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AC Approved Conditionally
R Refused
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AB Adam Birkett
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JM John Macholc

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 11 APRIL 2019
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

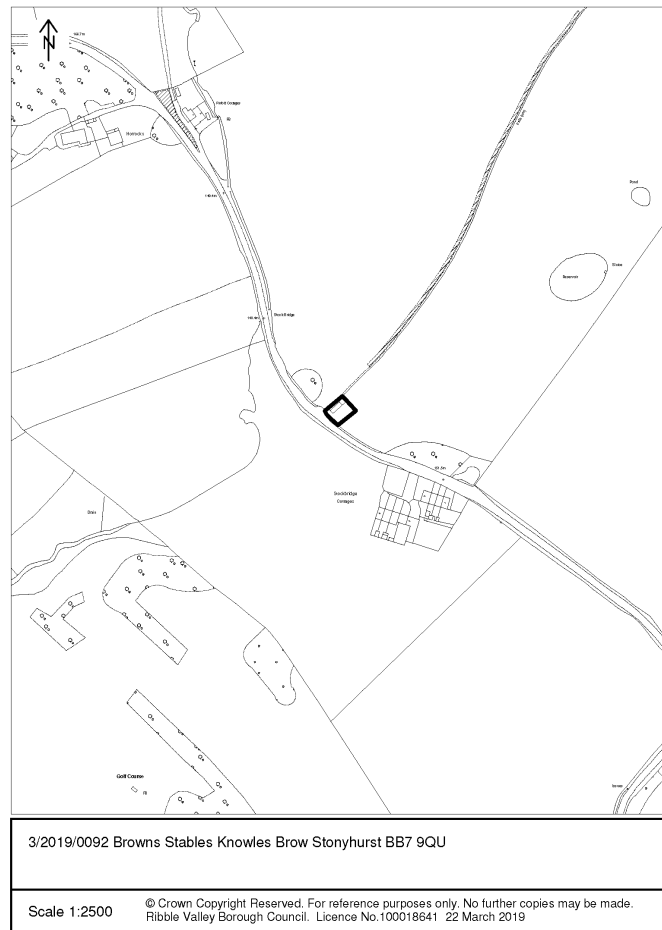
C APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR REFUSAL

APPLICATION REF: 3/2019/0092

GRID REF: SD 368506 439460

DEVELOPMENT DESCRIPTION:

PROPOSED CHANGE OF USE OF FORMER STABLES INTO A DWELLING (RE-SUBMISSION OF PLANNING APPLICATION 3/2018/0009) AT BROWNS STABLES AT STOCKBRIDGE OFF KNOWLES BROW HURST GREEN BB7 9QU



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

None received.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

Raises no objection to the proposal in principal but there are still a number of concerns that would need to be addressed in relation to access and visibility splays. These concerns can be overcome by undertaking some amendments to the design of the proposal and illustrating these amendments in the form of a revised plan in order to be considered as satisfactory.

ADDITIONAL REPRESENTATIONS:

No representations have been received.

1. Site Description and Surrounding Area

- 1.1 This application relates to a scheme for the conversion of a traditional stone-built agricultural building near Stockbridge Cottages, Knowles Brow, Hurst Green. The application site is located within the designated Forest of Bowland Area of Outstanding Natural Beauty. The building is located at the roadside on the north side of Knowles Brow and is approximately 80 metres north-west of Stockbridge Cottages, a group of former worker's cottages. The building has a simple rectangular form with a single storey lean-to attached to its northern gable end. There are two field gates in close proximity to the building and a public right of way passes immediately to the north-west of the building. The building, which is a former stable building thought to be used for working horses, is surrounded on three sides by grazing land.
- 1.2 The building is located approximately 2km from the nearest village, Hurst Green. The village of Hurst Green has a limited selection of services and facilities. The main service centres of Clitheroe and Whalley are around 8.4km and 7.7km away by road respectively. There are no bus stops within walking distance of the site and no footways or street lighting provided along Knowles Brow.

2. Proposed Development for which consent is sought

- 2.1 The proposal is to convert the existing agricultural building into a two-bed dwelling. The proposed works of conversion are identical to those proposed by planning application 3/2018/0009 which was refused under delegated powers on 2 March 2018 and dismissed on appeal.
- 2.2 On the south-east front elevation the proposals would utilise existing door and window openings. Two roof lights would be introduced to the currently unadorned roof slope. On the side and rear elevations it is proposed to introduce domestic style openings with stone surrounds. One roof light is also proposed on the rear roof slope.
- 2.3 The site layout has been amended to reduce the associated garden area and re-locate the vehicular access. It is proposed to construct a gravel driveway and parking area forward of the principal elevation of the application building. The garden curtilage is proposed to be delineated by a post and rail timber fence.

3. **Relevant Planning History**

3.1 The application is a re-submission of a previous planning application (3/2018/0009) which was refused on 2 March 2018 for four reasons:-

1. *The proposal is considered contrary to Policies DMH3 and DMH4 of the Ribble Valley Core Strategy (Adopted Version) by reason of its location and degree of separation from existing buildings or settlements which would lead to the creation of a highly prominent detached new dwelling in the Forest of Bowland AONB without sufficient justification which would cause harm to the development strategy for the borough.*
2. *The proposed development, by virtue of its design and elevational language, would be an incongruous and discordant form of development that would be of significant detriment to the visual amenities and character of the area and would detract significantly from the character and appearance of this historic agricultural building and the visual amenities of the Forest of Bowland AONB contrary to Core Strategy Key Statement EN2 and policies DMG1, DMH3, DMH4 and DME4 of the Ribble Valley Core Strategy and NPPF paragraph 115.*
3. *The proposal, by virtue of the extent of proposed residential curtilage, driveway area and the likely visual impact of associated domestic paraphernalia such as sheds, washing lines, children's play equipment and fence lines would represent a harmful visual intrusion that would be to the detriment of the character, appearance and visual amenities of the area and the Forest of Bowland AONB contrary to Key Statement EN2 and Policies DMG1, DMG2 and DMH4 of the Ribble Valley Core Strategy and NPPF paragraph 115.*
4. *In the absence of satisfactory details of the visibility splays at the site access onto Knowles Brow (C572) the proposed development could be detrimental to highway safety contrary Policy DMG1 of the Ribble Valley Core Strategy.*

3.2 The decision was the subject of an appeal which was dismissed on 9 July 2018, the Inspector's decision letter stating at paragraph 15:

"Having regard to all of the above, I conclude that the building would not be suitable for conversion to a dwelling as proposed, due to its isolated location and the encroachment of development into the open countryside which would harm the character and appearance of the area, thereby failing to conserve the landscape and scenic beauty of the Forest of Bowland AONB. The proposal, therefore, conflicts with Policies DMH3 and DMH4 of the CS as previously identified. It would also conflict with Key Statement EN2 which seeks to conserve the AONB and Policies DMG1, DMG2 and DME4 of the CS, which when taken together seek a high standard of design, protection of the character of the landscape in the open countryside and protection of heritage assets and their settings, including buildings of local heritage interest such as the proposal. For the same reasons, the proposal is also contrary to the Framework in those respects, including paragraphs 55 and 115."

3.3 It should be noted that the applicant has undertaken a pre-application enquiry with the Council following the publication of the revised National Planning Policy Framework (24th July 2018) some 2 weeks after the appeal decision. The pre-application advice issued on 18th September 2018 stated that,

“there has been no change in the Core Strategy policy position and the revised Framework (para.79) does not suggest that the Government’s position on the matter has changed significantly in the intervening period.”

3.4 It continues,

“in the absence of a change in local or national policies, it is my view that the principle of development would still be contrary to both the Ribble Valley Core Strategy and the Framework, by virtue of its isolated position in the landscape”.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Sustainable Development

Key Statement EN2 – Landscape

Key Statement H1 – Housing Provision

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME1 – Protecting Trees and Woodlands

Policy DME3 – Site and Species Protection and Conservation

Policy DMH3 – Dwellings in the Open Countryside and the AONB

Policy DMH4 – The Conversion of Barns and Other Buildings to Dwellings

Policy DMB5 – Footpaths and Bridleways

National Planning Policy Framework

National Planning Policy Guidance

5. **Assessment of Proposed Development**

5.1 In determining the application it is important to consider the principle of the development, its impact of the visual appearance of the surrounding area and AONB, its effect on highway safety and protected species and trees.

5.2 **Principle of Development**

5.2.1 The site is located outside of any defined settlement boundary and lies within the Forest of Bowland AONB. Within areas defined as Open Countryside or AONB Core Strategy Policy DMH3 generally seeks to resist new dwellings except in the circumstances set out in the Policy. The conversion of the building as proposed complies with the second criterion of DMH3 providing it is “suitably located and their form and general design are in keeping with their surroundings. Buildings must be structurally sound and capable of conversion without the need for complete or substantial reconstruction”.

5.2.2 Further guidance on proposals to convert buildings to dwellings is provided by Core Strategy Policy DMH4. To comply with Policy DMH4 development must meet a number of requirements listed in paragraph 2 of the Policy. The building must be 1) structurally sound and capable of conversion with the need for extensive rebuilding or major alteration; 2) Be of a sufficient size to provide

necessary living accommodation without the need for further extensions which would harm the character of appearance of the building; 3) The character of the building and its materials must be appropriate to its surroundings and the building and its materials must be worthy of retention because of its intrinsic interest or potential or contribution to its setting, and 4) the building must have a genuine history of use for agriculture or another rural enterprise.

- 5.2.3 In relation to 1) the application is supported by a structural appraisal of the building. The investigation found some evidence of cracking on the front elevation of the building and a vertical crack on the lean-to. Vertical cracking was also observed on the rear elevation. The appraisal states that the building is in a fair and reasonable condition and would be suitable for conversion with a small amount of remedial works. The areas of cracking would require the stonework to be locally taken down and re-built and the property would need to be entirely re-pointed. The applicant has indicated on elevational drawings which areas of wall would require re-building. These areas are not extensive and the works would therefore not be contrary to DMH4 but there would be a requirement to ensure that no additional re-building takes place in excess of that shown on the plans.
- 5.2.4 There is no information to suggest that the building does not have a genuine history of agricultural use and the proposals do not seek to extend the building. The building is a traditional stone building of local vernacular style and contributes to the character and visual appearance of the area. It is therefore worthy of retention. Taking the above into account, the proposals would accord with considerations 1) to 4) of paragraph 2 of Policy DMH4.
- 5.2.5 Notwithstanding the above, the location of the site is fundamental to the determination of the application. DHM3 requires the building to be 'suitably located'. Whilst this term is not defined with the Core Strategy, the policy approach to the conversion of barns and other buildings to dwellings is further refined and defined in Policy DMH4. In relation to the location of buildings proposed for conversion, Policy DMH4 supports the conversion of buildings if, amongst other considerations, the building is not isolated in the landscape, i.e. it is within a defined settlement or forms part of an already group of buildings.
- 5.2.6 Policy DMH4 sets out that "*Planning permission will be granted for the conversion of buildings to dwellings where the building is not isolated in the landscape, i.e. it is within a defined settlement or forms part of an already defined group of buildings*". The requirement for buildings to form part of an already defined group aims to prevent the problems that arise where isolated buildings in the landscape are proposed for conversion. The local landscape can be damaged and a degree of urbanisation imposed on an otherwise rural landscape including the additional features such as garden areas, car parking facilities, garages and sheds which are totally out of keeping within the rural setting of the building.
- 5.2.7 In this case the building earmarked for conversion lies around 80m from the nearest dwellings at Stockbridge Cottages. The Planning Inspector, in dismissing the recent appeal case APP/T2350/W/18/3198056 for conversion of the same building at the same site, stated that,

“The site is a considerable distance beyond the built envelope of the Hurst Green settlement and in a location where development is sporadic on Knowles Brow beyond Stonyhurst College. In that context, the building lies approximately 80m to the north of the nearest terraced row of properties on the opposite side of the road which are not part of a village envelope. As a consequence, the building is physically and visually removed from the closest group of buildings and therefore, isolated in the landscape and not part of a settlement. In that regard, the proposal conflicts with Policy DMH4. Furthermore, on that basis, the building would not be in a suitable location in the open countryside and the AONB resulting in associated conflict with Policy DMH3”. At paragraph 7 of the appeal decision letter the Inspector says that, “the proposal would fall within the definition of an isolated new home in the countryside given that it is physically separate and remote from a settlement”.

- 5.2.8 The characteristics of the site remain unchanged in this regard and revisions to the Framework do not change this. In accordance with the appeal Inspector’s decision, the proposal would conflict with Policies DMH3 and DMH4 of the Core Strategy and would result in a new isolated dwelling in the Forest of Bowland AONB. Furthermore, the proposed dwelling would be remote from services and facilities and future occupiers would be solely reliant on the private motor vehicle.

5.3 Landscape and Visual Impact

- 5.3.1 The impact of the development on the building itself and the area that surrounds it are important considerations. Core Strategy Policy DMG1 requires development to not adversely affect the amenities of the surrounding area and Key Statement EN2 seeks to protect, conserve and enhance the landscape and character of the AONB requiring any development to contribute to the conservation of its natural beauty. National planning policy attaches great weight to conserving the landscape and scenic beauty of the AONB. Policies DMH3 and DMH4 of the Core Strategy also refer to the impact of development on the landscape that could arise as a result of converting an agricultural building or other buildings to dwellings.
- 5.3.2 The creation of residential gardens can have a significant impact upon visual amenity and patterns of land use. Ideally any residential curtilage needs to be kept as minimal as possible and any enclosed private areas need to be carefully sited and contained, particularly in relation to public views and the surrounding landscape. As a result of its disconnection with Stockbridge Cottages, the agricultural building is a visually prominent and pronounced feature and its conversion to a residential dwelling, including the associated residential gardens, would have a damaging effect on the landscape qualities of the area.
- 5.3.3 It is noted that the domestic curtilage proposed has been reduced compared to the appeal scheme but it remains prominent, being located adjacent to the highway and in view of public footpaths. The reduced garden area does not overcome the concerns previously expressed by the LPA and the appeal Inspector and the driveway and lawn to the front (south-east) of the building would be a prominent and discordant feature. In dismissing the appeal case the Inspector determined that

“In that context, the extent of the residential curtilage proposed at the front of the building, together with the associated addition of the gravel hardstanding, post and rail fence enclosures and the potential for domestic paraphernalia...would represent a prominent and harmful visual intrusion and urban encroachment into an area of open countryside. When taken in the context of its open, agricultural setting, the resultant domestic appearance of the site would appear incongruous with a harmful effect upon the landscape character of the AONB”.

- 5.3.4 The creation of a new domestic curtilage to the front of the building has been tested at appeal and found to be unacceptable.
- 5.3.5 The domestic gardens and associated paraphernalia including washing lines, play equipment and garden furniture would be at odds with, and detract from, the agricultural setting of the building and from the scenic quality of the Forest of Bowland AONB. Great weight is afforded to the conservation and scenic beauty of the Forest of Bowland AONB as stated in The Framework and reiterated in Key Statement EN2 of the Core Strategy which requires the Forest of Bowland to be protected, conserved and enhanced. The development, as proposed, would result in unacceptable visual and landscape harm and would be contrary to Core Strategy Policies EN2, DMG1, DMH3 and DMH4.
- 5.3.6 Consideration must also be given to the heritage value of the building. Paragraph 135 of the NPPF states that *‘the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’*. A heritage impact assessment has been submitted with the application and states that the building dates from between 1892 and 1910. The assessment considers the building to be of sufficient age, architectural quality and intactness to warrant being considered a non-designated heritage asset and concludes that the external appearance of the former stables would remain relatively unaltered.
- 5.3.7 Whilst the development would secure the long-term retention of the building it is not at risk of rapid deterioration or collapse. The applicant has provided a statement from Richard Turner & Son to evidence that the building is unfit for modern agricultural purposes and would eventually fall into disrepair in the event that consent was not granted. However, it is considered that there are alternative uses that could better preserve the character and appearance of the building and the surrounding landscape whilst offering wider social, environmental and economic benefits.

5.4 Highway Safety

- 5.4.1 The County Highways Surveyor objected to the previous application at this site as the sightlines from the entrance were unacceptable. The proposed entrance is on a length of the road that is derestricted presently subject to a 60mph speed limit. The sight lines for a 60mph road require drivers to be able to see vehicles approaching for a full 209m in either direction. The Highway Report submitted with this application shows that the 85th percentile traffic speeds on Knowles Brow are less than 34mph in the vicinity of the site following completion of a

traffic speed survey. Taking this into account, the required sightlines are much reduced. The County Surveyor does note however that the entrance proposed is far too substantial for its intended purpose and that the access point cannot achieve the required sightlines to the left when exiting the application site. As such, the applicant proposes to submit revised plans in advance of the Committee meeting to satisfy the concerns raised and this will be reported as a late item.

5.5 Other Considerations

5.5.1 A survey has been carried out to determine the presence of bats. Scattered droppings, typical of light sampling natterer's bats were recorded throughout the barn. It is recommended that further survey work is carried out to support a European Protected Species (EPS) license application which would include a mitigation strategy. Three emergence surveys should be carried out between May and September with one of the three surveys being carried out at dawn. It is essential that bat roosting potential be incorporated into the building should it be converted in order to enhance biodiversity.

5.5.2 Owl pellets, feathers and splashing consistent with roosting barn owls were also found within the barn. If consent was granted there would be a requirement to ensure that suitable mitigation was secured as part of the development works. In accordance with Barn Owl Trust guidelines there would be a requirement to maintain continuity of occupation by making temporary alternative provision available nearby before any development works commence, undertake a pre-development survey and for a permanent nesting place to be created inside the building.

6. Conclusion

6.1 In summary the proposal would lead to the creation of an isolated new dwelling in the Forest of Bowland AONB without sufficient justification which would cause harm to the development strategy for the borough and that would detract from the character and appearance of this historic agricultural building and the visual amenities of the Forest of Bowland AONB contrary to Core Strategy Key Statement EN2 and policies DMG1, DMH3, DMH4 and DME4 of the Ribble Valley Core Strategy and NPPF paragraph 115.

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

1. The proposal is considered contrary to Policies DMH3 and DMH4 of the Ribble Valley Core Strategy by reason of its location and degree of separation from existing buildings or settlements which would lead to the creation of an isolated new dwelling in the Forest of Bowland AONB without sufficient justification and would cause harm 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 in an isolated location that does not benefit from local services or facilities, placing further reliance on the private motor-vehicle contrary to the presumption in favour of sustainable development.
2. The proposal, by virtue of the impact of domestic paraphernalia such as parked vehicles, sheds, washing lines, children's play equipment and fence lines, would represent an urban encroachment to the significant detriment of the character and appearance of the

protected landscape, contrary to Core Strategy Key Statement EN2 and policies DMG1, DMH3, DMH4 and DME4 of the Ribble Valley Core Strategy and NPPF paragraph 115.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2019%2F0092

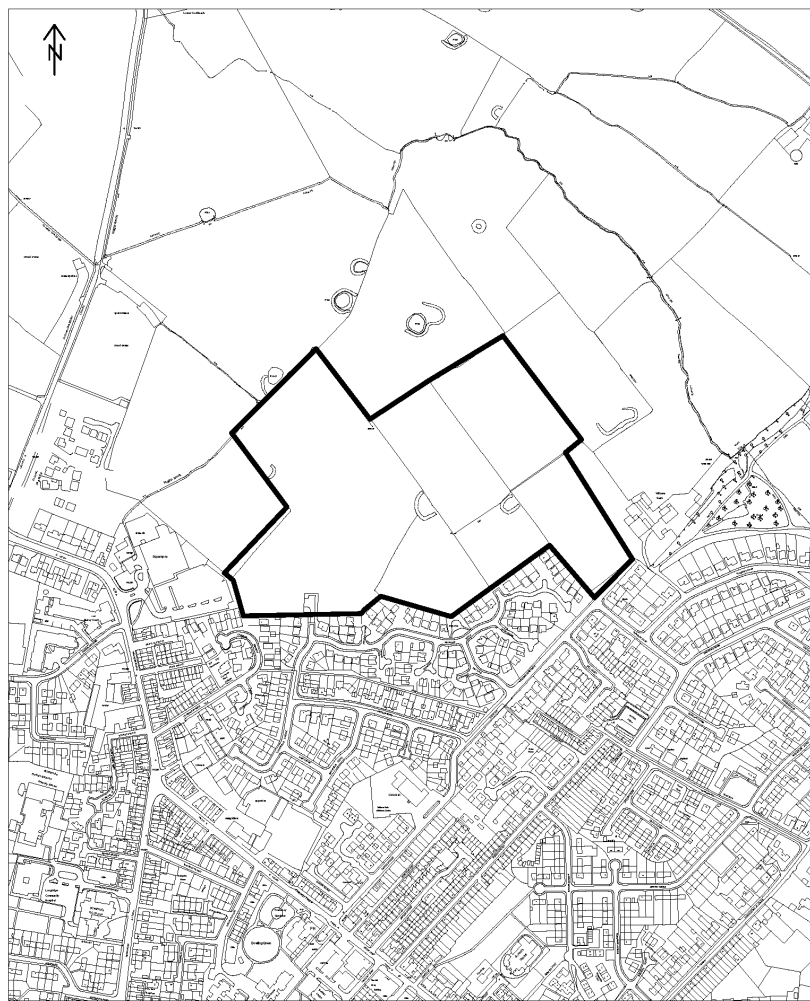
D APPLICATIONS ON WHICH COMMITTEE 'DEFER' THEIR APPROVAL SUBJECT TO WORK 'DELEGATED' TO THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING BEING SATISFACTORILY COMPLETED

APPLICATION REF: 3/2018/0975

GRID REF: SD 360397 438052

DEVELOPMENT DESCRIPTION:

APPROVAL OF RESERVED MATTERS (LAYOUT, SCALE, APPEARANCE AND LANDSCAPING) FOR PHASES 2 AND 3 FOR THE ERECTION OF 193 DWELLINGS, PURSUANT TO OUTLINE PLANNING PERMISSION 3/2014/0764. LAND EAST OF CHIPPING LANE, LONGRIDGE



3/2018/0975 Land east of Chipping Lane Longridge

Scale 1:5000

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Longridge Town Council have no objection but consider that the footpath arrangement may cause for highway concerns in regards to pedestrian/cyclist safety when residents are reversing from their driveway, that the trim trail is in the wrong location and would like to see the original hedgerow retained.

Thornley with Wheatley PC have raised concerns in respect of the drainage of the site and raised concerns regarding the impacts upon local services including increased traffic within the area.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

The Highway Development Control Section have raised no objection to the proposal subject to the imposition of conditions

LEAD LOCAL FLOOD AUTHORITY:

No objections to the proposals subject to the requirements of condition 8 of planning permission 3/2017/0232 being satisfied in full which required the submission of a scheme for surface water drainage and means of disposal prior to the commencement of development within each phase.

ADDITIONAL REPRESENTATIONS:

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

- The proposal does not accord with the previously approved masterplan parameters
- Impacts upon residential amenity
- Poorly considered layout/highways arrangement
- No public consultation
- Loss of habitat
- Loss of privacy
- Inappropriate density
- Impacts resultant from the informal pedestrian routes and cycle-ways
- Increased flood risk
- Noise disturbance

1. Site Description and Surrounding Area

- 1.1 The application site comprises 10.56ha of agricultural land located towards the western extents of the settlement of Longridge and is currently a committed housing site (DS1 allocation). The site is bounded to the west by phase 1, which is currently under construction, with the agricultural land bounding the site to the north and east.
- 1.2 The southern extents of the site is bounded by properties associated with Crumpax Meadow, Redwood Drive and Firwood Close with the car parking area associated with Sainsbury's also being directly adjacent the south-western extents of the site.

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

2.1 Reserved Matters consent is sought for Phases 2 and 3 of outline consent 3/2014/0764 which granted consent for the erection of up to 363 dwellings. Consent is sought for matters relating to appearance, landscaping, layout and scale.

2.2 The application seeks consent for the erection of 193 dwellings consisting of the following housing mix:

Affordable Housing

- 22 x 2 bedroom dwellings
- 22 x 3 bedroom dwellings
- 7 x 2 bedroom bungalows (Over 55)
- 7 x 2 bedroom dwelling (Over 55)

Open market

- 7 x 2 bedroom bungalow (Over 55)
- 7 x 2 bedroom dwelling (Over 55)
- 86 x 3 bedroom dwellings
- 35 x 4 bedroom dwellings

2.3 The submitted layout proposes that this final phase of development will interface with phase 1 at the sites western extents with through the continuation of a previously approved internal estate road and associated footway/cycleway. Further connectivity with the initial phase of the development will be provided by virtue of footpath/cycleway connections at the south-western and north-eastern extents of the site ensuring adequate permeability for the cyclist/pedestrian. The proposal further benefits from the inclusion of a small network of pedestrian/cycle links within the development that also provide connectivity between areas of usable open space.

2.4 The majority of the development will be two-storeys in height with a small number of bungalows proposed and 4 terrace blocks (consisting of four dwellings each) that will be 2.5 storeys in height.

2.5 The proposal provides provision for a Local Equipped Area for Play (LEAP). Usable open space is also proposed to the southern and eastern extents of the site with a central green corridor also being proposed. A number of existing shelter belts/hedgerows are proposed to be maintained that will be integrated into elements of the open space and aid in preserving and enhancing the biodiversity and ecology of the site.

3. **Relevant Planning History**

3/2018/0404 - Application for the detailed approval of appearance, landscaping, layout and scale for the erection of 124 dwellings (Phase 1) pursuant to outline consent 3/2014/0764 as amended by 3/2017/0232. (Approved with conditions)

3/2017/0232 - Variation of condition 8 (drainage strategy) of planning permission 3/2014/0764. (Approved)

3/2016/0193 - Application for the detailed approval of appearance, landscaping, layout and scale for the erection of 118 dwellings (Phase 1) pursuant to outline consent 3/2014/0764 for the development of up to 363 homes including affordable housing and housing for the elderly, relocation of Longridge Cricket Club to provide a new cricket ground, pavilion, car park and associated facilities, new primary school, vehicular and pedestrian access landscaping and public open space, with all matters reserved except for access. (Approved with conditions)

3/2014/0764 - Development of up to 363 homes including affordable housing and housing for the elderly, relocation of Longridge Cricket Club to provide a new cricket ground, pavilion, car park and associated facilities, new primary school, vehicular and pedestrian access landscaping and public open space, with all matters reserved except for access. (Approved with conditions)

3/2014/0438 - Proposed development of 106 residential units, including affordable housing, new vehicular and pedestrian accesses, landscaping, public open space and ecological enhancement - Refused (appeal received - subsequently withdrawn).

Members will also note that in addition to the above referenced applications there are a significant number of associated discharge of condition applications which have been omitted for clarity.

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 DMI2 – Transport Considerations

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME3 – Site and Species Protection and Conservation
Policy DME6 – Water Management

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 residential purposes has been established as acceptable through the granting of outline consent 3/2014/0764, which remains live and extant by virtue of the commencement of phase 1 of the development, however the time period for within which any further reserved matters can be made has now since expired.

5.1.2 As such and notwithstanding other development management considerations, it is considered that in principle the proposal does not raise any potential conflicts with the Development Strategy for the borough as embodied within Key Statement DS1 or Policy DMG2 of the adopted Core Strategy.

5.2 Impact upon Residential Amenity:

5.2.1 The southern extents of the site has a direct interface with the private garden areas of properties associated with Crumpax Meadow, Redwood Drive and Firwood Close. As such, consideration must be given to the potential for the development to have a detrimental impact upon existing residential amenity.

5.2.2 The submitted details propose that the dwellings will be orientated in a manner that will result in interface distances, between existing and proposed dwellings, being within a range of between 23m to that of 37m. It should also be noted that these interface distances are largely achieved by a degree of physical separation provided by the presence of the southern green-buffer margin and associated roadway and footpath/cycleway.

5.2.3 Therefore, taking into account the proposed separation distances and the spatial relationships between adjacent existing dwellings and that of the proposed, it is not considered that the proposals would be of significant detriment to existing neighbouring residential amenity by virtue of a loss of privacy, loss of light or direct overlooking.

5.3 Visual Amenity/External Appearance:

5.3.1 The application has been subject to negotiation at pre-application and application stage which has ensured that the proposal remains in broad accordance with the overall framework/masterplan established as being acceptable at the outline stage.

5.3.2 It is proposed that the dwellings will be faced in a mixture of stone, render and brickwork with the materials pallet varying to define character areas, street hierarchy and parcels of development. The submitted details propose that the development will employ similar house-types to those which have already been approved as part of phase 1 of the development. As, such, and taking account of the overall arrangement of the proposal, it is not considered that the development will be of detriment to the character or visual amenities of the immediate area or wider context.

5.4 Highway Safety and Accessibility / Public Rights of Way:

5.4.1 The Highway Development Control Section have raised no objection to the proposed development subject to the imposition of conditions requiring estate roads to be constructed to base course level prior to construction works being undertaken, matters relating to construction management and that conditions be imposed that preclude the ability for garages to be used for any other purpose that would preclude their ability to accommodate a parked motor-vehicle.

5.4.2 Members will note that the majority of these matters are already addressed by conditions attached to the original outline consent, as such there is no requirement for these conditions to be re-imposed.

5.5 Landscape/Ecology:

5.5.1 The overall proposed layout and green infrastructure arrangements follow closely the parameters and framework of the overall masterplan and landscape framework approved at outline stage. Green margins are proposed at the southern and eastern extents of the size with the eastern margin being of a width of approximately 12.5m and the southern margin being of a width that ranges between 6.5m and 28m.

5.5.2 It is proposed that the southern and eastern green margins will accommodate informal footpaths along with amenity landscaping. A central green corridor runs south to north through the site, within which will be a shared cycleway/footway that interfaces with a wider network of shared footpath/cycle-ways, it is proposed that the corridor area will accommodate sporadically located trim-trail equipment, with such equipment also being accommodated along the footpaths within the southern and eastern green margins.

5.5.3 A central area of more formal public opens space is proposed within the main body of the development with a LEAP (Local Equipped Area for Play) being proposed towards the northern extents of the site.

5.5.4 At the time of writing this report the detailed landscaping proposals are currently being updated to reflect amendments to the proposed layout. It is not considered that the revised proposals will be a significant deviation from that which was originally submitted, as such it is requested that the application be deferred and delegated to the Director of Economic Development and Planning for approval following the receipt of acceptable landscaping details.

5.5.5 Conditions imposed at outline stage require details for the provisions of artificial bird nesting boxes and artificial bat roosting to be provided prior to the commencement of any development within each phase. As such, subject to adequate provision being provided, it is considered that such provision, in concert with the proposed green infrastructure, will result in an overall enhancement in biodiversity as required by Key Statement EN4 of the adopted development plan.

5.6 Flood Risk and Drainage:

5.6.1 A number of representations, including those received from the parish council, have raised the issue of increased flood risk and drainage as a result of the proposal. Members will note that the Statutory Consultees responsible for matters relating to flooding and drainage have raised no objection. Furthermore, precise details relating to surface water drainage/run-off are required to be submitted prior to the commencement of development within each phase as required by conditions imposed at outline stage.

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

- 6.1 Given the separation distances between existing and proposed dwellings and taking account of the overall proposed layout it is not considered that the proposal would result in any significant detrimental impact upon existing/future residential amenities by virtue of direct over-looking.
- 6.2 Taking account of the overall scale and layout of the proposed development it is not considered that the proposal would be of detriment to the visual amenities and character of the area.
- 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 for approval subject to the receipt of additional details relating to landscaping.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Economic Development and Planning for approval following the receipt of acceptable landscaping details within 3 months from the date of this Committee meeting.

1. 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:
- 459-LP0-4 – Location Plan
 - 459-PL04 Rev: 5 – Planning Layout
 - 459-ML04 Rev: 3 – Materials Layout
 - 459-BL04 Rev: 3 – Boundary Treatments Layout
 - 459-BTD02 - Boundary Treatment Details
 - 459-SH04 Rev: 3 – Storey Heights Layout
 - 459-RS04 Rev: 3 – Refuse Strategy
 - 459-HL04 Rev: 3 – Hard Landscaping Layout
 - 459-SS05 Rev: 2 – Streetscapes
 - 459-ED-02 – Proposed Finished Floor Levels
 - 459-ED-04 – Cross Sections
 - BBLD 00CE-01 Bedale
 - BALD 00CD-01 Alderney
 - BDER 00CD-01 Derwent
 - BHLN 00CD-01 Halton
 - BKNL-00CE-01 Kenley
 - BKIS 00CE-01 Kingsville
 - BMAI 00CE-01 Maidstone
 - BMMS 00CE-01 Moresby
 - BTHO-00CD-01 Thornton
 - BWIE 00CD-01 Windermere
 - HBC2 1BRE/02 Belmont
 - TBC-01 Brandon

- 11319_R10_AMS_CG_JW_171018 Arb Method Statement
- 11319_R05_GCN Survey Report_LRD_JW_151018
- 11319_R06a_Badger Survey Report_LRD_MM_171018
- BLUT 00CD-01 Lutterworth
- BALD 5BRD-01 Alderney Brick & Render
- BBLD 5BRE-01 Bedale Brick & Render
- TBC-01 Brandon Brick & Render
- BKNL 5BRE-01 Kenley Brick & Render
- BLUT 5BRE-01 Lutterworth Brick & Render
- BMAI 5BRE-01 Maidstone Brick & Render
- BMMS 5BRD-01 Moresby Brick & Render
- BALD MSRD-01 Alderney Stone & Render
- BDER 5SRD-01 Derwent Stone & Render
- BKNL 5SRE-01 Kenley Stone & Render
- BKIS 5SRE-01 Kingsville Stone & Render
- BLUT 5SRE-01 Lutterworth Stone & Render
- BMAI 5SRE-01 Maidstone Stone & Render
- BMMS 5SRD-01 Moresby Stone & Render
- BWIE 5SRD-01 Windermere Stone and Render

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

2. 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.

3. Notwithstanding the submitted details, elevational details including the precise location of all play equipment/trim-trail equipment to be erected within the development shall have been submitted to and approved by the Local Planning Authority prior to their installation. 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 and that appropriate provision of play equipment is provided within the development.

4. The new estate roads shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level prior to the commencement of any development within the phase(s) hereby approved.

REASON: To ensure that satisfactory vehicular access is provided to the site before the development hereby approved commences.

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 full details of the phasing and timings of the delivery of the

provision and equipping of usable public open space, cycleways and play areas have been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the submitted details shall provide the details of the numbers of dwellings to be constructed/occupied prior to each of the areas of usable public open space being made available for use. The provision and equipping of such areas shall thereafter be carried out in strict accordance with the approved details including the agreed timetable for implementation.

REASON: To ensure the adequate provision for public open space and play areas is brought forward in an appropriate phased manner to serve occupiers/residents of the development.

6. Prior to the installation of the 'Emergency Link' access to Redwood Drive, full details of the proposed access and how it will be restricted to the purposes of emergency vehicles and pedestrian access shall be submitted to and agreed by the Local Planning Authority.

The 'Emergency Link' shall be constructed in strict accordance with the approved details and thereafter only be used for the purposes of emergency vehicles and pedestrian access.

REASON: To ensure the adequate provision for access by emergency vehicles.

7. 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 that limits the visual impact of the parked motor-vehicle upon the street scene and limits parking upon the highway.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0975

APPLICATION REF: 3/2018/1037

GRID REF: SD 374962 443254

DEVELOPMENT DESCRIPTION:

OUTLINE APPLICATION (MATTERS OF ACCESS) FOR THE ERECTION OF UP TO 19 DWELLINGS (INCLUDING 30% AFFORDABLE HOUSING) WITH ACCESS OFF PIMLICO LINK ROAD. LAND OFF PIMLICO LINK ROAD, CLITHEROE BB7 4PZ



3/2018/1037 Land off Pimlico Link Road Clitheroe BB7 4PZ

Scale 1:2500

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

CLITHEROE TOWN COUNCIL:

Clitheroe Town Council have offered the following observations: The Town Council object to the application on the grounds that there is no provision for affordable housing in the application, and the application (if successful) would result in the over-development of Pimlico and there are concerns regarding sustainability as there is no bus service or shop in the locality.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No objection subject to the imposition of conditions.

UNITED UTILITIES

No objections subject to the imposition of conditions relating to foul and surface water drainage.

LLFA

Following the submission of a Flood Risk Assessment and Drainage Strategy the LLFA have raised no objection to the proposal subject to the imposition of conditions.

LCC EDUCATION

LCC Contributions (education) have offered the following assessment in respect of the developments impact upon educational provision within the catchment area of the development.

Primary Places

Latest projections for the local primary schools show there to be a shortfall of 8 places in 5 years' time. These projections take into account the current numbers of pupils in the schools, the expected take up of pupils in future years based on the local births, the expected levels of inward and outward migration based upon what is already occurring in the schools and the housing development within the local 5 year Housing Land Supply document (or equivalent), which already have planning permission.

With an expected yield of 7 places from this development the shortfall would increase to 15. Therefore, we would be seeking a contribution from the developer in respect of the full pupil yield of this development, i.e. 7 places.

Secondary Places

Latest projections for the local secondary schools show there to be a shortfall of 367 places in 5 years' time. These projections take into account the current numbers of pupils in the schools, the expected take up of pupils in future years based on the local births, the expected levels of inward and outward migration based upon what is already occurring in the schools and the housing development within the local 5 year Housing Land Supply document, which already have planning permission.

With an expected yield of 3 places from this development the shortfall would increase to 370. Therefore, we would be seeking a contribution from the developer in respect of the full pupil yield of this development, i.e. 3 places.

ADDITIONAL REPRESENTATIONS:

Seven letters of representation have been received objecting to the proposal on the following grounds:

- Additional noise resultant from the proposal
- Loss of light
- Loss of privacy
- Overdevelopment
- Oversupply of dwellings within Clitheroe
- The site is outside of the settlement boundary
- No affordable housing provision
- Inadequate access
- Detrimental impact upon highways safety
- Insufficient infrastructure in the area

1. Site Description and Surrounding Area

- 1.1 The application relates to an area of greenfield land located on the southern side Pimlico Link Road towards its western extents. The site is bounded to the west by numbers 12 – 30 Pimlico Village and to the south by Coplow Quarry. The site is currently a committed housing site (DS1 allocation), previously benefitting from a now since expired consent for the erection of up to 19 dwellings.

2. Proposed Development for which consent is sought

- 2.1 Outline consent (all matters reserved save for that of access) is sought for the erection of up to 19 dwellings including the provision of 30% affordable housing.
- 2.2 The submitted details propose that primary and sole vehicular access will be provided off of Pimlico Link Road to the northern extents of the site, with a pedestrian footway being provided at the western extents of the site whereby it interfaces with an existing footway adjacent number 30 Pimlico Village to ensure pedestrian connectivity.
- 2.3 The application has been accompanied by an illustrative site plan which proposes a mixture of terraces, semi-detached and detached properties. A mixture of in-curtilage and frontage parking courts are detailed on the indicative layout. The layout follows a largely linear arrangement parallel with, but set back from, Pimlico Link Road. The majority of the dwellings, save that for unit 04, are orientated in a manner that allows for rear private garden areas to directly back on to the northern extents of the woodland associated with Coplow Quarry. As the application is made in outline, the proposed layout has been submitted for illustrative purposes only.

3. Relevant Planning History

3/2014/0742 - Outline application for matters of access only for the erection of up to 19 No. dwellings with access off Pimlico Link Road. (Approved)

4. Relevant Policies

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy
Key Statement DS2 – Presumption in Favour of Sustainable Development
Key Statement DMI2 – Transport Considerations
Key Statement EN4 – Biodiversity and Geodiversity
Key Statement H2 – Housing Balance
Key Statement H3 – Affordable Housing

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME3 – Site and Species Conservation
Policy DMB4 – Open Space Provision

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

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 Members will be aware that site previously benefitted from outline consent for the erection of 19 dwellings as granted by application 3/2014/0742, however it should be noted that this consent has since expired.

5.1.2 Notwithstanding the expiration of the previous outline consent, the site remains a Committed Housing Site within the Regulation 22 draft settlement boundaries. As such and taking account of the designation of the application site, the principle of the development remains to be in broad compliance and accordance with the locational aspirations of the development strategy for the borough in relation to the location of new housing.

5.2 **Impact upon Residential Amenity:**

5.2.1 Given the application is made in outline a definitive assessment of the potential for detrimental impacts upon existing/future residential amenities cannot be determined or assessed at this stage. Notwithstanding this matter, the authority considers it appropriate to be assured that the quantum of development proposed can be adequately accommodated on site without compromising existing/future residential amenities or the character and visual amenities of the area.

5.2.2 As such it is considered appropriate to make a preliminary assessment of the submitted indicative layout, albeit having been submitted for illustrative purposes only. In this respect the authority has identified some areas of potential concern in relation to the submitted details. Whilst it is considered that these could be adequately addressed at the appropriate reserved matters stage, it is considered appropriate to outline the nature of these concerns/observations for the purposes of continuity at later reserved matters stages and in light of the nature of a number of representations received.

5.2.3 In respect of the above matters the authority has the following observations in relation to the proposed illustrative layout:

- Unit 04 appears to have limited private defensible amenity space and may potentially require significant boundary treatments to afford the plot with an adequate level of privacy. Consideration will have to be given to any boundary treatments proposed and their visual prominence, both within the development and upon approach.
- Units 02 & 03 appear to be orientated in a manner that results in a direct interface distance of 16.6m with the rear boundaries of numbers 12-30 Pimlico Village. It is noted that these distances are in excess of the interface distance that would normally be secured, however existing visual receptors are far more sensitive to the visual impacts of development, particularly when considering cumulative impact. As such it is considered appropriate that a landscape buffer be provided to the rear of numbers 12-30 Pimlico Village at the relevant reserved matters stage to assist in maintaining the sense of privacy felt by existing occupiers.
- The orientation/proximity of unit 01 to neighbouring boundaries/properties may raise issues in respect of over-bearing/privacy. However such impacts will be largely dependent upon the actual orientation of the dwelling, the locations of windows serving habitable rooms and which elements of the dwelling are single-storey or two-storeys in height.

5.3 Matters of Design/Visual Amenity:

5.3.1 Further to the above a preliminary assessment has also been made in respect of the ability for the development to be successfully assimilated visually into the immediate context without undermining or compromising the character or visual amenities of the area.

5.3.2 In respect of matters relating to matters of design and visual amenities, the authority has the following observations in relation to the proposed illustrative layout:

- The significant projection of unit 04, forward of the inherent building line established by the remainder of the proposed dwellings, is likely to result in unit 04 being read as a visually discordant and anomalous introduction, as such it is considered this unit be removed at later stages or that the layout be revised to provide a coherent and holistically considered building-line/layout.
- The proposal appears to show excessive areas of hard-surfacing/parking to the plot frontages (Units 05–19). A suitable landscaping scheme should be secured at reserved matters stage that mitigates and lessens the extents of surfacing proposed, it is also considered that the areas to the plot frontages should accommodate additional provision of usable garden/amenity landscaping
- The margin to the south of the existing hedgerow along the northern extents of the site has the potential to accommodate additional native tree species planting that would play a long-term role in relation to any overall landscape

strategy and also assist in enhancing the biodiversity of the site whilst providing visual mitigation for the dwellings from the adjacent link road.

- In the interests of the visual amenities and character of the area it will have to be robustly demonstrated at subsequent reserved matters stages as to how the overall architectural language, materials and scale of the dwellings will visually reflect the semi-rural/village context of the area.
- Refuse storage/management for the mid-terrace properties will have to be given further consideration, the current arrangement precludes occupiers from having direct access to their rear gardens from the plot frontage. This may have implications in relation to refuse storage. Where it is proposed that refuse storage receptacles are to be stored towards the plot frontage there will be the need to consider integrated architectural solutions that allow bins to be stored out of view. It is considered that such provision should be designed into the fabric of the buildings/dwellings rather than that of standalone bin storage structures.
- A number of dwellings are likely to interface with significant changes in topography present on site. It will be required to be demonstrated that these dwellings can be accommodated without significant artificial engineering works/alterations to land levels, particularly where changes in topography will form part of private residential curtilage.
- It is noted that as a result of the aforementioned changes in topography on site there may be the need for retaining wall structures to the rear of a number of the dwellings. It would have to be demonstrated that such structures would be designed in such a manner that they do not appear visually discordant or anomalous when taking account of the surrounding character of the area.

5.4 Highway Safety and Accessibility:

5.4.1 The Highway Development Control section have raised no objection to the proposal following the receipt of amended details relating to the nature of the access point.

5.5 Landscape/Ecology:

5.5.1 The application site is bounded to the south by the northern extents of the Coplow Quarry Biological Heritage Site (BHS) which is also designated as a Site of Special Scientific Interest (SSSI). As such, consideration must be given in respect of any potential impacts upon the aforementioned designations resultant from the development.

5.5.2 The application has been accompanied by an Ecological Impact Assessment which concludes, that by virtue of the degree of separation provided by the adjacent woodland/trees and taking into account that that the proposal does not directly encroach upon the adjacent BHS or SSSI, that there is no reasonable foreseeable likelihood of significant effects upon the adjacent statutory and non-statutory conservations sites.

5.5.3 The submitted report goes further to make a number of key recommendations which are summarised as follows:

- External public realm lighting be design to minimise glare and light spill into the adjacent tree-line.
- Two bat boxes be attached to the mature ash trees identified within the report.
- All hedgerow clearance to be undertaken outside of the bird nesting season.
- Four bird boxes be installed on mature trees along the southern boundary of the site.
- That the section of broad-leaved woodland along the southern boundary be retained.
- All trees be subject to tree protection measures during the construction phase of the development.
- New native planting should form part of the soft landscaping proposals for the site, particularly if tree or hedgerow removal is undertaken on site.
- Recommends that new hedgerow planting be undertaken along the western boundary of the site.

5.5.4 Notwithstanding the above recommendations, given the presence of significant linear landscape features adjacent and within the site, including well established hedgerow/woodland, it is considered likely that the site is utilised for foraging/feeding of bats/birds and potentially nesting/roosting. As a result, a condition will be imposed requiring the proposal to provide provision for building-integral nesting and roosting opportunities for bats and birds. This will not only assist in mitigating the impact of the development upon existing species population, but also allow for provisions to be brought forward to accommodate increases in local bat/bird population in compliance with Key Statement EN4 which requires a net enhancement in biodiversity.

5.5.5 Further to the requirement to provide integral provision for bats and birds, conditions will be imposed that will require all boundary treatments to include suitably sized gaps at ground level to allow for the creation of wildlife corridors and allow for wider wildlife movement and connectivity, not only within the site but, also with that of the adjacent BHS and SSSI.

5.6.6 Given the sites proximity to the BHS and SSSI subsequent reserved matters submissions relating to landscaping should be accompanied by a robust landscaping proposal consisting of predominantly native species that would play an integral role in complimenting and enhancing the aforementioned the designated areas.

5.7 Flood Risk and Drainage:

5.7.1 The Lead Local Flood Authority have stated that they have no objection to the proposal subject to the imposition of a condition which requires that the submission of any subsequent reserved matters applications shall be accompanied by a surface water drainage scheme.

5.8 Developer Contributions:

5.8.1 The developer will be required to make an educational contribution of £181,485.01 towards primary and secondary school, places within Clitheroe. The amount payable has been calculated by LCC education as follows:

Primary places:

(£12,257 x 0.97) x BCIS All-in Tender Price (318 / 240) (Q1-2018/Q4-2008)
= £15,753.31 per place

£15,753.31 x 7 places = £110,273.17

Secondary places:

(£18,469 x 0.97) x BCIS All-in Tender Price (318 / 240) (Q1-2018/Q4-2008)
= £23,737.28 per place

£23,737.28 x 3 places = £71,211.84

5.8.2 In addition to the above educational contribution the applicant will be required to make a contribution towards leisure/play facilities within Clitheroe. The contribution sought will be based on the following methodology which is calculated based following detailed information being available in relation to occupancy ratios at a rate of £216.90 cost per person:

- 1 bed unit - 1.3 people
- 2 bed unit - 1.8 people
- 3 bed unit - 2.5 people
- 4 bed unit - 3.1 people
- 5 + bed unit - 3.5 people

The trigger point for the payment of the leisure contribution will be subject to further negotiation and will be secured within the S106 agreement.

5.9 Affordable Housing Provision:

5.9.1 The applicant has provided a commitment to meet the requirements of Key Statement H3 with the submitted heads of terms outlining that 30% of the proposed dwellings will be for affordable housing provision and that 15% of the overall number of dwellings on site will be for occupation by those over 55 years of age with half of this provision being provided within the affordable provision and the remaining being provided on an open market basis.

5.9.2 On this basis and subject to further negotiation on matters relating to tenure and housing mix the proposal is considered to be in accordance with the adopted development plan in respect of on-site affordable housing provision and housing provision for those over 55 years of age.

6. Observations/Consideration of Matters Raised/Conclusion

6.1 Taking account of the above matters and all material considerations it is considered that the proposal represents an appropriate form of development in a location that is in accordance with the locational aspirations of the development strategy for the borough in respect of the location of new housing.

- 6.2 For this reason and all other reasons outlined above, the development is considered to be in broad accordance with the aims and objectives of the adopted development plan and do not consider that there are any material overriding reasons that would warrant the refusal to grant planning permission.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Economic Development and Planning for approval following the satisfactory completion of a Legal Agreement and further work to be undertaken in respect of drainage matters , within 3 months from the date of this Committee meeting or delegated to the Director of Economic Development and Planning 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:

Timings and Commencement

1. Application(s) for approval of all of the outstanding reserved matters related to the consent hereby approved must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates.
 - (a) The expiration of three years from the date of this permission; or
 - (b) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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. The consent hereby approved relates to the following drawings/submitted information:

Proposed Site Plan: 4347-04 Rev: H
Location Plan: LAN134537 (Amended 13/3/19)
Ecological Impact Assessment September 2018
Tree Survey (Arboricultural Impact Appraisal)

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

3. No more than 19 dwellings shall be developed within the application site edged red on the submitted Proposed Site Plan: 4347-04 Rev: H

REASON: To define the scope of the consent and quantum of development hereby approved in the interests of the appropriate development of the site and in the interests of the visual amenities of the area.

Matters of Design

4. The submission of reserved matters relating to layout shall include the provision of and precise details of the 'new public footpath' as shown on drawing 4347-04 Rev: H and precise details as to how it will interface with existing footways within the vicinity.

The agreed footpath details shall be implemented in full and be made available for use prior to any of the dwellings hereby approved being first occupied.

REASON: To ensure that future occupiers of the development hereby approved have adequate walkable access to existing pedestrian routes within the vicinity and to ensure that the development encourages sustainable modes of movement and travel.

5. The submission of reserved matters relating to layout shall be accompanied by elevational details including the alignment, height and appearance of all boundary treatments, fencing, walling, retaining wall structures and gates to be erected within the development.

For the avoidance of doubt the submitted details shall also 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 those within residential curtilages) to encourage terrestrial species movement.

The development shall be carried out in strict accordance with the approved details. The agreed wildlife corridors/gaps shall be retained in perpetuity and thereafter remain free from obstructions which would preclude their use by wildlife.

REASON: To ensure a satisfactory standard of appearance in the interests of protecting residential amenity, the visual amenities of the area and to minimise the potential impacts of the development upon protected and non-protected species through the inclusion of measures to retain and enhance habitat connectivity for species of importance or conservation concern.

6. The submission of reserved matters relating to layout shall be accompanied by a further detailed acoustic survey. For the avoidance of doubt the survey shall determine the internal noise levels within habitable rooms and at the boundaries of any residential dwellings and provide suggested adequate mitigation measures where necessary from adjacent/nearby sources of noise disturbance.

The agreed mitigation measures shall be implemented within the development prior to first occupation of any of the dwellings hereby approved.

REASON: In the interests of protecting the residential amenity of future occupiers from noise and disturbance from adjacent activities and sources of disturbance or noise.

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 site/street lighting has been submitted and approved in writing by the Local Planning Authority.

For the avoidance of doubt the submitted details shall demonstrate that there will be no artificial illumination (above existing levels) of retained and created habitats such as boundary trees, 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). The development shall be carried out in strict accordance with the approved details.

REASON: In the interests of the biodiversity of the site and to minimise/mitigate the potential impacts resultant from the development

Landscape and Ecology

8. Each submission of reserved matters in respect of appearance shall include details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites within the development hereby approved.

For the avoidance of doubt the details shall be submitted on a dwelling/building dependent species site plan and include details of plot numbers and 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 identified individual dwellings during their construction 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 minimise/mitigate the potential impacts upon protected species resultant from the development

9. Each submission of reserved matters in respect of landscaping shall include details as to how the 'habitat recommendations' (Ecological Impact Assessment - Simply Ecology Ltd Dated September 2018) will be implemented within the development.

For the avoidance of doubt the submitted details shall include the precise nature and location of all habitat enhancements including the timings/phasing's for their installation/implementation. The development shall be carried out in strict accordance with the approved details including the agreed timings/methodology for their installation/implementation.

REASON: In the interests of the biodiversity of the site and to minimise/mitigate the potential impacts resultant from the development

10. 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 the mitigation/enhancement proposals for bats and birds as contained within Ecological Impact Assessment (Simply Ecology Ltd Section 5.2) Dated September 2018, have been submitted to and agreed in writing by the Local Planning Authority.

The agreed mitigation measures shall be implemented in full prior to the commencement of any other development.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and to minimise/mitigate the potential impacts upon protected species resultant from the development

11. No removal of vegetation including trees or hedges shall be undertaken within the nesting bird season (1st March – 31st August inclusive) unless a pre-clearance check on the day of removal, by a licenced ecologist, confirms the absence of nesting birds. A letter from the ecologist confirming the absence of nesting birds shall be submitted to the Council within one month of the pre-clearance check being undertaken.

Any removal of vegetation outside the nesting bird season shall be preceded by a pre-clearance check by a licensed ecologist on the day of removal to ensure that removal does not result in unacceptable impacts upon nesting birds or other species of conservation concern.

REASON: To ensure that there are no adverse effects on the favourable conservation status of birds, to protect the bird population and species of importance or conservation concern from the potential impacts of the development.

12. 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 unless and until a scheme for protective fencing for trees and hedgerow within and adjacent to the site, has been submitted to and approved in writing by the Local Planning Authority.

The submitted details shall be in accordance with BS5837 (2012): 'Trees in Relation to Construction'. The agreed fencing/protection shall be erected in its entirety prior to any other operations taking place on the site and shall not be breached nor removed during development.

Furthermore within the areas so fenced the existing ground level shall be neither raised nor lowered and there shall be no development or development-related activity of any description including the deposit of spoil or the storage of materials unless expressly agreed by the Local Planning Authority.

REASON: To protect trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development.

Site Details

13. Applications for the approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) including the levels of the proposed roads.

For the avoidance of doubt the submitted information shall include existing and proposed sections through the site including details of the height, scale and location of proposed housing in relation to adjacent existing development/built form (where applicable). The development shall be carried out in strict accordance with the approved details.

REASON: To ensure the proposed development responds positively to characteristics of the area and to ensure the Local planning Authority can make an accurate assessment of potential impacts upon existing nearby residential amenity and the visual amenities of the area.

Highways/ Construction Management

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 information shall provide precise details of:
- The siting and location of parking for vehicles of site operatives and visitors
 - The siting and location for the loading and unloading of plant and materials
 - The siting and location of storage of plant and materials used in constructing the development
 - The siting and locations of security hoarding
 - The siting and locations of all site cabins
 - The siting 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
 - 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)
 - The highway routes of plant and material deliveries to and from the site.
 - Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.
 - Days and hours of operation for all construction works.
 - Contact details for the site manager(s)

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

REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway for the duration of the construction phase of the development.

15. The new estate road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any other construction work takes place within the site.

REASON: To ensure that satisfactory access is provided to the site before the construction of the development hereby permitted commences.

16. No part of the development shall be commenced until all the highway works to facilitate construction traffic access have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

REASON: To enable all construction traffic to enter and leave the site in a safe manner without causing a hazard to other road users.

Flooding and Drainage

17. As part of any reserved matters application and prior to the commencement of any development, the following details shall be submitted to, and approved in writing by the Local Planning Authority.

- A. Information about the lifetime of the development design storm period and intensity, surface water discharge rates and volumes (both pre and post development), temporary surface water storage facilities, means of access for maintenance and easements where applicable, methods employed to delay and control surface water discharged from the site and details of flood levels in AOD;
- B. The drainage scheme should demonstrate that surface water run-off will not exceed the existing pre-development runoff rate for the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- C. A plan showing overland flow routes and flood water exceedance routes, both on and off site;
- D. A timetable for implementation, including phasing where applicable;
- E. Details of water quality controls, where applicable.
- F. Details of an appropriate management and maintenance plan for the lifetime of the sustainable drainage system.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings. 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, to ensure that water quality is not detrimentally impacted by the development proposal and to reduce the flood risk to the development as a result of inadequate maintenance.

- 18. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution.

- 19. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

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

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F1037

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2018/0500	Land to East Clitheroe Road, Barrow	1/11/18 4/10/18	10	Out for Signature
3/2018/0844	Land off Longsight Road Langho	10/1/19	42	With Agent
3/2018/0924	Land South West of Barrow & West of Whalley Road Barrow	7/2/19	39	With Agent
3/2018/0914	Land off Clitheroe Road (Lawsonsteads Phase 2) Whalley	14/3/19	188	With LCC

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2019/0149	Regularisation of existing Biomass Boiler with chimney	Moorgate Farm Kenyon Lane, Langho
3/2019/0168	Change of use on Unit 5 (currently rated industrial/business unit) to a D5 unit for use as a bespoke membership gym	Unit 5 Barrow Brook Trade Park

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>Costs application received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2017/0961 R (Variation of S106 Ag)	Awaiting start date from PINS	Land at Chapel Hill Longridge	Hearing (to be confirmed by PINS)			
3/2018/0474 R of pp	Awaiting start date from PINS	Great Mitton Hall Mitton Road Mitton BB7 9PQ	HH appeal procedure Hearing requested (to be confirmed by PINS)			
3/2018/0468 R of LBC	Awaiting start date from PINS	Great Mitton Hall Mitton Road Mitton BB7 9PQ	LB Hearing (to be confirmed by PINS)			
3/2018/0447 R to vary condition	27/11/2018	Eatoughs Barn Fleet Street Lane Ribchester PR3 3XE	WR			Appeal allowed 22/03/2019
3/2018/0435 R of pp	10/12/2018	32 Hall Street Clitheroe BB7 1HJ	WR	Appellant costs application dismissed 14/03/2019		Appeal dismissed 14/03/2019

<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>Costs application received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2018/0816 R of pp	22/01/2019	39 Castle View Clitheroe BB7 2DT	HH			Awaiting Decision
3/2018/1020 R of pp	Awaiting start date from PINS	Calding Bank Cottage Whalley Old Road Billington BB7 9JE	WR (to be confirmed)			
3/2018/0915 R of outline pp	19/02/19	Daniels Farm Preston Road Alston PR3 3BL	WR			Awaiting Decision
3/2018/0688 R of outline pp	04/02/19	land off Henthorn Road Clitheroe	Inquiry		08/05/2019 09/05/2019 10/05/2019	LPA Statement and SoCG by 11/03/2019; Proofs of Evidence no later than 10/04/2019; Witness names, opening/closing statements/evidence in chief/cross examination no later than 17/04/2019
3/2018/1025 R of prior notification	05/02/2019	Low Laithe Barn Gisburn Road Newsholme	WR			Awaiting Decision
3/2018/0651 R of pp	01/03/2019	Land adj Glenetta Parsonage Road Wilpshire BB1 4AG	WR			Awaiting Decision
3/2018/0582 R of permission in principle	Awaiting start date from PINS	Land to the south of Chatburn Old Road Chatburn	Hearing			
3/2018/0768 R of pp	Awaiting start date from PINS	Land at Osbaldeston Lane, Osbaldeston	WR (to be confirmed)			