

Town and Country Planning Act 1990 –Section 78  
Town and Country Planning (General Development Procedure Order 1995)  
Town and Country Planning (Inquiries Procedure) (England) Rules 2002

**Appeal by Gladman Developments Limited**

**Site at Henthorn Road, Clitheroe, Lancashire**

**Proposed Residential Development of Up to 270 Dwellings,  
Doctors Surgery, Access Details, Highway Works, Public  
Open Space and Associated Works**

**APP/T2350/A/11/2161186**

**Agreed Statement of Common Ground  
(Planning)**

**On Behalf of Ribble Valley Borough Council & Gladman  
Developments Limited**



**January 2011**

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## **1 Introduction & Background**

- 1.1.1 This Planning Statement of Common Ground has been prepared jointly by Gladman Developments Limited (herein after referred to as 'The Appellant'), and Ribble Valley Borough Council (hereinafter referred to RVBC or the Council).
- 1.1.2 It is intended to provide a separate Highways Statement of Common Ground which will be prepared jointly by Ashley Helme on behalf of the Appellant and Waterman Boreham on behalf of the Council.
- 1.1.3 The statement refers to Appeal APP/T2350/A/11/2161186 against the refusal by RVBC to grant planning permission in respect of Outline Permission (3/2010/0719) for a proposed residential development of up to 270 dwellings, Doctors Surgery, Public Open Space, Landscaping, Highway and Associated Infrastructure works. All matters are reserved save for that of access.
- 1.1.4 It sets out the agreed matters of fact and agreed positions between the parties in respect of this appeal.
- 1.1.5 The application was reported to Planning Committee on 14<sup>th</sup> July and 15<sup>th</sup> September 2011, and recommended on both occasions by Officers for approval subject to planning conditions and section 106 agreement. A copy of the Planning Committee Reports dated, 15<sup>th</sup> September 2011 and 14<sup>th</sup> July 2011 are contained within (CD3.2 & 3.9) respectively.
- 1.1.6 The statement deals with the following matters:
- Section 2: Development Details & Environmental Assessment Screening Opinion
  - Section 3: Site Description
  - Section 4: Adopted Development Plans
  - Section 5: National Planning Policy & Guidance
  - Section 6: Emerging LDF Core Strategy
  - Section 7: Housing Land Supply
  - Section 8: Highways and Transport
  - Section 9: Affordable Housing
  - Section 10: Ecology
  - Section 11: Open Space

- Section 12: Landscape & Visual Impact
- Section 13: Drainage
- Section 14: Other Matters
- Section 15: Section 106 Matters
- Section 16: Draft List of Suggested Agreed Conditions

## **2 Development Details & Environmental Assessment**

2.1.1 The planning application has been screened for the purposes of Environmental Impact Assessment by letter dated 7<sup>th</sup> July 2010 from the Appellant and confirmation that an Environmental Impact Assessment was not required was issued by letter dated 20<sup>th</sup> July 2010 by RVBC. Both letters are contained within (CD 3.27 & 3.26) respectively.

### **3 Site Description**

#### **3.1 The appeal site and its location**

##### **General**

- 3.1.1 The Ribble Valley Local Plan describes its character and regional setting as follows:-

*"The Borough has a population of around 52,000 with Clitheroe, the main administrative centre, having 13,200 inhabitants. Clitheroe lies at the heart of the Borough... The Ribble Valley has excellent communications which open up the area to the rest of the country. The A59 trunk road, a main artery from the west coast through to the east dissects the Borough and links to the M6. Main rail services are available from Preston, which is only 30 minutes from Clitheroe. In addition Manchester Airport is only 60 minutes away from Clitheroe and provides links to over 200 destinations worldwide".*

[Extract: Prelude, Ribble Valley Local Plan 1998]

##### **Site Location**

- 3.1.2 The Henthorn Road area lies on the south-western side of Clitheroe. The appeal site lies immediately adjacent to the existing Henthorn Road and Fairfield Drive residential areas. The Henthorn Road area is comprised mainly of a 20th century housing estate with predominantly detached or semidetached properties.

##### **The Appeal Site**

- 3.1.3 The appeal site lies at the south-western edge of the settlement of Clitheroe. The site area is circa 15.70 hectares. The site is located to the northwest of Henthorn Road. The rear gardens of properties fronting Fairfield Drive abut the north-eastern boundary. Directly to the north are a kennels and cattery and playing fields; to the west Clitheroe Caravan and Camping Club and the Ribble Way long distance footpath alongside the river and to the south Siddows Hall and agricultural land.

- 3.1.4 The eastern boundary of the site to Henthorn Road dog-legs around the rear of Henthorn Farmhouse (a Grade II listed building), the White House and other properties fronting Henthorn Road.
- 3.1.5 The site is in agricultural use. It lies outside and immediately adjacent to the existing settlement boundary of Clitheroe that is identified within the Ribble Valley Districtwide Local Plan.
- 3.1.6 The site is roughly 'L' shaped. Its topography varies rising gently away from Henthorn Road with the western field descending towards the River Ribble.
- 3.1.7 The site is currently used for agricultural purposes. The existing field pattern is created by a number of hedgerows interspersed with some mature trees and drainage ditches.

## 4 Adopted Development Plans

4.1.1 It is agreed that the development plan comprises the following:

- The 'saved' policies of the Ribble Valley Districtwide Local Plan (adopted June 1998)
- North West of England Regional Spatial Strategy (adopted September 2008).

4.1.2 The relevant development plan policies and national planning policies and guidance against which the appeal proposals have been assessed are as follows:-

## 4.2 North West of England Regional Spatial Strategy

4.2.1 It is agreed that, with the regard to the generality of the provisions of the following policies contained within the adopted North West of England Regional Spatial Strategy set out below, no conflict arises in respect of these proposals save for those matters identified in brackets beneath individual policies.

- DP1: Spatial Principles  
(The elements of this policy which refer to; "*promote sustainable communities, make the best use of existing resources and infrastructure, manage travel demand, reduce the need to travel, and increase accessibility, reduce emissions and adapt to climate change;*" as defined in relevant policies DP2, DP4, DP5 and DP9 is not agreed)
- DP4: Make the Best Use of Existing Resources and Infrastructure  
(The element of this policy which refers to: "*... the development of other land where this is well located in relation to housing, jobs, other services and infrastructure and which complies with the other principles in DP1-9*" is not agreed)
- DP9: Reduce Emissions and Reduce Climate Change  
(The element of this policy which refers to; "*reducing traffic growth, promoting walking, cycling and public transport*" is not agreed)
- RDF1: Spatial Priorities
- RDF2: Key Service Centres
- L4: Regional Housing Provision
- L5: Affordable Housing
- EM1: Integrated Enhancement and Protection of the Region's Environmental Assets
- EM5: Integrated Water Management
- EM15: A Framework for Sustainable Energy in the North West
- EM16: Energy Conservation and Efficiency
- EM17: Renewable Energy
- CLCR1: Central Lancashire City Region Priorities

### 4.3 Ribble Valley Districtwide Local Plan (1998 – 2006)

#### Overview

4.3.1 It is agreed no conflict arises in respect of the appeal proposals with regard to the provisions of the adopted policies contained within the Ribble Valley Districtwide Local Plan as set out below.

- Policy G11 - Crime Prevention
- Policy ENV3 - Development in Open Countryside
- Policy ENV6 - Development Involving Agricultural Land
- Policy ENV7 - Species Protection
- Policy ENV9 - Important Wildlife Site
- Policy ENV10 - Development Affecting Nature Conservation
- Policy ENV13 - Landscape Protection
- Policy ENV14 - Ancient Monuments and Other Important Archaeological Remains
- Policy ENV19 - Listed Buildings
- Policy H21 - Affordable Housing - Information Needed
- Policy RT8 - Open Space Provision
- Policy RT18 - Footpaths and Bridleways - Improvements
- Policy RT19 - Development Which Prejudices Footpaths
- Policy T7 - Parking Provision

4.3.2 It is agreed that the site lies outside the defined settlement boundary as defined by Adopted saved DWLP Policy G2 and Proposals Map. It is agreed that as the proposed development does not constitute a small scale development, infill, replacement dwelling or development wholly for affordable housing, the proposed development is also contrary to Adopted saved DWLP Policies G2, G5, H2 and H20 as it does not meet the exceptions for housing development outside defined settlement limits. It is acknowledged that the Adopted saved DWLP was prepared during the 1990s and adopted in 1998, and thus the weight to be given provisions of the saved local plan policies must be balanced with the requirements of PPS3 Housing (2011) and other emerging policy, including the LDF Core Strategy. In particular, it is agreed that the Council is unable to demonstrate a five year supply of housing (refer to Section 7 of this Statement) as it is required to do, and therefore the tests of paragraph 69 of PPS3 should be applied.

## 5 National Planning Policy Statements and Guidance

### Overview

5.1.1 It is agreed that no conflict arises in respect of these proposals with regard to the following national planning policies and guidance:

- PPS5: Planning for the Historic Environment
- PPS9 Biodiversity and Geological Conservation.
- Planning for Biodiversity and Geological Conservation; A Guide to Good Practice
- PPG17: Planning for open space, sport and recreation
- PPS22 Renewable Energy
- PPS25 Development and Flood Risk

## 6 Emerging LDF Core Strategy

### Background

- 6.1.1 Public consultation on the emerging Core Strategy began in August 2010 on Issues and Options (Regulation 25). Public participation on Preferred Options (Regulation 27) is scheduled to take place in January/February 2012.
- 6.1.2 The revised anticipated LDS timetable (as at October 2011) is set out below.

**Revised Local Development Scheme timetable  
(October 2011)**

DOCUMENT	Date for issues & options consultations (Regulation 25)	Public participation on preferred options (Regulation 27)	Date of submission to Secretary of State (Regulation 30)	Pre-Examination meeting	Target date for formal Examination	Anticipated receipt of Inspectors Report	Date for proposed adoption
<b>Core Strategy</b>	Published August 2010	January 2012	April 2012	May 2012	August 2012	November 2012	December 2012
<b>Housing and Economic Development DPD</b>	February 2012	June 2012	December 2012	February 2013	May 2013	September 2013	October 2013

This is the proposed anticipated timetable as at October 2011.

### **Core Strategy Consultation Regulation 25 – August 2010**

- 6.1.3 The CS Regulation 25 document identified three potential development options with notional percentage apportionment of the likely distribution of housing to be required at each spatial location. Clitheroe, which will be designated a 'Key Service Centre' in the forthcoming CS is identified in all three options with targeted growth levels ranging from 22% to 45%.

### **Core Strategy Generation of alternative Development Strategy Options – June 2011**

- 6.1.4 The 'Generation of alternative Options' set out a further five potential Development Strategy options, the point of which were to determine the general areas of the borough where development should and shouldn't be located. This allowed for a total of 8 possible options from which to choose a 'preferred option'.

6.1.5 The consultation allowed for comments to be made on these options and for respondents to choose their preferred option of the eight presented.

The document sets out the original three 'Options' (Options 1 to 3 below) as they are presented within the 'Core Strategy Consultation Regulation 25', August 2010 and provides an additional five 'Options' (Options A to E) which were consulted upon within the 'Core Strategy Generation of alternative Development Strategy Options', in June to August 2011.

6.1.6 Options 1 – 3 note Clitheroe as potentially accommodating the following levels of housing.

**Option 1**

OPTION No	SETTLEMENT	PERCENTAGE OF DEVELOPMENT	TOTAL NO OF DWELLINGS OVER 20 YEARS (161/yr from 2008-2028)
OPTION 1	Clitheroe	45%	1344 dwellings

**Option 2**

OPTION No	SETTLEMENT	PERCENTAGE OF DEVELOPMENT	TOTAL NO OF DWELLINGS OVER 20 YEARS (161/yr from 2008-2028)
OPTION 2	Clitheroe	24%	717 dwellings

**Option 3**

OPTION No	SETTLEMENT	PERCENTAGE OF DEVELOPMENT	TOTAL NO OF DWELLINGS OVER 20 YEARS (161/yr from 2008-2028)
OPTION 3	Clitheroe	22%	657 dwellings

6.1.7 Options A and B as set out below are self explanatory. Respectively they note Clitheroe as potentially accommodating the following levels of housing.

## **Alternative Options**

### **Option A**

OPTION No	SETTLEMENT	PERCENTAGE OF DEVELOPMENT	TOTAL NO OF DWELLINGS OVER 20 YEARS (161/yr from 2008-2028)
OPTION A	Clitheroe	52%	1553 dwellings

### **Option B**

OPTION No	SETTLEMENT	PERCENTAGE OF DEVELOPMENT	TOTAL NO OF DWELLINGS OVER 20 YEARS (161/yr from 2008-2028)
OPTION B	Clitheroe	45%	1373 dwellings

6.1.8 Option C as indicates a potential for the Borough's housing to be spread Borough wide. It is reasonable to assume that Clitheroe could accommodate some of this housing requirement if Option C were the preferred option.

### **Option C**

OPTION No	SETTLEMENT	PERCENTAGE OF DEVELOPMENT	TOTAL NO OF DWELLINGS OVER 20 YEARS (161/yr from 2008-2028)
OPTION C	Borough wide	100%	2987 dwellings

6.1.9 Option D indicates a potential for the single strategic site located to the south of Clitheroe. Development will be permitted in other locations to meet the identified needs of the Borough. The other locations are unspecified.

### **Option D**

OPTION No	SETTLEMENT	PERCENTAGE OF DEVELOPMENT	TOTAL NO OF DWELLINGS OVER 20 YEARS (161/yr from 2008-2028)
OPTION D	Site location: South of Clitheroe, towards the A59	50%	1500 dwellings
	Borough wide needs housing	50%	1487

6.1.10 Option E indicates a potential for the single strategic site located at Barrow which is located approximately 2km south of the centre Clitheroe. Development will be permitted in other locations to meet the identified needs of the Borough. The other locations are unspecified.

### **Option E**

OPTION No	SETTLEMENT	PERCENTAGE OF DEVELOPMENT	TOTAL NO OF DWELLINGS OVER 20 YEARS (161/yr from 2008-2028)
OPTION E	Site location: Single strategic location at Barrow	65%	1950 dwellings
	Borough wide needs housing	35%	1040

## **7 Housing Land Supply**

- 7.1.1 Ribble Valley Borough Council currently has a claimed 3.3 year supply of housing land as at 1st October 2011. (The term "claimed 3.3 year supply" reflects the fact that the Appellant has not carried out an assessment of the Council's land supply on the basis that it is below the Government's minimum five year requirement.)

## **8 Highways & Transport**

- 8.1.1 A separate **Highways Statement of Common Ground** will be agreed on matters relating to highways and transport between Waterman Boreham on behalf of the Council and Ashley Helme Associates on behalf of the Appellant.

## **9 Affordable Housing**

- 9.1.1 It is agreed that the proposed 30% on site delivery of affordable housing fully accords with the most up to date approach that the Council have adopted in its Affordable Housing Memorandum of Understanding.
  
- 9.1.2 It is agreed that delivery of the affordable housing will be secured by way of a section 106 obligation thus securing on-site provision.

## **10 Ecology**

- 10.1.1 All matters pertaining to ecology with regard to the appeal proposals are agreed.  
It is agreed that these matters can be dealt with by way of planning condition.

## 11 Public Open Space

11.1.1 It is agreed that the overall proposals provide adequate public open space which is in excess of the Council's requirements for this type of development.

11.1.2 It is agreed that the section 106 obligation will provide for areas to be set aside on site for public open space and play space.

11.1.3 With regard to the matter of Public Open Space, Plan FPCR 4370-P-01 Rev G dated 15<sup>th</sup> November 2010 (CD 2.1) illustrates the overall proposed on site public open space, including children's play areas, community parkland and informal open space.

11.1.4 The breakdown of areas of Public Open Space is set out below in Table 1.

**Table 1**

	<b>Council requirements (Policy RT9 deleted)</b>	<b>Fields in Trust (FIT) standard (formerly NPFA)</b>	<b>Open space provided (for 270 dwellings =648 popn)</b>
<b>Youth and adult use</b>	<b>1.04-1.17ha</b> (1.6-1.8ha/1000popn)	<b>1.04ha</b> (1.6ha/1000popn)	<b>4.19ha</b> (Community Park)
<b>Equipped play areas (children)</b>	<b>0.13-0.19ha</b> (0.2-0.3ha/1000popn)	<b>0.16ha</b> (0.25ha/1000popn)	<b>0.16ha</b> Activity zone for 1 LEAP (400m2) + 1 NEAP (1200m2)
<b>Casual / informal play space</b>	<b>0.26-0.32ha</b> (0.4-0.5ha/1000popn)	<b>0.36ha</b> (0.55ha/1000popn)	<b>2.10ha</b>
<b>Additional green infrastructure provision</b>	Not required by Policy RT9	Not required by FIT	<b>0.88ha</b> (of which 0.56ha structural planting + 0.32ha indicative attenuation areas)
<b>Outdoor playing space and Green Infrastructure Total</b>	<b><u>1.57ha</u></b> (2.43ha/1000popn)	<b><u>1.56ha</u></b> (2.4ha/1000popn)	<b><u>7.33ha</u></b>

## **12 Landscape & Visual Impact**

12.1.1 It is agreed that, with the regard to matters of Landscape and Visual Impact, no conflict arises in respect of the appeal proposals.

### **13 Drainage**

13.1.1 It is agreed that the proposals do not give rise to any matters of conflict with regard to drainage.

13.1.2 It is also agreed that these matters can be dealt with by way of planning condition.

## **14 Other Matters**

### **14.1 Pre-Application Consultation & Community Engagement**

14.1.1 The following matters are agreed with regard to Pre-application consultation and community engagement.

14.1.2 The Appellant undertook pre-application consultation in order to inform the planning application proposals. These consultations involved pre-application discussions with officers of RVBC in July 2010.

14.1.3 Numerous meetings were held with LCC Highways with regard to highway matters.

14.1.4 Consultation with Clitheroe Town Council was undertaken in September 2010.

14.1.5 An informative leaflet was distributed to the local community followed by a two day consultation exhibition which was held on Friday 30<sup>th</sup> and Saturday 31<sup>st</sup> July 2010 in order to advise the local community of the forthcoming proposals. The event was staffed by the Appellant's representatives in order for questions that the local community wished to pose could be answered directly by the applicant. Feedback forms were provided to each attendee to make written representations to the Appellant prior to submission of the planning application. The report on Statement of Community Involvement (CD 1.10) documents the results of the community consultation process.

## **15 Section 106 Matters**

15.1.1 The Council and Appellant will seek to agree a section 106 obligation or obligations as a matter of expediency.

## 16 Draft List of Suggested Agreed Conditions

### **The Council and the Appellant will seek to finalise the Draft List of Suggested Conditions as a matter of expediency.**

1. Application for approval of reserved matters must be made not later than the expiration of 5 years beginning with the date of this permission and the development must be begun not later than whichever is the latter of the following dates:

- (a) the expiration of 5 years from the date of this permission; or
- (b) the expiration of 2 years from final approval of the reserved matters, or in the case of approval of different dates, the final approval of the last such matter to be approved.

**REASON:** In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

2. Detailed plans indicating the design and external appearance of the buildings, landscape and boundary treatment, parking and manoeuvring arrangements of vehicles, including a contoured site plan showing existing features, the proposed slab floor level and road level (called the reserved matters) shall be submitted to and approved by the Local Planning Authority before development commences.

**REASON:** To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and in order that the Local Planning Authority should be satisfied as to the details and because the application was made for outline permission.

3. Prior to commencement of development a scheme identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be provided in accordance with the approved details prior to occupation of the development and thereafter retained.

**REASON:** In order to encourage renewable energy and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

4. Development shall not begin until a scheme for surface water drainage and attenuation for the site, based on sustainable drainage principles and assessment of the hydrological and hydro geological context of the development has been submitted to and approved in writing by the Local Planning Authority. Details of the maintenance and management of the scheme after completion shall be included. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

**REASON:** In order to comply with Policy G1 of the Ribble Valley Districtwide Local Plan in order to prevent the increased risk of flooding, to improve and protect water quality, to improve habitat and amenity and to ensure future maintenance of the surface water drainage system.

5. Development shall not begin until details of any works that will alter the existing ponds on site or details of any new ponds adjacent to them have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

**REASON:** In accordance with Policy G1 of the Ribble Valley Districtwide Local Plan to protect, restore and enhance the existing and/or proposed ponds within the site.

6. No development approved by this planning permission shall be commenced until:
- a) A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information and diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
  - b) A site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing, by the Local Planning Authority prior to that investigation being carried out on the site.
  - c) The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the Local Planning Authority.
  - d) A Method Statement and Remediation Strategy, based on the information obtained from c) above has been submitted to and approved in writing by the Local Planning Authority.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried out and completed in accordance with the approved Method Statement and Remediation Strategy referred to in d) above, and to a timescale agreed in writing by the Local Planning Authority: unless otherwise agreed in writing by the Local Planning Authority.

If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with. Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s).

Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

**REASON:** In accordance with Policy G1 of the Ribble Valley Districtwide Local Plan to:

- a) identify all previous site uses, potential contaminants that might reasonably be expected to be present given those uses and the source of contamination, pathways and receptors.
- b) enable:
  - a risk assessment to be undertaken;
  - Refinement of the conceptual model; and
  - the development of a Method Statement and Remediation Strategy

c) & d) ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site.

7. Any application for the approval of reserved matters shall include specific details of the provision of a suitable noise barrier along the northern and eastern boundaries of the play area situated in the north eastern corner of the site adjacent to an existing kennels/cattery. The measures so submitted and approved in writing by the Local Planning Authority shall then be fully implemented to the written satisfaction of the Local Planning Authority and thereafter retained in perpetuity.

**REASON:** In accordance with Policy G1 of the Ribble Valley Districtwide Local Plan to prevent noise intrusion from normal activities on the adjacent kennels/cattery

8. The submission of reserved matters in respect of layout, scale, appearance and landscaping and implementation of development shall be carried out in substantial accordance with the Design and Access Statement and Illustrative Masterplan 4370-P-02rev1 as amended dated 13 April 2011.

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

9. The new estate road/access between the site and Henthorn Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

**REASON:** To comply with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan and to ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

10. Prior to commencement of construction works, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site, the wheel cleaning facilities shall be retained throughout the life of the development.

**REASON:** To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

11. No part of the development hereby approved, shall commence until a scheme for the construction of the site access and the off-site highway works of highway improvements (including their programming and implementation) has been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall thereafter be carried out in accordance with the approved scheme.

**REASON:** To comply with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan and in order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable and scheduled to take place at an appropriate stage of development before work commences on site.

12. No part of the development hereby approved shall commence until a scheme for the construction of the pedestrian / cycle links through the site including a bollard or similar barrier arrangements on the link at its junction with the caravan track has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The scheme so approved shall be implemented to the written satisfaction of the Local Planning Authority prior to first occupation of the 51<sup>st</sup> dwelling unit on the site.

**REASON:** To comply with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan and in order to satisfy the Local Planning Authority and the Highway Authority that the final details of the pedestrian / cycle linkages through the site are acceptable and implemented to aid accessibility.

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

**REASON:** To ensure and safeguard the recording of any archaeological deposits in accordance with Policies G1 and ENV14 of the Ribble Valley Districtwide Local Plan.

14. Prior to any works taking place in proximity to habitat suitable for use by otters (*Lutra lutra*), a survey for the presence of otters shall be carried out. The survey, together with proposals for mitigation/compensation (if required) shall be submitted to the Local Planning Authority for approval in writing in consultation with specialist advisors. Any necessary and approved measures for the protection of otters shall thereafter be implemented in full.

**REASON:** In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan.

15. No site clearance, site preparation or development work shall take place within 5m of the riverbank top unless a water vole (*Arvicola terrestris*) survey has been carried out in advance. The report of the survey (together with a scheme for mitigation/compensation, if required) shall be submitted to the Local Planning Authority for approval in writing in consultation with specialist advisors. Any necessary and approved measures for the protection of water voles shall thereafter be implemented in full.

**REASON:** In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan.

16. Prior to the commencement of any works to the watercourse there shall be a survey for whiteclawed crayfish (*Austropotamobius pallipes*). The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to the Local Planning Authority for approval in writing in consultation with specialist advisors. Any necessary and approved measures for the protection of white-clawed crayfish shall thereafter be implemented in full.

**REASON:** In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan.

17. Prior to the commencement of works there shall be a repeat survey for the presence of badgers. The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to the Local Planning Authority for approval in writing in consultation with specialist advisors. Any necessary and approved measures for the protection of badgers shall thereafter be implemented in full.

**REASON:** In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan.

18. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall be avoided between March and July inclusive. In the event that works are carried out during the nesting period a comprehensive risk assessment in order to establish the absence/presence of nesting birds shall be submitted to the Local Planning Authority prior to any works taking place for approval in writing and any mitigation measures outlined therein shall be carried out to the satisfaction of the Local Planning Authority.

**REASON:** In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan.

19. All trees and hedgerows (and the Biological Heritage Site) being retained in or adjacent to the application site shall be protected during construction, in accordance with existing guidelines (e.g. BS5837: 2005 Trees in relation to construction - Recommendations).

**REASON:** In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7, ENV9, ENV10 and ENV13 of the Ribble Valley Districtwide Local Plan.

20. No site clearance, site preparation or development work shall take place until a habitat creation/enhancement and management plan has been submitted to and approved in writing by the Local Planning Authority in consultation with specialist advisors. The approved management plan shall thereafter be implemented in full. The plan shall include (but not be limited to) further details of measures for: the maintenance and enhancement of retained hedgerows, compensation for hedgerow losses; retention and enhancement of species rich/neutral grassland (and measures for mitigation/compensation, if retention in situ is not possible); enhancement of the stream and associated habitat; native scrub and tree planting; maintenance and enhancement of part of the River Ribble BHS.

**REASON:** In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7, ENV9, ENV10 and ENV13 of the Ribble Valley Districtwide Local Plan.

21. Himalayan Balsam (*Impatiens glandulifera*) shall be eradicated from the site and working methods shall be adopted to prevent the spread of this species.

**REASON:** In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7, ENV9, ENV10 and ENV13 of the Ribble Valley Districtwide Local Plan.

22. Prior to the commencement of works, details of lighting shall be submitted to and approved by Ribble Valley Borough Council in writing. The lighting scheme shall be implemented in accordance with the approved scheme. The scheme shall demonstrate avoidance of artificial illumination of important wildlife habitats (the River Ribble and its banks, trees with bat roost potential, hedgerows used by foraging and commuting bats).

**REASON:** In the interests of protecting nature and conservation issues in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan.

23. Prior to occupation of the 91st dwelling a residential Travel Plan should be developed and approved in writing by the LCC Highways Travel Plan team (based on the Framework Travel Plan (FTP) produced as part of the planning application) to improve accessibility of the site by sustainable modes.

The full Travel Plan should include the following:

Appointment of a named Travel Plan Co-ordinator.  
Travel survey.  
Details of cycling, pedestrian and public transport links to the site.  
Details of secure, covered cycle parking.  
Targets for a reduction in private car journeys.  
Action plan of measures to be introduced.  
Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years.

**REASON:** To minimise the use of private cars in the interests of sustainable development in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

24. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from construction works.

**REASON:** In the interests of protecting residential amenity from noise and disturbance connected to demolition and construction in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

25. Prior to the first use of the proposed doctor's surgery details of proposed opening hours shall be submitted to and approved in writing by the Local Planning Authority. The premises shall operate in accordance with the approved hours in perpetuity.

**REASON:** In the interests of protecting residential amenity of future occupiers and that no details of opening hours has been provided in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

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

**REASON:** In order to encourage an energy efficient development in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

**Suggested Notes:**

1. This outline planning permission shall be read in conjunction with the Legal Agreement S106 Obligations.
2. The consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the

Environment Directorate for further information by telephoning the Area Surveyor East 01254 823831 or writing to the Area Surveyor East, Lancashire County Council, Area Office, Riddings Lane, Whalley, Clitheroe BB7 9RW quoting the planning application number.

3. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway related to this proposal. The applicant should be advised to contact the Environment Director at PO Box 9, Guild House, Cross Street, Preston, PR1 8RD in the first instance to ascertain the details of such an agreement and the information to be provided.

**Singed on behalf of Ribble Valley Borough Council**



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**Mr Richard Purser**

**Signed on behalf of the Appellant**



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**Mr Timothy A Dean**

**Wednesday 11<sup>th</sup> January 2012**