

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 15 SEPTEMBER 2016  
title: PLANNING APPLICATIONS  
submitted by: DIRECTOR OF COMMUNITY SERVICES

## PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

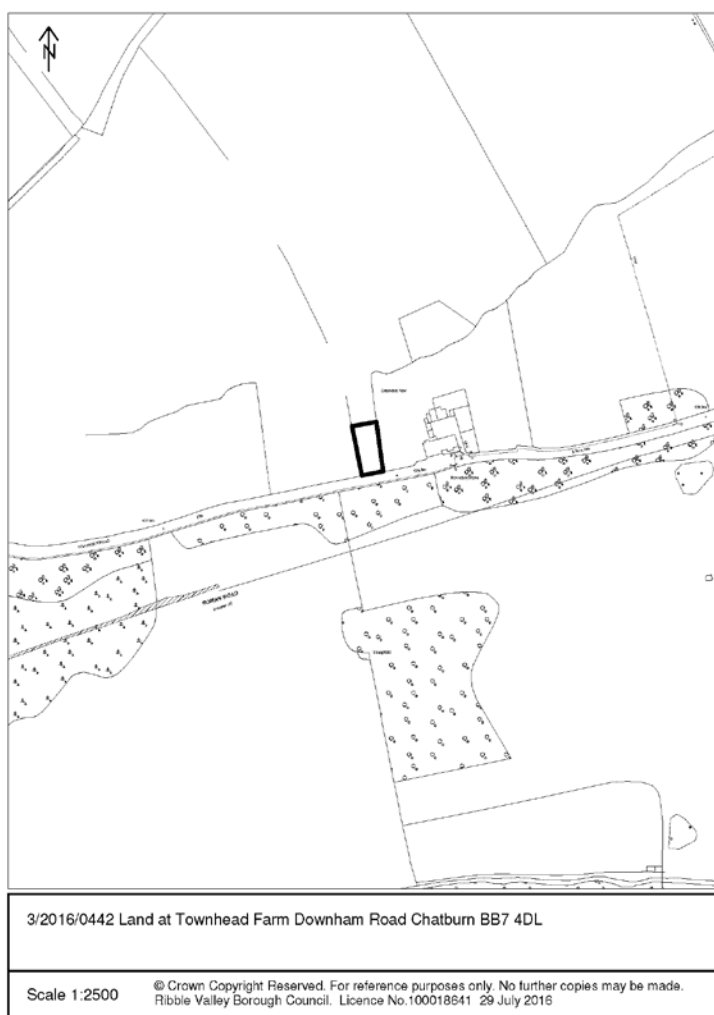
### C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL

**APPLICATION REF: 3/2016/0442**

GRID REF: SD 377848 444341

#### **DEVELOPMENT DESCRIPTION:**

CHANGE OF USE OF AGRICULTURAL LAND TO CAR PARK FOR GREENDALE VIEW  
CAFÉ AT LAND AT TOWNHEAD FARM, DOWNHAM ROAD, CHATBURN



## **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

### **PARISH COUNCIL:**

No observations to make.

### **ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):**

The Highway Development Control Section does not have any objections regarding the proposed Change of use of agricultural land to car park and are of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

It is also explained that the new vehicular access, within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (Vehicle crossings over footways and verges) and 5 conditions are suggested as part of the formal planning decision.

### **HISTORIC ENGLAND:**

Do not consider it necessary for this application to be notified to Historic England.

### **LEAD LOCAL FLOOD AUTHORITY:**

No comment because LLFA Flood Risk Standing Advice should have been applied and the proposals are not listed in the 'When to Consult the LLFA' document or in the Development Management Procedure Order 2010.

### **UNITED UTILITIES:**

Consulted, no representations received at time of report writing.

### **LCC AONB OFFICER:**

Consulted, no representations received at time of report writing.

### **ADDITIONAL REPRESENTATIONS:**

One letter of support has been received (22 August 2016) which in summary makes the following points:

Since operator's move to Downham there has been wonderful food, a quality refurbishment and much extended menu and opening hours.

Drawback is lack of parking. Dangerous as visibility is limited because of on-road parking. Growth in popularity led to new employment.

Only non-public house establishment (Downham and Chatburn) offering hot meals and a large menu. Popularity increasing tourism to this beautiful area.

#### **1. Site Description and Surrounding Area**

1.1 Greendale View is a late C19 stone built house now converted to a café. It lies at the top of a north-west facing escarpment in the open countryside between Chatburn and

Downham (outside of both village boundaries shown in the 1998 Local Plan). The escarpment forms the north-western boundary of the Forest of Bowland AONB Pendle Hill outlier; local topography results in strong inter-visibility with the main body of the AONB to the north. The application site is immediately west of the existing Greendale View curtilage.

1.2 The boundary treatment of Greendale View and the proposed car park site with the road comprises traditional and more formal walling/gate posts and hedgerow. The site faces the continuous stone wall boundary to the gardens of Downham Hall (Grade II\* listed; 'Country house, 1835, by George Webster'- list description) which also forms the northern boundary to Downham Conservation Area (the Conservation Area boundary extends to the west just beyond the application site before it returns to the south). The site is within the setting of and is inter-visible with Downham Conservation Area. The site may be considered to be within the setting of the listed building if the garden wall is considered to be a curtilage structure to the principal building [section 1(5) Planning (Listed Buildings and Conservation Areas) Act 1990.

1.3 The Downham Conservation Area Appraisal (The Conservation Studio consultants, 2005; subject to public consultation) identifies:

"Downham Hall and Parkland to the west"; "remarkable surviving historic appearance, with almost complete lack of 20th century alterations and accretions"; "spacious layout devoid of 20th century infill"; "rural setting of the village"; "trees, both in the surrounding landscape and beside the road"; "local details ... stone boundary walls" (Summary of special interest);

"The Conservation Area boundary encloses the whole of the village settlement and parkland west of Downham Hall which is important to its setting ... unlike many similar English villages, Downham has not suffered from loss of open space due to 20th century infill or construction of garages or off-road parking" (The character of spaces within the area);

"The prevalence of stone as a building material, not only in habitable buildings, but also for walls, gate piers ... unifies the Conservation Area, giving it a distinctive local identity and harmonising the many elements of the built environment" (Building methods, materials and local details);

"The Conservation Area is notable for its stone boundary walls ... stone gate piers are also a feature" (Local details and features);

"Picturesque rural village popular with tourists; dedicated tourist parking; exceptionally unspoilt character and appearance"; "absence of road markings" (Strengths);

"The current main threat to the character and appearance of the Conservation Area is traffic and the pressure of tourism" (Threats).

1.4 A line of mature trees runs north-south and approximates to the western boundary of the proposed car park.

## 2. **Proposed Development for which consent is sought**

- 2.1 Planning permission is sought for the change of use of agricultural (grazing) land and associated works to car park. The car park area is 575 m<sup>2</sup> and is proposed to provide 13 parking spaces (3 disability spaces).
- 2.2 A 2.4m x 60m visibility splay is shown necessitating the demolition/modification of boundary walling and gate posts. Macadam surfacing is shown between the edge of the public highway and a new gate which is indented 6.5m into the site.
- 2.3 A Tree Survey has not been submitted despite works obviously being within influencing distance of the development.
- 2.4 The Design and Access Statement suggests that the car park is required: to sustain the current tenant's business model (reliant on passing trade which may be dissuaded by number of roadside parked cars); allow safe movement of pedestrians from vehicles to café (no existing footpath and national speed limit applies); improve the visual amenity of the approach to the Conservation Area and provide improved safety for general users of the highway.
- 2.5 The Design and Access Statement suggests that locating a car park within the curtilage of Greendale View has been discounted because customers want to eat outside and enjoy their surroundings and views and the tenants will lose their personal space.
- 2.6 The application includes a letter of support from Councillor G. Scott (Chatburn Ward) which, in summary, is concerned at the National Speed Limit on this road and advocates the proposed car park because of the improved pedestrian and vehicular highway safety and help to securing the future of the café through removal of vehicles from the highway.

## 3. **Relevant Planning History**

- 3.1 Pre-application advice was provided in respect of the proposed development on 26 February 2016. Concern was expressed that the proposed roadside boundary modifications (loss of distinct walling and hedgerow) and car park would be incongruous, conspicuous and intrusive in the landscape and of harm to the character of the Forest of Bowland Area of Outstanding Natural Beauty and the character and appearance of Downham Conservation Area.
- 3.2 There is no planning record of a change of use of the site to a café suggesting the long-standing operation of the business.

## 4. **Relevant Policies**

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Sustainable Development  
Key Statement EN2 – Landscape  
Key Statement EC1 – Business and Employment Development  
Key Statement EN5 – Heritage Assets  
Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport and Mobility

Policy DME4 – Heritage Assets  
Policy DME2 – Landscape and Townscape Protection  
Policy DMB1 - Supporting Business Growth and the Local Economy  
Policy DMB3 – Recreation and Tourism Development  
Planning (Listed Buildings and Conservation Areas) Act 1990

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

## 5. **Assessment of Proposed Development**

### 5.1 Land use

5.1.1 The site lies within the open countryside outside the settlements of Downham and Chatburn. It is also within the Forest of Bowland Area of Outstanding Natural Beauty.

5.1.2 Key Statement DS1 of the adopted Core Strategy sets out the development strategy for the Borough. It seeks to direct the majority of new retail and leisure development toward the centres of Clitheroe, Longridge and Whalley. In addition, development will be focussed towards the Tier 1 villages (Chatburn) which are the more sustainable of the 32 defined settlements. In the remaining Tier 2 Village Settlements (Downham) development will need to meet proven local needs or deliver regeneration benefits. Considerations will include proposed small scale developments in the smaller settlements that are appropriate for consolidation and expansion or rounding off of the built up area.

5.1.3 Key Statement DS1 also states that the Council will have regard to the AONB in consideration to the scale, extent and form of development.

5.1.4 Policy DMG2 sets out further detail in relation to the strategic requirements of the plan. It effectively sets out exceptions which might be considered in relation to development within the Tier 2 villages and locations outside the defined settlement areas. These include:

*“1. The development should be essential to the local economy or social well-being of the area.*

*4. The development is for small scale tourism or recreational developments appropriate to a rural area.*

*5. The development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated”.*

5.1.5 In respect to such considerations, DMG2 also states:

“Within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting” and

“In protecting the designated Area of Outstanding Natural Beauty the Council will have regard to the economic and social wellbeing of the area. However, the most important consideration in the assessment of any development proposals

will be the protection, conservation and enhancement of the landscape and character of the area ... development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, design, use of material, landscaping and siting”.

5.1.6 Furthermore, Key Statement EN2: Landscape identifies in respect to the AONB that “Any development will need to contribute to the conservation of the natural beauty of the area” and will be expected “to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials”.

5.1.7 Policy DMB1 (Supporting Business Growth and the Local Economy) also emphasises the requirement of compatibility of new development with its landscape:

“The expansion of established firms on land outside settlements will be allowed provided it is essential to maintain the existing source of employment and can be assimilated within the local landscape”.

5.1.8 In my opinion, the proposed car park (which is outside a settlement and not in a suitable location for the rounding off of built development) and associated alterations to traditional walling and gateposts will be incongruous, conspicuous and intrusive in the landscape and of harm to the character of the Forest of Bowland Area of Outstanding Natural Beauty.

5.1.9 Policy DMG3 of the Core Strategy recognises that transport considerations are key to the delivery of sustainable development. Such considerations were a key part in defining the settlement hierarchy which now forms the basis of Key Statement DS1. In my opinion, the location could not be considered highly accessible by public transport and is likely to increase car borne journeys.

## 5.2 Setting of Downham Conservation Area and Downham Hall

5.2.1 The duties at section 72 and section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that ‘special attention’ and ‘special regard’ be given to the desirability of preserving (‘doing no harm’) or enhancing the character or appearance of a conservation area and the preserving of the setting of a listed building.

5.2.2 Policy DME4 (Protecting Heritage Assets) of the Core Strategy also relates to the setting and views into and out of conservation areas and considerations to the setting of listed buildings:

“Conservation Areas:

Proposals within, or affecting views into and out of, or affecting the setting of a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves or enhances the special architectural and historic character of the area, as set out in the relevant Conservation Area Appraisal. Development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location, scale, size, design and materials

and existing buildings, structures, trees and open spaces will be supported Listed Buildings:

“Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported”.

5.2.3 The Downham Conservation Area Appraisal identifies that Downham Hall and its Parkland, the lack of ostensibly modern development (including off-road parking and road markings), the village’s rural setting, trees beside the road and local stone walling are key to its significance. In my opinion, the proposed roadside boundary modifications and car park will be incongruous, conspicuous and intrusive and of harm to the character and appearance of Downham Conservation Area.

5.2.4 The harmful impact of proposed development on the designated heritage asset should also to be considered in respect to the importance of the cultural heritage of the AONB (NPPF paragraph 115) which is described in the Forest of Bowland AONB Management Plan April 2014 - March 2019:

“The area was designated as a landscape of national significance due to a variety of factors, including... the landscape’s historic and cultural associations ... the distinctive pattern of settlements”.

“Collectively these historic and cultural elements of the environment serve to enrich the landscape’s scenic quality, meaning and value”.

5.2.5 The status of the Downham Hall parkland boundary wall is unclear and possible concerns as to the impact upon the setting of the listed building are therefore not reflected in the refusal recommendations.

### 5.3 Landscape/Ecology:

5.3.1 Policy DME2 (Landscape and Townscape Protection) states:

“Development proposals will be refused which significantly harm important landscape or landscape features including:

1. *traditional stone walls*
6. hedgerows and individual trees”.

In my opinion, the proposed alterations to walling in order to meet safe access to the car park does represent significant harm to the landscape feature.

5.3.2 In the absence of a Tree Survey, the Borough Council’s Countryside Officer has now made an amenity assessment of the trees within influencing distance of the proposed development and assessed the impact. He considered that the details submitted with the application are inadequate. In particular the mature Lime and a mature Ash within the site (plotted as T1 and T2 on appended map) could be classed as veterans, but unarguably are mature trees with high habitat and aesthetical value and both need to have a visual tree assessment/condition survey and have a Quantified Tree Risk Assessment (QTRA) carried out. The QTRA should then be considered alongside the car park proposal (changing the target areas value) to see if the amount of risk is acceptable when the area is

occupied with cars. The trees now have a fairly low QTRA score but by changing the target value of the area and taking into account children, adults and cars etc., the trees will become more of a risk to health and safety. Works could be carried out on the trees to reduce the risk to an acceptable level, but the tree works would inevitably leave the trees misshapen and minimise the trees potential e.g. Sustainable Urban Drainage System. (SUDS). Trees do shed limbs as well as deadwood and Lime trees are renowned for high sap content and will always leave resin and debris on cars parked in the vicinity.

5.3.3 It is considered that ground compaction is another factor within this development. The Root Protection Area (RPA) within British Standards: 5837 needs to be protected on retained trees. If construction work needs to take place within the RPA of a protected/retained tree, then safe working practices need to be adhered to as can be found within BS: 5837. The root plates would need to be protected from traffic movements and parking.

5.3.4 A detailed tree report containing the information mentioned above is imperative prior to the design and location of the proposed development. As the site stands and taking into account the 'Proposed Car Parking Map', it seems an unsuitable location for a car park due to the negative affect the building and usage of the car park would have on the veteran trees on site and the impact on the overall vista within the AONB.

#### 5.4 Highway Safety and Accessibility

5.4.1 I am satisfied that the proposed development implemented in accordance with the conditions recommended by Lancashire County Council (Highways) would have an acceptable impact upon highway safety. I am mindful that one of these conditions requires:

"Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 6m into the site shall be appropriately paved in tarmacadam, concrete, block paviments, or other approved materials.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users".

I am also mindful that whilst Lancashire County Council (Highways) does not have any objections to the scheme, its comments do not suggest any particular requirement for the proposed car park scheme.

#### 5.5 Impact upon Residential Amenity

5.5.1 In my opinion, the proposals do not have a significant impact upon the amenity of adjoining or nearby residents.

### 6. Observations/Consideration of Matters Raised/Conclusion

6.1 Mindful of NPPG ("In general terms, substantial harm is a high test, so it may not arise in many cases") I consider the impact to the character and appearance of Downham Conservation Area to be less than substantial harm. In my opinion, clear and convincing justification (NPPF paragraph 132) for the harm to the designated heritage asset has not



been submitted and it is therefore difficult to assess and weigh the importance of public benefits (NPPF paragraph 134).

- 6.2 Therefore, in giving considerable importance and weight to the duties at section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in giving 'great weight' to the conservation of the designated heritage asset (NPPF paragraph 132) and in consideration to Key Statements DS1, DS2, EN2 and EN5 and Policies DMG1, DMG2, DMG3, DMB1, DME4 and DME2 of the Ribble Valley Core Strategy, I would recommend that planning permission be refused.

**RECOMMENDATION:** That the application be REFUSED for the following reasons:

1. The proposal is considered contrary to Key Statements DS1 and EN2 and Policies DMG1, DMG2, DMB1 and DME2 of the Ribble Valley Core Strategy Adopted Version in that the car park would be incongruous, conspicuous and intrusive in the defined open countryside within the Forest of Bowland Area of Outstanding Natural Beauty and harmful to the development strategy for the borough. It is further considered that the approval of this application would lead to an unsustainable form of development placing further reliance on the private motor-vehicle contrary to the NPPF presumption in favour of sustainable development.
2. The proposal is harmful to the character and appearance of Downham Conservation Area and the cultural heritage of the Forest of Bowland Area of Outstanding Natural Beauty because the car park and associated traditional boundary wall modifications are prominent, ostensibly modern and suburban in appearance and compromise the rural setting and important views with the Conservation Area. This is contrary to Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy and the National Planning Policy Framework Paragraph 17 (conserve heritage assets in a manner appropriate to their significance), Paragraph 60 (reinforce local distinctiveness), Paragraph 115 (conserve cultural heritage), Paragraph 131 (development sustaining and enhancing the significance of heritage assets and positively contributing to local character and distinctiveness) and Paragraph 132 (great weight to conservation).

### **Update following 18 August Planning and Development Meeting**

Committee resolved on the 18 August 2016 to be Minded to Approve the application and Deferred to the Director of Community Services for appropriate conditions. The information regarding the Countryside officers observation are included in the body of the report. However, should Committee wish to approve the scheme the following is a list of suggested conditions:

#### *Time Limit*

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

REASON: Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

#### *Plans and Further Details*

2. The approval relates to drawing numbers:-

Dwg No	Drawing Title	Rev
2147:01	Location Plan	
2147:02	Site Survey	
	Proposed	C

*Highway safety and highway capacity*

3. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 6m behind the nearside edge of the carriageway. The gates shall open away from the highway.

REASON: To permit vehicles to pull clear of the carriageway when entering the site and to assist visibility.

4. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 6m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.

REASON: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

5. 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 plan and the vehicular turning space shall be laid out and be available for use before the development is brought into use and maintained thereafter.

REASON: Vehicles reversing to and from the highway are a hazard to other road users, for residents and construction vehicles.

6. No part of the development shall be commenced until the visibility splays measuring 2.4 metres by 60 metres in both directions, measured along the centre line of the proposed new road from the continuation of the nearer edge of the existing carriageway of Downham Road, are provided to the satisfaction of the Local Planning Authority. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.

REASON: To ensure adequate visibility at the street junction or site access in the interest of highway safety in accordance with Quality of Development Policy and Transport Policy in the Local Plan.

7. The car parking and manoeuvring scheme to be marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.

REASON: To allow for the effective use of the parking areas.

*Trees*

8. Notwithstanding the proposed car park layout shown on Proposed Plan 2147:02 C further plans for the detailed design of the car park (including landscaping details) which are informed by a detailed tree report on the mature lime and mature ash to include a

visual tree assessment/condition survey and a Quantified Tree Risk Assessment (QTRA) shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any works of site preparation, demolition, scrub/hedgerow clearance or tree works/removal.

The landscaping details shall indicate how all trees and hedgerows identified to be retained on or adjacent to the proposed development will be adequately protected during construction, in accordance with BS5837: 2012 'Trees in relation to design, demolition and construction' or equivalent. The agreed protection measures shall be put in place and maintained during the construction period of the development.

REASON: To ensure the protection of important landscape features and to ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Key Statement EN2 and EN5 and Policies DMG1, DME2 and DME4 of the Ribble Valley Core Strategy.

#### *Materials*

9. Notwithstanding the submitted details, precise specifications and samples of all ground surface materials and fencing shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development 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 Key Statement EN2 and EN5 and Policies DMG1, DME2 and DME4 of the Ribble Valley Core Strategy.

#### INFORMATIVES

1. The Borough Council Countryside Officer advises that if construction work needs to take place within the RPA of a protected/retained tree then safe working practices need to be adhered to as can be found within BS: 5837. Root plates need to be protected from traffic movements and parking.

#### BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2016%2F0442](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0442)

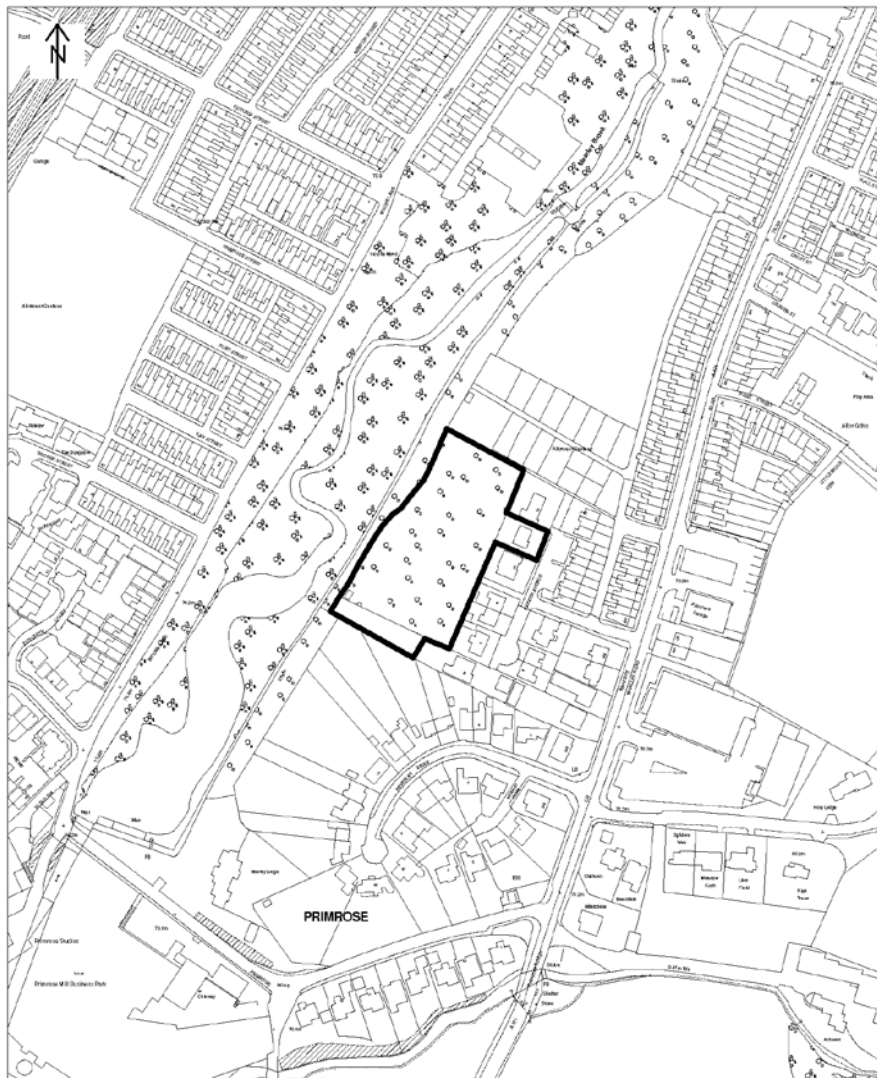
**D APPLICATIONS ON WHICH COMMITTEE 'DEFER' THEIR APPROVAL SUBJECT TO WORK 'DELEGATED' TO THE DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED**

**APPLICATION REF: 3/2016/0328**

GRID REF: SD 374024 440878

**DEVELOPMENT DESCRIPTION:**

ERECTION OF 18 DWELLINGS ON LAND TO THE REAR OF PARKER AVENUE, CLITHEROE FOLLOWING THE DEMOLITION OF NO 15 PARKER AVENUE.



3/2016/0328 15 Parker Avenue Clitheroe Lancashire BB7 1JA

Scale 1:2500

© Crown Copyright Reserved. For reference purposes only. No further copies may be made.  
Ribbles Valley Borough Council. Licence No.100018641 03 August 2016

## **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

### **CLITHEROE TOWN COUNCIL:**

Clitheroe Town Council objects to this application and has the following concerns:

- Poor site access.
- Development encroaches upon a wildlife reserve.
- The development will be detrimental to nearby homeowners.
- Concerns regarding the percentage of affordable housing being provided.
- Should the Local Planning Authority be minded to approve the proposal the Town Council asks that a suitable contribution be secured to the Primrose Lodge receptor Site.

### **ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):**

The Highway Development Control Section wish to raise no objection to the proposal subject to the imposition of planning conditions.

### **LCC CONTRIBUTIONS (EDUCATION):**

The latest information available at this time was based upon the 2016 School Census and resulting projections.

Based upon the latest assessment, taking into account all approved applications, LCC will be seeking a contribution for 2 secondary school places. However, LCC will not be seeking a contribution for primary school places.

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

Secondary places:

$(£18,469 \times 0.97) \times \text{BCIS All-in Tender Price } (272 / 240) \text{ (Q1-2016/Q4-2008)}$

= £20,303.59 per place

$£20,303.59 \times 2 \text{ places} = £40,607.18$

### **ENVIRONMENT AGENCY:**

The Environment Agency has no objection in principle to the proposed development but wishes to make the following comments:

#### **Permitting – Main River**

Mearley Brook adjoining 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 the 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. The Environment Agency has a right of entry to Mearley 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.

#### **UNITED UTILITIES:**

Have raised some concerns regarding the siting of the foul pumping station but have raised no objection to the proposal subject to the imposition of planning conditions relating to foul/surface water drainage and the future management and maintenance of Sustainable Drainage Systems for the lifetime of the development.

#### **LOCAL LEAD FLOOD AUTHORITY:**

The Local Lead Flood authority wish to withdraw their original objection to the application following the receipt of revised/additional information. LLFA have requested, should consent be granted, that conditions be attached that require the submission of the following information:

- Appropriate surface water drainage scheme to be submitted
- Surface Water Lifetime Management and Maintenance Plan

#### **ADDITIONAL REPRESENTATIONS:**

9 letters of representation have been received objecting to the application on the following grounds:

- Inaccurate information
- Inconsistent approach taken to other residential applications
- Loss of Privacy and overbearing development
- Loss of view/outlook
- Impact upon ecology and wildlife
- Impact upon the immediate highway network
- Inadequate access
- Objections to tree removal
- Additional parking on Parker Avenue a likely result of the development
- The development will result in increased flood risk within the area

#### **1. Site Description and Surrounding Area**

- 1.1 The application site is a plot of land located to the rear of 7 – 17 Parker Avenue. The site is bounded to the west by the Primrose Lodge Biological Heritage Site (BHS), to the north by allotment gardens, and to the east and south by rear private residential curtilages that adjoin the aforementioned boundaries.
- 1.2 The plot of land benefits from significant changes in topography on site with the land levels dropping off in a westerly direction towards the Primrose Lodge BHS. The eastern extents of the development currently accommodates number 15 Parker Avenue, it is proposed that this dwelling be demolished to enable vehicular and pedestrian access to the proposed development.
- 1.3 The surrounding area is predominantly residential in character with the properties adjoining the site to the east being of typical bungalow construction. The site is currently

green field in nature save that of the area that currently accommodates the existing bungalow (number 15) and associated residential curtilage.

## 2. **Proposed Development for which consent is sought**

- 2.1 Consent is sought for the erection of eighteen dwellings with associated detached/integral garaging as follows:
- 2 Bedroom dwellings x 3 (Fixed Equity 30% below OMV)
  - 3 bedroom dwellings x 4
  - 4 Bedroom dwelling x 9
  - 2 Bedroom Bungalows x 2 (Affordable rented housing)
- 2.2 The site layout proposes a single point of access off Parker Avenue following the demolition of Number 15. It is proposed that internally the dwellings will be served off a singular road which incorporates turning heads and an area for vehicular manoeuvring. Vehicular parking provision is accommodated in dedicated parking bays, detached/integral garaging and side drive arrangements.
- 2.3 Given the topography of the site, a number of the proposed dwellings to the eastern extents of the site will benefit from a significantly lower ground floor finished floor level (FFL) than that of the adjacent dwellings to the east.
- 2.4 It is proposed that the finished ground floor level of plot 1 (located to the east of number 13 Parker Avenue) will be approximately 2 metres lower than the existing neighbouring dwelling. It is recognised that number 13 is a bungalow and that Plot 1 is a 2 storey dwelling, however by virtue of the changes in land level the submitted proposed sections show that the eaves height of plot 01 will be 500mm higher than the existing dwelling with an overall ridge height that is 700mm lower than number 13. The submitted details propose a rear to flank (side gable) offset distance of approximately 12.7m. Members will also note that Plot 01 is not located directly to the rear of number 13 but sited further toward the northward rear corner of the existing dwelling.
- 2.5 Plots 17 and 18 are located directly to the rear (east) of Number 17 Parker Avenue, it is proposed that the rear to side elevational offset distance will be approximately 11.2m. The submitted sectional drawing indicate that plot 18 will have an eaves height approximately 1.3m lower than the existing dwelling and a finished ground floor level that is also approximately 1m lower.
- 2.6 Plot 3 is located directly to the east of Number 7 Parker Avenue it is proposed that the rear to side elevational offset distance will be approximately 13m. The submitted sectional drawings indicate that plot 3 will benefit from an eaves height approximately 600mm lower than the aforementioned existing dwelling and a ridge height approximately 600mm lower. It is further proposed that the finished ground floor level of plot 3 will be approximately 3.1m lower than number 7.
- 2.7 Plots 3-7 also back on to the existing rear residential curtilages of Number 5a Parker Avenue and numbers 12 and 14 Beverly Avenue with an offset distance, at their closest point, in excess of 10m to the boundaries of existing residential curtilages.
- 2.8 It is proposed that the dwellings will be faced predominantly in reconstituted buff stone with reconstituted stone sills/heads and be roofed in a grey concrete tile. Precise details of the materials to be used will be secured via condition.

### 3. **Relevant Planning History**

3/2014/0666:

The demolition of an existing bungalow and erection of 15 no houses & pumping station with associated access and services. (Approved)

3/2014/0430:

Demolition of an existing bungalow and erection of 16 two storey dwellings (5no. affordable dwellings) with associated access and services including pumping station. (Withdrawn)

### 4. **Relevant Policies**

#### **Ribble Valley Core Strategy**

Key Statement DS1 – Development Strategy

Key Statement DS2 – Presumption in Favour of Sustainable Development

Key Statement EN3 – Sustainable Development and Climate Change

Key Statement DMI1 – Planning Obligations

Key Statement DMI2 – Transport Considerations

Key Statement H1 – Housing Provision

Key Statement H2 – Housing Balance

Key Statement H3 – Affordable Housing

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 DME6 – Water Management

Policy DMB5 – Footpaths and Bridleways

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Technical Guidance to National Planning Policy Framework

### 5. **Assessment of Proposed Development**

#### 5.1 **Principle of Development:**

5.1.1 The principle of the development of the site for development for residential purposes has been established as acceptable through the granting of a previous consent (3/2014/0666) which at the time of the writing of this report remains extant and is therefore a material consideration in the determination of the application. Whilst the application seeks consent for the erection of 18 dwellings, taking into account the existing dwelling on site this results in the creation of a total of 17 new residential planning units.

5.1.2 The current application seeks to increase the quantum of development originally approved by an additional 3 dwellings. Given the site is located within the defined settlement boundary of Clitheroe (Principal Settlement Key Statement DS1) it is not considered that the increase in the number of planning units, in isolation, would cause conflict with the overall Development Strategy for the Borough.



5.1.3 Therefore, notwithstanding other development management considerations, it is considered that in principle there are no potential conflicts with the Development Strategy for the borough as embodied within Key Statement DS1 of the adopted Core Strategy.

## 5.2 Impact upon Residential Amenity:

5.2.1 Taking into account the separations distances outlined earlier within this report and taking account of the and spatial relationships between adjacent existing dwellings and that of the proposed, it is not considered that the proposal would be of significant detriment to existing neighbouring residential amenity by virtue of a loss of privacy, loss of light, overbearing impact or direct overlooking.

## 5.3 Visual Amenity/External Appearance:

5.3.1 It is clear that by virtue of the changes in topography on site that the proposed dwellings will occupy a significant lower land level compared to that of the existing dwellings fronting Parker Avenue. Members will also be aware that the levels on site decrease significantly further westward into the site, taking these factors into account it is considered that the visual impact of the proposals, upon the immediate area, will be significantly minimised.

5.3.2 It is proposed that the dwellings will be faced predominantly in reconstituted buff stone with reconstituted stone sills/heads and be roofed in a grey concrete tile. The dwellings will be of a coherent typical pitched room form, a number of which benefit from the introduction of feature gables and bay windows

5.3.3 Taking into account the proposed materials, elevational language and scale of the proposed dwellings and the inherent scale of dwellings and pattern of development within the vicinity I do not consider that the proposal would be of detriment to the character, appearance or visual amenities of the area.

## 5.4 Highway Safety and Accessibility / Public Rights of Way:

5.4.1 The Highway Development Control Section does not have any objections regarding the proposed development proposed considering it should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site. In respect of the proposed access and internal arrangement, the Highways Officer has no objections subject to details being secured via the imposition of planning condition.

## 5.5 Landscape/Ecology:

5.5.1 The application suite is directly adjacent the Primrose Lodge Biological Heritage Site. Members will be aware that the BHS has also been identified as a receptor site for Biodiversity offsetting for development within the area. Matters relating to a potential financial contribution towards biodiversity offsetting/enhancement are currently the subject of on-going negotiations. Progress on such matters will be reported verbally to Members.

5.5.2 The application is accompanied by an Ecological Appraisal and Arboricultural Impact Assessment. A number of recommendations are made within the submitted ecological appraisal and these will be secured via planning conditions.

The appraisal has failed to identify that the proposal will have any direct impact upon species of conservation concern however it is suggested that the existing Bungalow be surveyed, prior to demolition, for the presence of bats as a precautionary measure. Should consent be granted an informative in respect of this will be attached to any decision notice.

## 5.6 Flood Risk and Drainage:

5.6.1 Lead Local Flood Authority (LLFA) originally objected to the application based on a lack of detailed information. This objection has since been withdrawn following the receipt of revised information. It has been suggested by United Utilities and LLFA that a number of conditions be imposed should consent be granted. These conditions relate to surface water and foul water management/drainage and the need for an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development to be submitted.

## 5.7 Affordable Housing/Planning Obligations

5.7.1 It is proposed that affordable housing provision will be provided on site as follows:

- 3 x 2 bedroom dwellings that will be of a discount sale value of at least 30% below the Market Value of the Market Dwellings.
- 2 x 2 bedroom bungalows that will be transferred to a Registered Provider for allocation as affordable rented housing.

5.7.2 LCC Education have sought a financial contribution for 2 secondary school places of £40,607.18 (£20,303.59 x 2 places) however, no contribution towards primary school places is being sought.

5.7.3 Members will additionally note, as outline earlier within this report, discussions are underway in relation to a potential Biodiversity Offsetting contribution towards the Primrose Lodge Receptor Site, the outcome of these discussions will be reported verbally.

## 6. Observations/Consideration of Matters Raised/Conclusion

6.1 Given the separation distances between existing and proposed dwellings and taking account of the orientation of primary habitable room windows it is not considered that the proposal would result in any detrimental impact upon existing/future residential amenities by virtue of direct over-looking.

6.2 Taking account of the external appearance, scale, layout and orientation of the proposed development it is not considered that the proposal would be of detriment to the visual amenities and character of the area or of detriment to the character and appearance of the currently defined open countryside.

6.3 It is further considered that the site layout and spatial arrangements resultant from the proposed development are sufficient to ensure that the proposal would not be of detriment to existing/future residential amenities by virtue of a loss of light, over bearing or over dominant impact

6.4 It is for the above reasons and having regard to all material considerations and material matters raised that the application is recommended accordingly.

**RECOMMENDATION:** RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Community Services for approval following the satisfactory completion of a Legal Agreement within 3 months from the date of this decision and to allow for negotiations regarding a potential contribution towards Biodiversity Impact Offsetting, subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

- 7038/P/002 Rev: G: Planning Layout
- 7038/P/003 Rev: C: Section AA and Plot 10
- 7038/P/004 Rev: A: Sections BB and CC
- 7038/P/005 Rev: B: Sections DD and EE
- 7038/P/006 Rev: A: Floorplans and Elevations Plot 01
- 7038/P/007 Rev: A: Floorplans and Elevations Plot 02
- 7038/P/008: Floorplans Plots 3 and 4
- 7038/P/009: Elevations Plots 3 and 4
- 7038/P/010 Rev: A : Floorplans Plots 5 and 6
- 7038/P/011 Rev A: Elevations Plots 5 and 6
- 7038/P/012 Rev: A: Floorplans Plot 7
- 7038/P/013 Rev: A: Elevations Plot 7
- 7038/P/014 Rev: A: Floorplans Plots 10, 11 and 12
- 7038/P/015 Rev: A: Floorplans Plots 10, 11 and 12
- 7038/P/019 Rev: A: Floorplans Plots 8 and 9
- 7038/P/020 Rev: A: Elevations Plots 8 and 9
- 7038/P/021 Rev: B: Single Garage Details Plots 1, 4, 10, 11 & 12
- 7038/P/022 Rev: A: Triple Garage Details Plots 2 and 3
- 7038/P/023 Rev: B: Proposed Floor Plans Plot 13
- 7038/P/024 Rev: B: Elevations Plot 13
- 7038/P/025: Floor Plans and Elevations Plots 14 - 16
- 7038/P/026: Floor Plans and Elevations Plots 17 and 18

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

3. Notwithstanding the submitted details, 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 approved materials shall be implemented within the development 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 Policy DMG1 of the Ribble Valley Core Strategy.

4. Notwithstanding the submitted details, prior to the commencement of the development, full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strict in 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 Policy DMG1 of the Ribble Valley Core Strategy.

5. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until a scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the local planning authority.

The scheme shall be accompanied by a supporting statement that shall demonstrate that the landscaping proposals have incorporated the recommendations/mitigation measures contained within the submitted Ecological Appraisal (Section 6). The detailed landscaping scheme/proposals shall also indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and specifications of all retaining structures (where applicable).

The approved soft landscaping scheme shall be implemented in the first planting season following occupation or use of the development unless otherwise required by the reports above, whether in whole or part and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: To ensure the proposal is satisfactorily landscaped, provides adequate ecological mitigation/enhancement and is appropriate to the locality in accordance with Key Statement EN4 and Policies DMG1, DME2 and DME3 of the Ribble Valley Core Strategy.

6. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site including delivery of building materials and excavations for foundations or services, until details of the protection of all trees identified to be retained in the submitted Arboricultural Impact Assessment (March 2016) and Arboricultural Constraints Appraisal (April 2016) have been submitted to and agreed in writing by the Local Planning Authority.

The agreed protection measures shall be 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, historic or ecological/biodiversity value are afforded maximum physical protection from the potential adverse effects of development in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

7. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority.

For the avoidance of doubt the details shall be submitted on a dwelling/building dependent bird/bat species 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 into those individual dwellings during the construction of those individual dwellings identified on the submitted plan and be made available for use before each such dwelling is occupied and thereafter retained. The development shall be carried out in strict accordance with the approved details.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and to reduce the impact of development in accordance with Key Statement EN4 and Policies DME2 and DME3 of the Ribble Valley Core Strategy.

8. Details at a scale of not less than 1:20 including materials and colour/finish of all proposed boundary treatments, walling, retaining walls, stiles and gates to be erected within the development shall have been submitted to and approved by the Local Planning Authority prior to their installation.

For the avoidance of doubt the submitted details shall include the precise nature and location for the provision of measures to maintain and enhance wildlife movement within and around the site by virtue of the inclusion of suitable sized gaps/corridors at ground level (including details as to which species they intend to accommodate). The development shall be carried out in strict accordance with the approved details.

REASON: To comply with Key Statement EN4 and Policies DMG1, DME2 and DME3 of the Ribble Valley Core Strategy, to ensure a satisfactory standard of appearance in the interests of the visual amenities of the area and to minimise the potential impacts of the

development through the inclusion of measures to retain and enhance habitat connectivity for species of importance or conservation concern.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, the dwellings hereby permitted shall not be altered or extended, no new windows shall be inserted, no alterations to the roof shall be undertaken and no buildings or structures shall be erected within the curtilage of the dwellings hereby approved 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 immediate area or be of detriment to nearby residential amenities in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

10. The garage(s) hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the household(s) and shall not be used for any use that would preclude the ability for their use for the parking of private motor vehicles, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order.

REASON: To ensure to ensure that adequate parking provision is retained on site and that such provision limits the visual impact of the parked motor-vehicle in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

11. No habitable dwelling shall be sited within 10m of the wet well of any foul or surface water pumping station.

REASON: To protect the residential amenities existing/future occupiers and to mitigate the risk of noise, odour or vibration pollution, in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

12. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

- A. Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- B. The drainage strategy should demonstrate that the surface water run-off must not exceed 5 litres per second. No surface water will be permitted to drain directly or indirectly into the public sewer. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- C. Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

- D. Flood water exceedance routes, both on and off site;
- E. A timetable for implementation, including phasing as applicable;
- F. Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- G. Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

REASON: To ensure that the proposed development can be adequately drained, to ensure that there is no flood risk on or off the site resulting from the proposed development and to ensure that water quality is not detrimentally impacted by the development proposal in accordance with Policy DME6 of the Ribble Valley Core Strategy.

13. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:
- A. The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
  - B. Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
    - i. on-going inspections relating to performance and asset condition assessments
    - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
  - C. Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

REASON: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance and too identify the responsible organisation/body/company/undertaker for the sustainable drainage system in accordance with Policy DME6 of the Ribble Valley Core Strategy.

14. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. For the avoidance of doubt the submitted statement shall provide details of:
- A. The location of parking of vehicles of site operatives and visitors
  - B. The location for the loading and unloading of plant and materials

- C. The location of storage of plant and materials used in constructing the development
- D. The locations of security hoarding
- E. The location and nature of wheel washing facilities to prevent mud and stones/debris being carried onto the Highway (For the avoidance of doubt such facilities shall remain in place for the duration of the construction phase of the development) and the timings/frequencies of mechanical sweeping of the adjacent roads/highway
- F. Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- G. The highway routes of plant and material deliveries to and from the site.
- H. Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.
- I. Days and hours of operation for all construction works.

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

REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

15. The new estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound prior to any further development takes place within the site.

REASON: To ensure that satisfactory access is provided to the site to enable vehicular access for construction vehicles in accordance with Policy DMG3 of the Ribble Valley Core Strategy.

16. No part of the development shall be commenced until all the highway works within the adopted highway have been constructed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users in accordance with Policy DMG3 of the Ribble Valley Core Strategy.

17. Prior to the commencement of the development, including any demolition or site preparation works, a joint survey shall be carried out between the developer and the Highways Authority to determine the current pre-construction condition of Parker Avenue. A similar repeat survey shall be carried out within one months of the completion of the last dwelling hereby approved, the findings of the surveys shall be submitted to and agreed in writing by the Local Planning Authority.

For the avoidance of doubt the submitted details shall specify any works to be undertaken, and their timings, to make good any damage to Parker Avenue as a result of construction works, to return the highway to the pre-construction situation/condition.



The development and any remediation/repair works shall be carried out in strict accordance with the approved details.

REASON: To maintain the safe operation of the immediate highway and to ensure no long-term damage to the highway as a result of the construction phase of the development in accordance with Policies DMG1, DMG3 and Key Statement DMI2 of the Ribble Valley Core Strategy.

18. No development shall be commenced until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed. The Estate Street Phasing and Completion Plan shall set out dates for entering of the section 38 agreement of the Highways Act 1980 and/or the establishment of a private management and Maintenance Company.

REASON: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential financial security and highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policies DMG1, DMG3 and Key Statement DMI2 of the Ribble Valley Core Strategy.

19. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

REASON: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policies DMG1, DMG3 and Key Statement DMI2 of the Ribble Valley Core Strategy.

20. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policies DMG1, DMG3 and Key Statement DMI2 of the Ribble Valley Core Strategy.

## BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2016%2F0328](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0328)

PLANNING APPLICATION STATISTIC REPORT

APPLICATIONS DETERMINED – 1 August 2016 – 1 September 2016

<u>Approved with conditions</u>	<u>Approved with no conditions</u>	<u>Applications Refused</u>	<u>Total Applications determined</u>	<u>Applications determined by Committee</u>
98	8	20	150	4

(This list does not include prior determinations, split decisions, observations to other Local Planning Authorities and other less frequent application types).

## SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2015/0495/P	Land at Worthalls Farm Westfield Avenue, Read	11/2/15	5	Awaiting Signature

## APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/1009/P	Proposed two storey extension and attached garage to existing dwelling	The Hay Moo Mellor Brow, Mellor
3/2016/0319/P	Proposed siting of 13 additional residential caravans with associated landscaping for gypsy families	Acorn Lodge Longsight Road Clayton-le-Dale
3/2016/0464/P	Proposed construction of four all weather pitches/courts	Land to the west of Gleneagles Drive Brockhall Village
3/2016/0727/P	Variation of condition 9 (security lighting and floodlighting) to allow details of lighting to be submitted prior to their use rather than prior to commencement of development	Fort Vale Engineering Calder Vale Park Simonstone

## APPEALS UPDATE

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Date of Inquiry/ Hearing if applicable</u>	<u>Progress</u>
3/2014/0697R	29/06/15	Land adj Clitheroe Road, West Bradford	WR		Awaiting Decision
3/2014/0846R	12/08/15	Land at 23-25 Old Row, Barrow	Hearing	18/11/15 20/01/16 11/05/16 07/09/16	Adjourned until 07/09/16

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Date of Inquiry/ Hearing if applicable</u>	<u>Progress</u>
3/2016/0022 R	21/04/16	1 & 2 Abbeycroft, The Sands Whalley	WR		Awaiting Decision
3/2016/0091 3/2016/0132 R	13/05/16	Great Mitton Hall, Mitton Road, Mitton	WR		Appeals Dismissed 19/08/16
3/2015/0605 R	03/05/16	Little Snodworth Farm, Snodworth Road, Langho	WR		Awaiting Decision
3/2016/0114 R	20/05/16	Blue Trees Copster Green BB1 9EP	HH		Appeal Dismissed 10/08/16
3/2015/0959 Approved with Conditions 3/2016/0125 R	13/06/16	Lambing Clough Barn, Lambing Clough Lane, Hurst Green BB7 9QN	WR		Awaiting Decision
3/2016/0009 R	07/07/16	Salisbury Cottage, Newton in Bowland, BB7 3DZ	HH		Appeal Dismissed 23/08/16
3/2016/0019 R	14/06/16	Broadhead Farm, Moorfield Avenue, Ramsgreave BB1 9BZ	WR		Awaiting Decision
3/2016/0241 R	15/06/16	Field Barn, Old Langho Road, Langho BB6 8AW	WR		Procedure changed, statement due 20/09/16
3/2015/0509 R	23/06/16	Land adj Southport House, Sawley Clitheroe BB7 4LE	WR		Awaiting Decision
3/2016/0368 R	17/08/16	Fourwinds 54 Fairfield Drive Clitheroe BB7 2PE	WR		Statement due 21/09/16
3/2016/0393 R	13/07/16	Ellerslie House Ribchester Road Clayton le Dale BB1 9EE	WR		Awaiting Decision
3/2016/0178 R	06/07/16	22 St Peters Close Clayton le Dale BB1 9HH	HH		Appeal Allowed 30/08/16
3/2016/0286 R	12/07/16	Riverside Cottage Sawley Road Sawley BB7 4NH	HH		Awaiting Decision
3/2016/0284 R	12/07/16	Riverside Barn Sawley Road Sawley BB7 4NH	HH		Awaiting Decision
3/2016/0387 R	24/08/16	3 Accrington Road Whalley BB7 9TD	WR		Statement due 28/09/16

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Date of Inquiry/ Hearing if applicable</u>	<u>Progress</u>
3/2016/0145 R	09/08/16	Thorneyholme Whalley Road Barrow BB7 9BA	WR		Statement due 13/09/16
3/2016/0260 R	Awaiting start date from PINS	The Hay Moo Mellor Brow Mellor BB2 7EX	WR (to be confirmed)		
3/2015/0393 R	10/08/16	Land west of Preston Road Longridge (Grimbaldeston Farm)	Inquiry	15/11/16 to 17/11/16 (3 days)	Bespoke timetable Statement of Case due 21/09/16
3/2016/0195 R	24/08/16	The Pippins 248 Preston Road Longridge	WR		Statement due 28/09/16
3/2016/0250 R	Awaiting start date from PINS	Elms House 127 Whalley Road Clitheroe	WR (to be confirmed)		
3/2016/0516 R	Awaiting start date from PINS	Seven Acre Bungalow Acre Lane Longridge	Appellant has used HAS procedure but development involves a curtilage extension. We will ask for WR (to be confirmed)		
3/2016/0333 R	Awaiting start date from PINS	Blue Trees Copster Green	HH (to be confirmed)		