision.

The vehicular access is proposed to be located towards the eastern part of the site and to the east of the junction of Lower Lane and Dilworth Lane. A pedestrian refuge island on Blackburn Road is proposed along with a footway on the opposite side of Blackburn Road to provide a pedestrian link to Lower Lane. Whilst this is an outline application with access only, the indicative layout and illustrative masterplan show the majority of the trees and the hedgerows along the Dilworth Lane frontage and within the site would be retained. The parameters plan indicates that the dwellings would be single storey to two and a half storey in height and the development parcels would be set back from the road. A community woodland is indicated along the eastern boundary of the site adjacent to bridleway No.35.

Site Location

The site comprises of a broadly triangular parcel of land measuring 10.02 hectares to the north of Dilworth Lane in Longridge. Spade Mill reservoirs lie to the east of the site and the rear gardens of three dwellings on the northern side of Dilworth Lane adjoin the western boundary of the site, the closest of which is a recently constructed three storey dwelling. An area of open land adjoins the northern boundary of the site, beyond which are the rear gardens of properties to the south of Higher Road. Dilworth House is a detached two storey dwelling also to the north of Dilworth Lane and the application site comprises of the land around the curtilage of this property. Dilworth House is considered to be a non-designated heritage asset.

Bridleway No.35 runs along the eastern boundary of the site on Tan Yard Lane. Footpath No.36 adjoins this bridleway to the north leading to Higher Road and footpath No's 29 and 33 lead east towards Beacon Fell View holiday park. Dilworth Lane forms part of the Lancashire Cycleway.

Relevant History

No previous history.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control
Policy G5 - Settlement Strategy
Policy G11 - Crime Prevention
Policy ENV3 - Development in Open Countryside
Policy ENV6 - Agricultural Land
Policy ENV7 - Species Protection
Policy ENV9 – Other Important Wildlife Sites
Policy ENV10 – Nature Conservation
Policy ENV13 - Landscape Protection
Policy ENV14 – Archaeological and Historic Heritage
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 RT8 - Open Space Provision
Policy RT18 - Footpaths and Bridleways - Improvements
Policy RT19 - Footpaths
Policy T1 - Transport Implications
Policy T7 - Parking Provision

Ribble Valley Core Strategy (Including Proposed Main Modifications)

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
Key Statement H1 – Housing Provision
Key Statement H2 – Housing Balance
Key Statement H3 – Affordable Housing
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 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 DMB4 – Open Space Provision
Policy DMB5 – Footpaths and Bridleways

Joint Lancashire Minerals and Waste Local Plan

Policy CS1 – Safeguarding Lancashire’s Mineral Resources

Policy M2 – Mineral Safeguarding

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Technical Guidance to National Planning Policy Framework

Environmental, AONB, Human Rights and Other Issues

Principle

Planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework adopted in 2012 (NPPF) is one such material consideration and whilst it does not change the legal status of the development plan, it promotes a presumption in favour of sustainable development. Paragraph 14 of the NPPF states that for decision making, 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.

Consideration of the adverse impacts and benefits would enable a conclusion to be reached on whether the proposal comprises sustainable development, as defined by the NPPF. There are three dimensions to sustainable development: economic, social and environmental and 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.

The NPPF advises that development should be allocated on land of lesser environmental value. Whilst the scope of any definition of this would be wide, the applicant has produced a land quality report that demonstrates that the land classification is not of high value to agriculture (Grade 3b – moderate quality). There is no principle objection to the loss of this agricultural land on the basis of its quality in agricultural terms. The site is also not located in a designated area.

Paragraph 215 of the NPPF advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. Certain policies in the Districtwide local plan are consistent with the NPPF, remain relevant to decision-making and will be referred to where relevant in this report. However, in the context of a national housing shortage and the identified need for additional housing in the Borough, policies in the adopted local plan in respect of housing provision are now out of date. As one of the three principal settlements in the Borough, it is acknowledged that the settlement boundary of Longridge will need to be reviewed and the release of greenfield land to accommodate additional land for housing will be necessary to meet housing needs.

In respect of emerging local plans, paragraph 216 of the NPPF advises that weight may also be afforded to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The 'Core Strategy 2008-2028: A Local Plan for Ribble Valley' continues to progress through the Examination in Public (EiP) and the formal hearings have concluded. A public consultation in relation to main modifications proposed to the Core Strategy ended on 5th September and the policies set out in the Core Strategy as proposed to be modified therefore represent the Council's proposed policy position. It is considered that the plan is at an advanced stage in the plan making process and the policies within it can therefore be afforded weight in the decision making process. Policies will be referred where relevant in this report.

In terms of strategic considerations, Key Statement DS1 of the Core Strategy outlines that the majority of new housing development will be concentrated within the identified strategic site to the south of Clitheroe (Standen); and the principal settlements of Clitheroe, Longridge and Whalley. Key Statement DS1 states that 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. Policy DS1 identifies 1160 residential units to be provided in Longridge over the plan period (2008-2028) and current monitoring indicates that 633 dwellings remain to be provided (31st March 2014).

The Council is required to maintain a 5 year supply of housing land to ensure land supply is not a barrier to housing growth. Objectively assessed housing need identifies 280 units are required to be delivered in the Borough per year – these are minimum targets. Using the 31st July monitoring figures, the Council can demonstrate a 5.1 year supply of housing land with an annual requirement of 280 units using the Sedgfield methodology.

Whilst the Council can demonstrate a 5.1 year supply of housing land, completion rates remain below the identified 280dpa target in the emerging core strategy. Persistent underperformance in respect of completion rates would exacerbate the current undersupply of new residential units in the Borough. Notwithstanding this, the emerging core strategy, based on objectively assessed housing need, identifies the overall minimum housing target for Longridge is 1160 over the plan period 2008-2028. As of 31st March 2014 633 dwellings remain to be provided in Longridge over the plan period. The proposal would contribute 220 dwellings to this objectively assessed need and the principle of the development in housing numbers terms is therefore considered to be in accordance with the emerging core strategy and the NPPF.

Amendments to the current settlement boundary would normally be considered in the forthcoming Housing and Economic Development Plan Document (DPD) however, this application clearly precedes any such document. The application must be considered on its merits and in light of the additional housing proposed to be accommodated in Longridge, as set out in the Core Strategy, there could be no argument that the application is premature in respect of the core strategy adoption, as the principle of the proposed development is in accordance with the emerging core strategy in respect of housing numbers. Housing has recently been constructed on the opposite side of Dilworth Lane between this road and Lower Lane, which also lies outside the existing settlement boundary. I

consider that a reason for refusal in respect of prematurity, in respect of either the core strategy or the DPD, would be unjustified and contrary to national planning policy.

Minerals

The application site lies within a minerals safeguarding area (sandstone). The minerals report submitted by the applicant has been supplemented with an addendum following the receipt of comments from Lancashire County Council. LC C have advised that they have no further comments to make on the addendum, which concludes that there is no prospect of prior extraction of the mineral taking place on this site. I concur with the conclusions of the reports submitted by the applicant - it is necessary for non-mineral development to take place and I consider that the site constraints, including the proximity to the biological heritage site at Spade Mill Reservoirs and the presence of trees of amenity value, are such that prior extraction would not be feasible. The proposal meets identified exceptions in Policy M2 of the Joint Lancashire Minerals and Waste Local Plan and the proposal therefore accords with Policies M2 and CS1 of the Joint Lancashire Minerals and Waste Local Plan and Key Statement EN3 of the emerging Core Strategy.

Affordable Housing

30% affordable housing provision would equate to 66 units. The housing needs evidence for Longridge demonstrates a high demand for housing for older people and the housing waiting list has over 60 households requiring ground floor accommodation for older people. The housing strategy officer considers that although older person's provision is the highest demand, the topography of the area is such that this site is not the most appropriate location for delivering specialist housing. On this basis, the housing strategy officer advises that the 30% affordable housing requirement should comprise both on and off-site provision. On the basis of the maximum number of units that could be delivered on this site, the housing officer requests that a total of 26 affordable units are provided on site (10 bungalows, 8 x 2 bed properties and 8 x 3 bed properties) with a commuted sum for the equivalent of 40 units, which would be used to deliver accommodation for older people in a more appropriate location within Longridge.

Highway Safety and Accessibility

The transport assessment demonstrates that vehicles associated with the development could be adequately accommodated on the highway network. There may be additional delay on the Grimsargh corridor and whilst this may cause some frustration to highway users, the local highway authority concludes that the level of additional delay from this development cannot be deemed severe and as such, a refusal on highway grounds would be unjustified. Alterations proposed to the highway include the relocation of the 30mph speed limit on Blackburn Road approximately 80m to the east to slow vehicle speeds in the vicinity of the site access in the interests of highway safety. The conditions have been updated to reflect the final comments of the local highway authority.

One of the core planning principles of the NPPF is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling. New development should therefore be located to minimise the need to travel, with convenient links to public transport and good access for pedestrians and cyclists to reduce reliance on the private car.

Consent is sought for access as part of this outline application. The location of the vehicular access to the east of the site is somewhat detached from the existing settlement and would

ideally be located further to the west. However, the site constraints, in particular the geometry of the highway and the tree lined frontage, dictate that the identified point of access is the most feasible location as alternative options would result in significant tree losses along the Dilworth Lane frontage. In this regard, given the siting of the vehicular access, the pedestrian and cycle connections are crucial to the integration of the development into the surrounding area. One of the main considerations in respect of this application is therefore the design of the development in respect of accessibility and connectivity to the wider area to encourage sustainable modes of travel. This is recognised by the NPPF, in particular paragraph 61:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations....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.”

A pedestrian and cycle access is proposed to the west of the site to provide access to Dilworth Lane. Whilst this would provide convenient access for pedestrians and cyclists to Dilworth Lane and therefore Longridge town centre, improvements to accessibility and connectivity beyond the site boundaries are also necessary to deliver a sustainable form of development and to encourage alternative modes of travel to the private car. The condition of the bridleway along Tan Yard Lane is likely to deter pedestrians and cyclists from using this route to Higher Lane and officers consider that this bridleway and the pedestrian routes along Dilworth Lane should be upgraded where possible to encourage sustainable modes of travel. The applicant has agreed to fund improvements to Tan Yard Lane, which would be secured in the s106 agreement. The highway authority has requested a contribution towards improving accessibility on the Longridge-Preston corridor to fund improved combined footway and cycleways on Preston Road between Longridge and Grimsargh, which would be beneficial for access to Preston and would also secure improvements to Lower Lane. The combination of these two measures would maximise accessibility and connectivity to encourage sustainable modes of travel.

The internal routes from the points of access are indicative and would be determined at reserved matters stage. The indicative layout shows the internal pedestrian and cycle access to run broadly parallel to Dilworth Lane to provide convenient pedestrian and cycle connections through the application site to Dilworth Lane, through the site and to bridleway No.35 on Tan Yard Lane. To ensure they are fit for purpose, the routes should be 3m in width and 90 degree angles should be avoided, which should be secured in any subsequent reserved matters application(s).

It is therefore considered that the proposal would be acceptable in respect of access, connectivity and highway safety in accordance with Policies G1, T1 and T7 of the Districtwide Local Plan, Policies DMG1 and DMI2 of the emerging Core Strategy and the NPPF.

Landscape and Visual Impact

Main Modification 54 of the Core Strategy Proposed Main Modifications outlines the proposed modifications to Policy DMG2 Strategic Considerations. This policy states that development should be in accordance with Policy DS1 of the Core Strategy and should consolidate, expand or round off development so that it is closely related to the main built up areas, of an appropriate scale and in keeping with the existing settlement.

The site lies adjacent to the settlement boundary of Longridge and the nature of the proposed development is such that there would inevitably be a significant change in the landscape as a result of the residential development proposed. However, the topography of the area is such that the site is somewhat enclosed by existing residential development to the west and further to the north and also by the artificial and engineered landscape of the reservoirs to the east, hence the development of this site would not be visible in views from the Forest of Bowland Area of Outstanding Natural Beauty. Whilst the context of the site would ensure the impact of the development would be localised, the extent of the development to the east would have a negative impact on the character and appearance of the area. Officers requested that the applicant reconsider the extent to which the development parcels extend to the east. Whilst localised, the harm to the visual amenities and character of the area would nonetheless need to be weighed in the planning balance.

The proposed woodland buffer could be increased at reserved matters stage and this, along with the retention of trees and setback from the road, would be sufficient to prevent visual intrusion. As the land slopes upwards to the north, careful consideration would need to be afforded to minimising visual intrusion in the landscape that might arise through inappropriate density, scale and height, particularly in the eastern extents of the site.

Trees

The trees on the site are of amenity value and make a positive contribution to the character and appearance of the area. The countryside officer has determined the trees to be worthy of protection and a Tree Preservation Order has been drafted, which would include trees both on the application site and also those deemed to be of amenity value in the vicinity of the site, including within the grounds of Dilworth House. In respect of the application site, the TPO does not include category U trees and some other trees have been excluded (for example those in an unsuitable location, of low amenity value, those not currently under threat, or those with significant defects). For the avoidance of doubt, the current draft of the TPO includes those trees identified for removal to facilitate access to the site as this application remains under consideration. Once a TPO is made, the Council has six months to confirm the order and therefore if the committee are minded to grant planning permission, an amendment could be made to the TPO before it is confirmed to omit those trees to be felled to facilitate access.

The arboricultural impact assessment (AIA) indicates that the provision of the vehicular access point would necessitate the removal of up to six trees to provide adequate visibility at the site access. The provision of a pedestrian crossing to provide safe access to Lower Lane would also result in tree removals on the opposite side of Blackburn Road. An amendment has been made since receipt of the application to re-position the pedestrian and cycle access in the western part of the site to Dilworth Lane, with the result that no trees would be removed. The AIA recommends consideration is afforded to the detailed layout to minimise the impact of the development on the trees, for example by employing no dig construction methods and siting the internal pedestrian and cycle route outside the root protection zones. Subject to conditions, I am satisfied that the proposal has been designed to minimise as far as practicable, the loss of trees along the frontage of the site. Replacement tree planting in locations deemed suitable by the countryside officer and local highway authority would be secured at reserved matters stage.

The proposed woodland buffer to the east of the site may need to be increased in width to address concerns raised by the countryside officer and county ecologist. For a woodland area to be of high value to habitat it should be on average around 50m wide. The width of the woodland currently identified would be around 18m at its narrowest point and around 35m at its

widest point. Subject to detailed consideration at reserved matters stage and appropriate conditions, the proposals would comply with Policies G1 and EN7 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME1 and DME2 of the emerging Core Strategy as proposed to be modified.

Impact on Dilworth House

Dilworth House is a substantial detached two storey dwelling set within spacious sylvan grounds. The dwelling is not listed, however it is considered to comprise a non-designated heritage asset and the application site comprises agricultural land that may once have been associated with Dilworth House. Whilst the site therefore makes some contribution to the setting of Dilworth House, the sylvan character of the curtilage itself makes a far greater contribution to its setting and significance and I am satisfied that the development parcels and landscaping indicated on the illustrative masterplan would not unduly harm the significance of Dilworth House.

Ecology

The site lies close to Spade Mill Reservoirs Biological Heritage Site (BHS), which is designated for its wintering bird interest and is used by birds in conjunction with the nearby Alston reservoirs. The proposed development would be set back from Tan Yard Lane and the strengthened hedgerow and creation of woodland would form a buffer along the eastern boundary with Tan Yard Lane. Whilst further information could have been provided in respect of the impact on this site, the County ecologist is satisfied that the proposal would be unlikely to result in additional impacts subject to appropriate conditions to secure mitigation and enhancement. The County ecologist advises that consideration be given at reserved matters stage to; the installation of interpretation boards at the eastern end of the proposed development to raise awareness of the biodiversity value of the reservoirs and to suggest a code of good practice in proximity; landscaping; and in particular, the layout of the development where it approaches Tan Yard Lane and the BHS, which should demonstrate (with supporting information which evidences) that the proposed development will not adversely affect wintering or breeding birds associated with the adjacent BHS.

There are two ponds present on the site and a further pond is located within 250m of the site to the north within the garden of a residential property. Surveys of these ponds have been undertaken and a small number of frogs were the only amphibians found to be present and it is therefore concluded that great crested newts are highly likely to be absent. Extensive species surveys have been undertaken and the County ecologist is satisfied that the proposal would have no detrimental impact on species subject to appropriate conditions. Appropriate conditions would also secure a net increase in biodiversity and appropriate mitigation and as such, the proposal is therefore in accordance with Policy G1, EN7 and EN13 of the Districtwide Local Plan, Key Statements EN3 and EN4 and Policies DMG1 and DME3 of the emerging Core Strategy as proposed to be modified.

Flood Risk and Drainage

Following the receipt of an objection from the environment agency, the flood risk assessment has been revised. The environment agency has subsequently removed their objection and recommends conditions relating to surface waters. United utilities have also raised no objection subject to conditions relating to foul and surface waters. As such, the proposal is therefore considered to be acceptable in respect of drainage and flood risk in accordance with Policy G1

of the Districtwide Local Plan, Key Statements EN2 and EN3 and Policies DMG1 and DME6 of the emerging Core Strategy.

Whilst detailed design and layout is a reserved matter, in accordance with SUDs best practice the first 5mm of rainfall must be infiltrated on site. This can be achieved by the use of green roofs, pervious paving on hard standing areas (under-drained if ground conditions do not suit) and by landscaping the development so that water is directed to permeable areas such as filter strips and grass verges. The reserved matters applications would need to demonstrate that these matters are appropriately addressed in the detailed design and layout of the development.

Amenity

The application is outline with access only, hence detailed consideration would be afforded to amenity considerations at reserved matters stage once the detailed design has been established. A noise assessment has however been submitted to demonstrate that the future occupants of the dwellings would not be unduly affected by road noise subject to inclusion of appropriate mitigation in the detailed design. Whilst I appreciate the outlook from rear of the properties on Dilworth Lane would change significantly, it is an established principle that there is no right to a view and this cannot therefore be considered as a material consideration. It is noted that No's 32 and 34 Dilworth Lane to the west of the site have short rear gardens, hence the applicant indicates that land within the site could be given over to form extended gardens for these properties. Alternatively, appropriate distances would need to be maintained between these existing properties and the proposed dwellings at reserved matters stage. The proposed location of the emergency access would have no undue impact on the amenity of the occupants of Dilworth House given it would be used only rarely by vehicles. Again, consideration would need to be afforded to the impact of the detailed layout on the amenity of the occupants of this property at reserved matters stage. On the basis of the outline application, the proposal would have no undue impact on the amenity of the occupants of neighbouring residential properties and is therefore in accordance with Policy G1 of the Districtwide Local Plan and Policy DMG1 of the emerging Core Strategy.

Energy and Sustainability

One of the core planning principles of the NPPF is to support the transition to a low carbon future in a changing climate. Paragraph 93 clarifies that this is central to the economic, social and environmental dimensions of sustainable development - planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. To secure a sustainable form of development and in particular to contribute to the social and environmental roles, it is recommended that a condition be attached to the permission to require at least 10% of the energy needs of the development to be provided from renewable or low carbon energy sources. The reserved matters applications should also demonstrate that take account of landform, layout, building orientation, massing and landscaping minimise energy consumption to accord with paragraph 96 of the NPPF.

Infrastructure, Services and Developer Contributions

The proposal would result in an increase in the population of Longridge and therefore increased demand for education services, sports facilities, open space and healthcare services and also increased pressure on existing infrastructure, such as the highway network. One of the core

planning principles of the NPPF is to deliver sufficient community and cultural facilities and services to meet local needs and such impacts can be mitigated both on-site and off-site.

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 (paragraph 73 of the NPPF) and contributes to the social role of sustainable development. The indicative layout identifies an area of on-site open space provision to include a locally equipped area for play (LEAP) to provide a play facility for younger children. The provision and maintenance of this could be secured by condition of the permission. In respect of facilities for older children (which normally comprise neighbourhood equipped areas for play (NEAPs) such as multi-use games areas) and also for adults (sports pitches and sports halls), off-site contributions could be secured in lieu of provision of such facilities on site.

The Council is currently in the process of undertaking an assessment of need in respect of the open space and sports facilities in the Borough and whilst this is currently in draft form, the assessment is at an advanced stage of production. In respect of Longridge, the assessment identifies specific areas for improvement in respect of the quality of the facilities available for use by residents and attributes a cost to these improvements based on information produced by Sport England. The improvements identified would secure the following:

1. Swimming pool modernisation scheme at Ribblesdale, Clitheroe
2. Grass pitch improvements at Mardale, Longridge
3. Cricket wicket provision at Longridge Cricket Club
4. Sports hall improvements at Longridge Sports Club
5. Play facility improvements in Longridge

It is considered that further evidence would be required before a contribution could be sought from developers of sites in Longridge to fund swimming pool improvements in Clitheroe. There may for example be such facilities in the Preston area more readily accessible to the residents of Longridge and it is not currently known to what extent Longridge residents use the pool in Clitheroe. Excluding the contribution towards swimming pool facilities, a contribution of £150,040 (£682 per dwelling) would currently be required to mitigate the impact of the development on sports and open space facilities in Longridge and to improve the quality of provision.

The development would place additional pressure on healthcare services in Longridge. The applicant has endeavoured to discuss this matter further with the health authority and some progress has been made - the NHS advisor has stated that the NHS would be unable to fund an increase in practice rent. However, in the absence of evidence from the NHS to support this, for example an assessment of current facilities, neither the applicant nor the Council are in a position to determine whether it would be necessary to mitigate the additional demand associated with the development. An assessment of current facilities would for example determine what mitigation may be required based on current capacity, the projected increase in population as a result of new residential development and how contributions would be spent. In the absence of this information, it is considered that a contribution towards general health care provision in Longridge could not be sought from the applicant at the current time.

On the basis of the information currently available, the education authority requests a contribution of £1,010,488 to provide 84 primary school places. No contribution is requested for secondary school places. This figure is however indicative and the precise level of contribution

would be determined at reserved matters stage once the precise number of dwellings and bedrooms is known.

The Lancashire County Council request the following contributions towards highway and accessibility improvements, in addition to works that would be delivered under a section 278 agreement:

1. £12,000 towards travel plan implementation and monitoring;
2. £242,000 towards accessibility improvements on the Longridge-Preston corridor to fund improved combined footway/cycleway on Preston Road (inc Chapel Hill/Chapel Brow) between Longridge and Grimsargh;

The applicant also proposes a contribution of £20,430 for improvement works to Tan Yard Lane to improve connectivity and encourage sustainable modes of travel.

The contributions are considered to be directly related to the development, fairly and reasonably related in scale and kind and would be necessary to enable the development to proceed.

Benefits

The proposal would provide housing in the Borough, including affordable housing and this would contribute to the social role of sustainable development. There would be economic benefits in NPPF terms and from funding via the new homes bonus. The proposal would result in job creation during the construction period and benefits to the local economy from the resulting increase in population and thus expenditure. The proposal would secure biodiversity enhancements and the creation of the woodland buffer along the eastern boundary of the site with Tan Yard Lane would result in environmental and social benefits. The highway works are mitigation associated with the development, however the contributions to sustainable travel would provide valuable improved pedestrian and cycle links, including between Longridge and Grimsargh to the benefit existing and future occupants.

Conclusion

The proposal would contribute to the provision of housing and affordable housing in the Borough to meet objectively assessed housing need. Whilst the development of agricultural land to provide housing would inevitably change the character of the area, the topography of the area is such that the visual impact of the proposal would be localised. I am satisfied that the tree losses required to facilitate access have been minimised and would be compensated with replacement tree planting to maintain the tree lined appearance of the road. Appropriate conditions would ensure the connectivity of the site is maximised to provide inclusive access and to reduce reliance on the private car. Furthermore, the visual impact of the proposal would be mitigated with appropriate design, layout, scale, appearance and landscaping at reserved matters stage. On balance, I consider the harm that would arise to the character and appearance of the area would not be so significant as to outweigh the benefits of the proposal. I therefore recommend accordingly.

RECOMMENDATION: That the application be DEFERRED AND DELEGATED to the Director of Community Services for approval following the Consultation Direction procedures and the satisfactory completion of a legal agreement (in the terms described in the developer contributions section of this report) within 3 months from the date following a decision from the outcome of the Consultation Direction 2009 or delegated to the Director of Community Services

in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions:

General

1. No part of the development hereby permitted shall be commenced on any phase (as referred to in Condition 5) until full details of the layout, scale and appearance of the buildings and landscaping within that phase (hereinafter called 'the reserved matters') have been submitted to and approved in writing by the Local Planning Authority.

In relation to landscaping, the details shall include: the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform, full specifications of all boundary treatment and a scheme of maintenance, including long term design objectives.

In respect of ecology, any submission of reserved matters shall demonstrate and evidence that the biodiversity interest of the adjacent Biological Heritage Site will not be adversely affected; that the identified bat foraging and commuting habitat will be retained, maintained and enhanced; that mature trees and hedgerows will be retained and any losses appropriately compensated; that replacement ponds (to compensate the loss of the two ephemeral ponds) will be created and maintained, and that any necessary habitat mitigation will be delivered as part of the proposals.

REASON: As the application is outline only and to define the reserved matters in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan, Key Statement EN2 and Policies DMG1 and DME3 of the emerging Ribble Valley Core Strategy as proposed to be modified.

2. Applications for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. The development hereby permitted shall begin not later than two years from the date of approval of the final of the reserved matters.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. No more than 220 dwellings shall be developed on the application site edged red on the submitted Red Line Boundary Plan (drawing reference 492B-21-A) and the vehicular and pedestrian accesses to the site shall be constructed in accordance with the details shown on the following plans unless otherwise required by condition of this permission:

- a) Eastern Access drawing number TPMA1178-011 Rev L
- b) Western Access drawing number TPMA1178_010 Rev E

Each site access shall be constructed to base course level prior to the first occupation of a dwelling within the parcel of the development served by the access and completed in accordance with the timetable to be approved pursuant to Condition 13 of this permission.

REASON: For the avoidance of doubt and to clarify the permission in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the emerging Ribble Valley Core Strategy as proposed to be modified.

Phasing

4. Prior to the submission of any reserved matters application, a phasing scheme 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 development shall be carried out in accordance with the approved phasing scheme.

REASON: To ensure the development is appropriately phased to deliver a sustainable form of development in accordance with Policies G1, ENV7 and T7 of the Ribble Valley Districtwide Local Plan, Policies DMG1, DMG3, DME3, DMI2 and Key Statements EN2 and EN4 of the emerging Ribble Valley Core Strategy as proposed to be modified.

Design

5. Notwithstanding the indicative building heights shown on the submitted drawings and prior to the submission of any reserved matters within a phase or parcel a masterplan and design code for that phase shall be submitted to and approved in writing by the Local Planning Authority. The masterplan and design code shall accord with the principles of the parameters plan (drawing Ref 492B 20E) and design and access statement (dated 6 June 2014). The design code shall address the following matters:

- Architectural and sustainable construction principles
- Character areas
- Lifetime homes standards
- Street types and street materials
- Development block types and principles
- Pedestrian and cycle links
- Boundary treatments
- Building types and uses
- Building heights
- Building materials
- Sustainable drainage systems
- Public open spaces
- Parking and manoeuvring arrangements for vehicles

Applications for removal of reserved matters within a phase shall thereafter be in accordance with the approved masterplan and design code for that phase.

REASON: To ensure the development is appropriately phased to deliver a sustainable form of development in accordance with Policies G1, ENV7 and T7 of the Ribble Valley Districtwide Local Plan, Policies DMG1, DMG3, DME3, DMI2 and Key Statements EN2 and EN4 of the emerging Ribble Valley Core Strategy as proposed to be modified.

Landscaping and Levels

6. All landscaping and landscape maintenance schemes approved for each phase of development (as approved under Condition 4) shall be fully implemented in accordance with the approved details in the first complete planting season following the first occupation of each dwelling within that parcel or the completion of the parcel to which they relate, whichever is the sooner. Any trees or plants which, within a period of five years from completion of the relevant development parcel die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To ensure the site is satisfactorily landscaped in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the emerging Ribble Valley Core Strategy as proposed to be modified.

7. Applications for the approval of reserved matters shall include details of existing and proposed land levels and finished floor levels, including the levels of the proposed roads. The development shall thereafter be carried out in accordance with the approved details.

REASON: To secure satisfactory finished ground and floor levels in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the emerging Ribble Valley Core Strategy as proposed to be modified.

Drainage

8. Prior to the commencement of development, a drainage strategy outlining the general system of drainage for foul and surface water flows arising from the entire site shall be submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall accord with the approved Flood Risk Assessment (Ref: 30058/SRG Rev A, dated 16 July 2014) and shall demonstrate that: the surface water run-off generated by the 1 in 100 year plus climate change critical storm shall not exceed the run-off from the undeveloped site and shall not increase the risk of flooding off-site; surface water run-off shall be limited to 73 litres per second; and pervious paving shall be used on private driveways to facilitate the infiltration of the first 5mm of rainfall. Thereafter the detailed schemes for foul and surface water drainage approved pursuant to Conditions 9 & 10 for development within each phase shall accord with the approved drainage strategy under this condition.

REASON: To ensure satisfactory storage and disposal of surface water from the site to prevent flooding in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan, Policies DMG1 and DME6 and Key Statement EN2 of the emerging Ribble Valley Core Strategy as proposed to be modified.

9. Prior to the commencement of development within a phase, the details of a scheme for surface water drainage and means of disposal for that phase, to accord with the Drainage Strategy approved pursuant to Condition 8 and to include evidence of an assessment of site conditions, sustainable drainage principles, an assessment of the hydrological and hydro-geological context of the development, management and maintenance and timescales for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented, maintained and managed in accordance with the approved details at all times thereafter.

REASON: To ensure satisfactory storage and disposal of surface water from the site to prevent flooding in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan, Policies DMG1 and DME6 and Key Statement EN2 of the emerging Ribble Valley Core Strategy as proposed to be modified.

10. Prior to the commencement of development within a phase, details of the foul drainage scheme for that phase, which shall be based on the Drainage Strategy approved pursuant to Condition 8 of this permission, shall be submitted to and approved in writing by the Local Planning Authority. The foul drainage scheme shall be implemented prior to completion of the first dwelling within that phase of development and maintained and managed in accordance with the approved details at all times thereafter.

REASON: To ensure satisfactory means of foul drainage in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the emerging Ribble Valley Core Strategy as proposed to be modified.

Construction

11. Prior to commencement of development within a phase, the sampling and analytical strategy of the site investigation for that phase shall be submitted to and approved in writing by the local planning authority. The strategy shall address; the nature, degree and distribution of contamination and ground gases; an identification and assessment of the risk to receptors as defined under Part IIA of the Environmental Protection Act 1990, focusing primarily on risks to human health and controlled waters; implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes; and on wider environmental receptors including ecological systems and property. The site investigation shall be carried out in accordance with the approved details and the results submitted to and approved in writing by the local planning authority prior to commencement of development. If the site investigation(s) indicates remediation is necessary, Remediation Statement(s) detailing the recommendations and remedial measures to be implemented within the site, including timescales for implementation, shall be submitted to and approved in writing by the local planning authority. The remediation shall be carried out in accordance with the agreed statement and on completion of the development/remedial works with each phase (approved pursuant to Condition 4), the developer shall submit a Verification Report to the local planning authority for approval in writing that certifies that all works were completed in accordance with the agreed Remediation Statement prior to the first occupation of each dwelling in that phase.

REASON: To prevent pollution of ground and surface waters both on and off site and to ensure the site is suitable for its end use in accordance with Policies G1, ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the emerging Ribble Valley Core Strategy as proposed to be modified.

12. No development approved by this permission shall commence within a phase until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The approved Management Plan shall be adhered to throughout the construction period and shall provide for:
 - i) The routes to be used by construction vehicles carry plant and machinery routes to be used by vehicles carrying plant and materials to and from the site which shall have been constructed to base course level;

- ii) Parking of vehicles within the site of site operatives and visitors;
- iii) Loading and unloading of plant and materials;
- iv) Storage of plant, materials and potential ground and water contaminants;
- v) Erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate;
- vi) Wheel washing facilities;
- vii) A management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures;
- viii) A scheme for recycling/disposing of waste resulting from construction works. There shall be no burning on site;
- ix) A scheme to control noise during the construction phase;
- x) Details of lighting to be used during the construction period;
- xi) Site working hours;
- xii) 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 such trips should not be made)
- xiii) Sustainable travel options for journeys to and from construction workers including pedestrian routes, travel by bicycles, journeys by train, car sharing schemes and other opportunities to reduce journeys by car.

REASON: In the interests of residential amenity, highway safety and convenience and to protect the adjacent biological heritage site during construction works in accordance with Policies G1, ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DMG1, DME2 and DME3 of the emerging Ribble Valley Core Strategy as proposed to be modified.

Highways

13. No development shall commence until full design details for the construction of all site access, emergency access and the off-site works of highway improvement have been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. No part of the development hereby approved may be occupied prior to the construction of the highway works in accordance with the details approved unless otherwise agreed in writing by the local planning authority. The required s278 highway improvement works include:

- a) Site Access to Blackburn Road in keeping with the design principles as indicated on the preliminary design drawing no. TPMA1178_011 Rev G. subject to detail design to be agreed.
- b) Relocation of the existing 30mph speed limit zone to the east of the new access and provide a new "gateway treatment at the new change of speed limit. The works to include localised narrowing to create a pinch point at the gateway together with new signs and bar markings on the carriageway.
- c) Provision of a pedestrian refuge island on Blackburn Road between the site access and junction with Lower Lane, together with a new footway on the south side of Blackburn Road to provide a connection to the existing footway and new bus stop location.
- d) The provision of sustainable transport links as indicated in the Design and access Statement. Specifically the inclusion of an east-west footway/cycleway to the rear of the frontage hedge to Blackburn Road and Dilworth Lane; through the site from the western Dilworth Lane site boundary to Tan Yard Lane to the western site boundary. The routes to be made available with a 3m wide sealed surface and lit.

- e) The provision of 1 bus stop on Blackburn Road to the east of the site access and 1 bus stop on Lower Lane close to the junction with Dilworth Lane. The 2 new bus stops should be to full quality/mobility standard (including shelters, seating and information etc). The exact locations of the bus stops to be determined at detail design stage.

REASON: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site in the interests of highway safety and convenience, in accordance with Policies G1, T1 and T7 of the Ribble Valley Districtwide Local Plan and Policies EN2, DMG1, DMI2 and DMG3 of the emerging Ribble Valley Core Strategy as proposed to be modified and the National Planning Policy Framework.

- 14. No development shall commence until an Interim Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Interim Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.

- a) The Interim Travel Plan must include a schedule for the submission of a Full Travel Plan within a suitable timeframe of first occupation, the development being brought into use or other identifiable stage of development.
- b) Where the Local Planning Authority agrees a timetable for implementation of an Interim or Full Travel Plan, the elements are to be implemented in accordance with the approved timetable unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.

REASON: To ensure that the development provides sustainable transport options to deliver a sustainable form of development in accordance with Policies G1, T1 and T7 of the Ribble Valley Districtwide Local Plan and Policies EN2, DMG1, DMI2 and DMG3 of the emerging Ribble Valley Core Strategy as proposed to be modified and the National Planning Policy Framework.

- 15. Before the development site access hereby permitted becomes operative, visibility splays shall be provided and thereafter maintained to the satisfaction of the LPA. The visibility splays subject of this condition shall be 60 x 2.4m in both directions (east and west) along Blackburn Road from the new access.

REASON: To ensure adequate visibility for the drivers of vehicles entering and leaving the site in the interests of highway safety, in accordance with Policies G1, T1 and T7 of the Ribble Valley Districtwide Local Plan and Policies EN2, DMG1, DMI2 and DMG3 of the emerging Ribble Valley Core Strategy as proposed to be modified and the National Planning Policy Framework.

Trees

- 16. Prior to the commencement of any site works, a revised Tree Survey, revised Arboricultural Impact Assessment and a Methods Statement for all works associated with the development hereby permitted, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in complete accordance with approved details. All trees identified to be retained in or adjacent to the application site shall

be protected during construction in accordance with BS5837: 2012 'Trees in relation to design, demolition and Construction (as may be amended).

REASON: In the interests of visual amenity and to protect trees during construction in accordance with Policies G1, ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME2, DME3 and Key Statement EN4 of the emerging Ribble Valley Core Strategy Core as proposed to be modified.

Ecology

17. The development hereby permitted shall not commence during the bird nesting season (1st March to 31st August inclusive) unless the absence of nesting birds has been confirmed by further surveys or inspections undertaken by an appropriately qualified ecologist, the results of which shall be submitted to and approved in writing by the local planning authority prior to any commencement in the bird nesting season.

REASON: To protect nesting birds, having regard to the adjacent biological heritage site in accordance with Policies G1, ENV7 and ENV9 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME3 and Key Statement EN4 of the emerging Ribble Valley Core Strategy Core as proposed to be modified.

18. Prior to the commencement of each phase of the development (approved pursuant to condition 4), the land within that phase shall be subject to a further survey to confirm the continued absence of badgers and badger setts and the results shall be submitted to the Local Planning Authority for approval in writing together with proposals for mitigation if required. The development shall be carried out in complete accordance with the approved survey(s).

REASON: To protect any badgers that may be present on the land at the time of commencement in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME3 and Key Statement EN4 of the emerging Ribble Valley Core Strategy Core as proposed to be modified.

19. The reserved matters application(s) shall be accompanied by repeat surveys of the trees identified for removal to confirm the continued absence of roosting bats. If the surveys demonstrate that bats have colonised, the surveys shall include appropriate mitigation and/or compensation proposals. The development shall thereafter be carried out in complete accordance with the approved survey(s). Should evidence of roosting bats be found, a European Protected Species licence will be required from Natural England.

REASON: In the interests of protected species in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME3 and Key Statement EN4 of the emerging Ribble Valley Core Strategy Core as proposed to be modified.

20. No site works shall take place within a phase until a Landscape Management Plan to include: long-term design objectives; habitat creation; details of the retention, creation and enhancement of native hedgerows, mature trees, woodlands, grasslands and ponds; and shall demonstrate that the habitat of protected and priority species (most notably bats, but also breeding birds and amphibians) is enhanced; enhancement, management responsibilities and maintenance schedules for all landscaped areas (other than privately-owned domestic gardens) and timing of works within each phase, has been submitted to

and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include (but not be limited to) details of the proposed woodland buffer to the east of the site adjacent to Spade Mill Biological Heritage Site, trees and tree lines, hedgerows and other areas of public open space. The Landscape Management Plan shall be informed by the Ecological Appraisal (dated 3rd June 2014), Bat Survey Report (dated 5th September 2014) and the details approved pursuant to condition 16. Habitats shall comprise locally appropriate native species and plant species used in more formal/ornamental planting should be selected to provide benefit for biodiversity (i.e. pollen, nectar, berry bearing). The landscape management plans shall be implemented and maintained in accordance with the approved details.

REASON: To secure biodiversity enhancements having regard to the adjacent biological heritage site in accordance with Policies G1, ENV7 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME3 and Key Statements EN2 and EN4 of the emerging Ribble Valley Core Strategy Core as proposed to be modified.

21. Prior to the felling of the tree identified as T84 (Alder) in the submitted Tree Survey Report (dated 3rd June 2014) a pre-works visual inspection to check for occupation by bats shall be carried out by a suitably qualified ecologist, the results of which shall be submitted to and approved in writing by the local planning authority. Should evidence of roosting bats be found, a European Protected Species licence will be required from Natural England.

REASON: To protect any bats that may be present in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME3 and Key Statement EN4 of the emerging Ribble Valley Core Strategy Core as proposed to be modified.

22. Prior to commencement of development within a phase, details of the provisions to be made for building dependent species of conservation concern, including artificial bird nesting boxes and artificial bat roosting sites for that phase shall be submitted to and approved in writing by the Local Planning Authority. The details shall be submitted on a dwelling/building dependent bird/bat species development site plan and include details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building/dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated. The artificial bird/bat boxes shall be incorporated during the actual construction of those individual dwellings identified on the submitted plan and made available for use before each such dwelling is first occupied unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of biodiversity and to enhance roosting opportunities for species of conservation concern in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME3 and Key Statement EN4 of the emerging Ribble Valley Core Strategy Core as proposed to be modified.

Energy

23. No development shall commence until a scheme to demonstrate at least 10% of the energy requirements of the development will be generated on site, or a scheme for alternative measures to achieve at least a 10% reduction in energy consumption in comparison to a development constructed in accordance with building regulations in force at the time of construction, has been submitted to and approved in writing by the local planning authority.

Development shall be completed wholly in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To allow the energy needs of the development to be partially generated on site to reduce reliance on the grid in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan, Key Statements EN2 and EN3 and Policies DMG1 and DME5 of the Core Strategy Submission Version as proposed to be modified and the National Planning Policy Framework.

Play Space

24. 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 provide precise details of all play equipment and other related structures in that phase and its maintenance and indicate a timescale when the play spaces and related structures on the open space shall be provided and made available for use within that phase. The play space management plan shall be implemented in accordance with the approved details.

REASON: In the interests of the amenity of the future occupants in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the emerging Core Strategy as proposed to be modified.

Lighting

25. Prior to commencement of development within a phase (approved pursuant to Condition 4) details of a scheme for all external lighting for that phase/parcel, including timescales for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall accord with guidance issued by the Bat Conservation Trust and Institute of Lighting Engineers and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised. The lighting scheme(s) shall be implemented in complete accordance with the approved details and retained thereafter at all times.

REASON: In the interests of residential amenity and protected species in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME1 and DME3 of the emerging Ribble Valley Core Strategy as proposed to be modified.

Noise

26. Prior to commencement of development within a phase of development (approved pursuant to Condition 4 of this permission) a scheme of noise mitigation measures for that phase adhering to the principles laid out in the Noise Assessment dated 3rd June 2014 (REC reference 90339R2) shall be submitted to and approved in writing by the Local Planning Authority. The measures so identified shall be incorporated into the construction of the development within that phase and thereafter retained at all times.

REASON: In the interests of the amenity of the future occupants in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the emerging Core Strategy as proposed to be modified.

Update following 16th October meeting

Committee resolved on the 16th October 2014 to be minded to refuse the proposal on grounds of visual impact and residential amenity. However, it is important to emphasise that the visual impact of the proposal was fully assessed by both the Council's Countryside Officer and the Planning Officer when a decision was made to recommend approval. It should be noted that the scheme offers a considerable amount of additional landscaping which minimises the visual impact of the proposed development. In an overall assessment of the scheme, it is essential that any visual impact needs to be balanced with the positive contribution in the form of additional landscaping and other material considerations. If Committee still consider the scheme unacceptable in relation to visual impact, I offer the following reason for refusal:

1. The proposed development, by virtue of its scale, size and location would result in an unacceptable visual intrusion to the local landscape and would have a significant adverse effect on the character, appearance and visual amenities of the area. As such the proposal does not comprise sustainable development and is contrary to the National Planning Policy Framework, Policies G1, G5, ENV3 and ENV13 of the Districtwide local plan and Policies DMG1, DME2 and Key statement DS2 of the emerging Ribble Valley Core Strategy Submission Version as proposed to be modified.

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>
3/2014/0385/P	Non material amendment to planning consent 3/2013/00760: Relocate the garden store door from the end gable wall to the elevation facing the garden. Internally subdivide the garage from the workshop/utility area and create an additional external door opening	The Old Smithy Little Bowland Road Leagram Chipping
3/2014/0437/P	Application for discharge of conditions no. 3 (materials), 4 (root protection measures) and 5 (landscaping) of planning approval 3/2013/0760/P	The Old Smithy Little Bowland Road Leagram Chipping
3/2014/0470/P	Demolish existing single storey lounge extension and form new 2 storey extension to form additional bedrooms/ensuite and loggia to rear	Madgell Bank Ribchester Road Clayton le Dale
3/2014/0544/P	Discharge of condition 10 – programme of archaeological works	Mill Lane Depot, Mill Lane Hesketh Lane, Chipping
3/2014/0549/P	Extension, garage and stable	Loudside Cottage Back Lane, Chipping
3/2014/0651/P	Proposed two storey side extension	22 Langshaw Drive Clitheroe
3/2014/0670/P (LBC)	Refurbishment of existing café, gift shop exhibition area and toilets and alteration of guarding/glazing details to four number existing openings to the first floor accommodation	North Range Building Whalley Abbey Whalley
3/2014/0694/P	Proposed two storey side extension and detached garage with biomass facility	Big Holme Farm Bolton by Bowland
3/2014/0717/P	Variation of Condition 6 – Landscaping Drawings of Planning Application 3/2011/0837/P	Land off Pendle Drive Calderstones Park Whalley
3/2014/0739/P	Proposed demolition of detached garage to make room for a two storey side extension. External alterations to the roof profile and material finishes	12 Whittam Crescent Whalley
3/2014/0744/P	Clarification of out building height in relation to the adjacent garage	Fern Cottage, Hollin Hall Longridge
3/2014/0760/P	Single Storey Rear Extension	1 Hollowhead Avenue Wilpshire

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0775/P	Demolition and replacement of existing garage to south elevation	2 Chapel Rise, Billington
3/2014/0777/P	Erection of first floor extension and change of use from community centre to 2 No one bedroom flats.	Hodgefield Billington Gardens, Billington
3/2014/0783/P & 3/2014/0784/P	Change of use of Downham Post Office to form en-suite letting bedrooms and café at ground floor	Downham Post Office Downham
3/2014/0790/P	Installation of one 25m lattice mast with 3 antennas, 2 dishes and 1 equipment cabin and associated ancillary development	BAE Systems Samlesbury Aerodrome Myerscough Road Balderstone
3/2014/0792/P	Change of use and Listed building consent for internal alterations to form en-suite letting bedrooms	Ash Tree Cottage Downham
3/2014/0798/P	Single storey rear extension	The Bungalow Clitheroe Road, Waddington
3/2014/0800/P	Non material amendment application relating to change of window size and materials and omission of cladding (original planning permission 3/2010/0961/P)	plots 1 and 2 Greenacres/Tennyson Ave Read
3/2014/0825/P	Non material amendment application for changes to window proportions, removal of lift and introduction of rooflights to south and west elevations	Inside Track Ltd Victoria Street Garage Victoria Street, Clitheroe
3/2014/0832/P	Proposed alteration and extensions	16 Claremont Avenue Clitheroe
3/2014/0906/P	Non material amendment application to condition 3 of planning approval 3/2013/0405 - request to amend material type to rear patio doors only	Grimbaldeston Farmhouse Preston Road Longridge
3/2014/0928/P	Non-material amendment following grant of planning permission 3/2014/0733 for alteration of door and window on rear elevation to patio doors.	2 Eastfield Drive West Bradford

APPLICATIONS REFUSED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2014/0579/P	Two storey extension to form swimming pool extension at ground floor level and en-suite bedroom accommodation at first floor level	Lane Ends Barn Pleckgate Road Ramsgreave	The scale of the proposed extension results in disproportionate additions which by definition is harmful to the green belt, and the property itself, a barn conversion.

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2014/0695/P	Creation of new agricultural access track on	land at A59 Gisburn Road Gisburn	Policies G5, ENV3, ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG2 and DMB5 of the Core Strategy - No justification has been provided that the proposed track is reasonably necessary for agriculture. The construction of the track and its materials would be visually harmful to this rural location.
3/2014/0748/P	Two storey extension to the rear of 21 Eastfield Drive	21 Eastfield Drive West Bradford	The proposed development, by virtue of its design, scale and mass, would result in an unsympathetic and incongruous scheme of development, would overwhelm the host dwelling and would create a precedent for similar developments in the locality. In addition, the development would cause significant harm to the amenity of neighbouring residents through loss of outlook.
3/2014/0780/P	Proposed window at ground floor on the side elevation	4 Park Mews Gisburn	G1, ENV16, CAA/ EN5, DMG1, DME4 – domestication of traditional rural building, detracting from character and appearance of designated heritage assets.
3/2014/0799/P	Lean-to conservatory to front of dwelling	29 Whitecroft Lane Mellor	G1, H10, SPG/DMG1, DMH5 – incongruous addition harmful to visual and residential amenity.

AGRICULTURAL NOTIFICATIONS WHERE PLANNING CONSENT WILL **NOT** BE NECESSARY

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0856/P	Off-road livestock gathering and loading pen	land located off U22920 Worston Road associated with Up Brooks Farm, Up Brooks, Clitheroe

REFUSAL OF CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0866/P	Lawful Development Certificate for demolition of existing single garage and replacement with larger single garage	53 Kenilworth Drive Clitheroe

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 PARTS 6 & 7 PRIOR NOTIFICATION OF AGRICULTURAL AND FORESTRY BUILDINGS AND ROADS PRIOR APPROVAL **NOT** REQUIRED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0479/P	Agricultural storage building	The Glass House Elswick Farm Mellor Brow
3/2014/0882/P	Agricultural building for the storage of animal feed	Mason Green Farm Bashall Eaves Clitheroe

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0709/P	Double garage and storage area	Bank House Sawley Road Grindleton
3/2014/0740/P	Two storey side extension on footprint of existing sitting room with balcony at first floor. Amended scheme for approved garage	Intack Farm Old Clitheroe Road Hurst Green
3/2014/0747/P	Single storey rear extension	Highfield Tunstead Avenue Simonstone
3/2014/0754/P	Installation of a fume cupboard exhaust stack, filter and extraction fan	3M Healthcare Clitheroe
3/2014/0817/P	Single storey rear and side extension	57 Beech Drive Whalley

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2012/0785	Clitheroe Hospital Chatburn Road, Clitheroe	6/12/12	57	With Applicants Solicitor
3/2014/0981	Land at Chatburn Road Clitheroe	13/2/14	23	Ongoing negotiations with Agent & LCC
3/2014/0666	15 Parker Avenue Clitheroe	18/9/14	15	With Applicants Solicitor
3/2014/0597	Land off Waddington Road Clitheroe	16/10/14	275	With LCC
3/2014/0779	Land off Dale View Billington	16/10/14	18	With LCC
<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

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>
3/2013/0445 R	29/04/14	Higher Flass Farm	Hearing	30/7/14	Appeal dismissed 09/09/14
3/2013/0722 U	16/05/14	Englands Head Farm Paythorne	WR		Awaiting decision
3/2013/0448 R	05/06/14	Oakfield Longsight Road Clayton le Dale	WR		Appeal dismissed 13/10/14
3/2014/0319 R	23/06/14	Land at Whitehall Lane Grindleton	WR		Appeal dismissed 24/09/14
3/2014/0116 R	30/06/14	Blue Trees Copster Green	WR		Appeal dismissed 09/09/14
3/2014/0204 R	09/07/14	The Warren Hurst Green	WR		Appeal dismissed 07/10/14
3/2014/0394 R	23/07/14	Stoneroyd Haugh Ave Simonstone	HH		Awaiting decision
3/2014/0175 R	30/07/14	20 Brookside Old Langho	WR		Appeal allowed 24/10/14
3/2014/0307 R	29/07/14	Land at Albany Drive Salesbury	Hearing	16/09/14	Appeal dismissed 21/10/14
3/2014/0401 R	24/07/14	Boococks Barn	WR		Appeal dismissed 27/10/14

<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>
3/2014/0235 R	29/07/14	20 Chapel Hill Longridge	HH		Awaiting decision
3/2014/0258 R	01/08/14	1 Main Street Bolton by Bowland	HH		Awaiting decision
3/2014/0298 R	11/08/14	Rose Cottage Main Street Grindleton	HH		Awaiting decision
3/2014/0146 R	21/08/14	The Coach House 1 Ashcroft Cottages Clitheroe Road West Bradford	WR		Awaiting decision
3/2014/0342 R	27/08/14	11 Primrose Road Clitheroe	HH		Appeal dismissed 23/10/14
3/2013/1023 U	29/08/14	Land off Kingsmill Avenue, Whalley	WR		Awaiting decision
3/2014/0447 R	09/09/14	10 Chatburn Park Drive, Clitheroe	HH		Appeal dismissed 23/10/14
3/2014/0537 R	29/09/14	Pinfold Cottage Tosside	WR		Questionnaire sent 2/10/14
3/2014/0075 R	24/09/14	Sheepfold Farm Balderstone	WR		Questionnaire sent 30/09/14
3/2014/0550	01/10/14	Bradyll House Franklin Hill Old Langho	WR		Questionnaire docs sent 7/10/14
3/2014/0501 R	07/10/14	Land at Longsight Road Copster Green	WR		Questionnaire docs sent 13/10/14
3/2014/0151 Cond	08/10/14	Lower Abbott House Farm, Mellor	WR		Questionnaire docs sent 14/10/14
3/2014/0605 R	09/10/14	Land off Pendle Street East, Sabden	WR		Questionnaire docs sent 14/10/14
3/2014/0462 R	10/10/14	Land adj Glen View, Longridge	WR		Questionnaire docs sent 16/10/14
3/2014/0535 R	10/10/14	Oaklands Longsight Rd Clayton le Dale	WR		Questionnaire docs sent 15/10/14
3/2014/0143 R	10/10/14	Land adj 52 Chapel Hill Longridge	WR		Questionnaire docs sent 16/10/14
3/2014/0692 R	20/10/14	11 The Old Stable Mitton Road, Whalley	HH		Questionnaire docs sent 24/10/14