

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 16 OCTOBER 2014
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL

APPLICATION NO: 3/2014/0592/P (GRID REF: SD 371966 446630)
 PROPOSED DEMOLITION OF THE MOORCOCK INN AND THE ERECTION OF 7 NO DWELLINGHOUSES INCLUDING ASSOCIATED DRIVES, GARDENS AND EXTERNAL LANDSCAPING WORK AT THE MOORCOCK INN, SLAIDBURN ROAD, WADDINGTON

PARISH COUNCIL: Has no objections to this application.

ENVIRONMENT
 DIRECTORATE
 (COUNTY SURVEYOR): Comments that the proposed parking provision for each dwelling is in accordance with the parking standards and comments that the proposal would result in considerably less traffic than the existing authorised use of this property. As such, there is no objection to the proposed development on highway grounds.

LANCASHIRE COUNTY
 COUNCIL (ECOLOGIST): Has no objections to the proposed development but stated that certain matters need to be addressed. In the event of planning permission being granted it is considered that these matters could be covered by appropriate conditions.

LANCASHIRE COUNTY
 COUNCIL (ARCHAEOLOGY): The 1st Edition Ordnance Survey (Yorkshire Sheet 182) surveyed in 1847 shows the site to comprise two much smaller buildings adjacent to the main road in the southeast corner of the site. Buildings of this date, if well preserved, might be considered to be of some limited archaeological interest where the preservation by record (building recording to English Heritage Level 2) would be appropriate. However in this instance, information contained in the Heritage Statement makes reference to the building having been badly damaged by fire in the 1970's and subsequently been rebuilt, and that little or no original features survived. Consequently LCAS has no objection to the proposed demolition nor does it consider it necessary to require the applicant to undertake any archaeological recording of the buildings.

PRINCIPAL AONB OFFICER: Comments that the proposal comprises 7 residential dwellings that are built to reflect the local building scale and stone vernacular. In order to facilitate the proposed development, the existing building and its car park would be removed – actions which, on their own, would have significant beneficial effects for the local landscape character. The building is relatively large scale, appearance, large car park in close proximity to Slaidburn Road emphasise its presence in the landscape and combined to create significant unacceptable landscape character impacts.

By virtue of the domestic building scale, simple building design using materials and a style which mimics that of the area, alongside mitigation planting, the AONB Officer is satisfied that there would be no significant adverse effects on the landscape character of the AONB. In fact, removal of the Moorcock Inn and its car park, together with the reinstatement of previously lost landscape fabric are clear positive outcomes of the proposed scheme. The AONB Officer stated that two detailed aspects of the landscaping elements of the proposal needed to be amended. (Those points have been satisfactorily addressed on an amended landscaping scheme submitted to address the points made by the AONB Officer.)

With those changes having been made, the AONB Officer is of the opinion that the likely landscape and visual effects of the proposed scheme would be acceptable in landscape terms and that the purposes of AONB designation would not be compromised.

ADDITIONAL
REPRESENTATIONS:

Two letters have been received from nearby residents in which concerns and objections are raised about the proposal on grounds that are summarised as follows:

1. No objection to the conversion of the existing buildings but the new proposal is entirely out of place with the Forest of Bowland AONB and will change the character of Waddington for ever. Building 7 houses outside the village boundaries effectively creating a new hamlet in an elevated visible location on a site with no mains water or mains drainage is both unsustainable and detrimental to the character of Waddington Fell and the Forest of Bowland AONB.
2. A permission for this development could set a potentially detrimental precedent whereby developers could buy farmsteads and other rural buildings, demolish the existing buildings and build several houses throughout the farmyard where no buildings previously existed. The Wellsprings public house on Pendle Hill is in a similar elevated location within the AONB. If this were to fall into

disrepair would the Council allow its demolition and development of a small hamlet on its car park?

3. A previous permission included the preservation of the existing frontage of the Moorcock Inn and the original gable end on the grounds of heritage. Has anything changed regarding the Council's view of the preservation of parts of the existing building? Demolishing all trace of the historical public house and replacing it with 7 properties over a much larger site changes the character of the area for ever.
4. The application mentions that there would be a package treatment of sewage but no details have been provided. Are there to be multiple plants or communal plant for all the properties? Where will the plant/plants discharge to and have the correct permissions been obtained from the Environment Agency etc.
5. Adjoining property owners have concerns about the discharge of waste and top water as this will probably flow onto their land as it is down slope from the site.
6. The application recognises the access to the existing property Moorcock House along the existing track but there is no mention of a gate that gives access into the fields beyond.
7. The existing public house is served by a borehole drawing water from the ground water on Waddington Fell. Many properties in the locality are served by springs or boreholes from the same water source due to the lack of mains water. During a dry spell water supply could become a problem if 7 new permanently occupied properties were to draw water from this source.
8. The proposal could be detrimental to highway safety because the site is at the foot of a slope and slight bend in the road. This has always made it a difficult exit for traffic bearing right and left. The speeds of traffic, having just descended from the top of the fell itself, are quite considerable by the time they reach the current Moorcock exit.

Two further letters have been received in which the point is made that a clay pigeon shoot is held on nearby land every Sunday morning between 8am and 12pm. The point is made that the developers and any potential buyers of the properties should be made fully aware of this activity prior to any purchase of the dwellings.

Proposal

The application seeks full planning permission for the demolition of the existing building and the redevelopment of the site (including the car park) to provide 7 dwellings.

There would be 2 larger detached houses on the western part of the site and 5 smaller dwellings (1 detached and 2 pairs of semi-detached) arranged around a courtyard on the eastern part of the site closest to Slaidburn Road. All the dwellings would have appropriate curtilages.

Plots 1 and 2 (on the western part of the site) are traditional two storey dwellings with integral garages and the garage roof to the west of Plot 1 had been extended along part of the house to create a cat slide which has kept the eaves height for the majority of the western elevation to a single storey.

Plot 3 is also a traditional 2 storey building with roof space and the scale of this building has also been reduced by creating stepped cat slides along the eastern side thereby minimising the scale of this elevation which is visible from Fell Road and also to reflect the detail of a barn.

A granary style building defines the northern side of the courtyard and provides 2 semi-detached 2 storey dwellings (Plots 4 and 5) that would be set into the sloping ground such that the building would appear as single storey from the northern side when travelling down Fell Road.

Plot 6 and 7 form the eastern edge of the site close to Fell Road and these have been designed to appear as converted piggery style semi-detached cottages set away from the road. This building has been stepped to follow the sloping ground and this is accentuated in stepping both the eaves and ridge levels on each of the dwellings, but also in plan and elevation to create a piecemeal appearance.

The proposed external materials comprise a mixture of appearance and details including reclaimed natural stone for walls and new dressed stone for quoins and surrounds. Roofs would be finished with natural slate and stone flags with cast aluminium rainwater goods supported by stone gutter corbels. Some roof structures would have exposed timber elements stained dark/black ash colour and external window and door frames would also be dark stained black ash coloured timber and door powder coated aluminium.

The existing vehicular access will be used to gain access to the new dwellings. New private drives would serve Plots 1 and 2 a shared drive would lead to the courtyard and provide access to Plots 3 to 7.

Ample off-street parking will be provided with Plots 1 and 2 each having a double garage and at least one private parking space on the drives and Plot 3 also having an integral single garage and 2 private car parking spaces. Plots 4 and 5 all have single integral garages with an external parking space and Plots 6 and 7 both have 2 external parking spaces.

The site will be well screened and landscaped in accordance with a scheme that has been formulated with the involvement of this Council's Countryside Officers.

Site Location

The application relates to the former Moorcock Inn Public House and Hotel that is located on the northwest side of Slaidburn Road within the Area of Outstanding Natural Beauty approximately 2 miles north of Waddington Village. The buildings have not been in use since the business was ceased in the summer of 2010. The application site comprises the area upon which the buildings stand plus the large car park which, together, give a total area of approximately 1.8 acres. There are two dwellings relatively close to the application site, one to the west and one to the southwest, otherwise there are few other buildings or properties within approximately 500m of the site.

Relevant History

3/2012/0356/P – Proposed conversion and redevelopment of the public house and hotel to form three private residential properties. Approved with conditions.

3/2012/0819/P – Proposed demolition of the redundant public house and hotel and the erection of three detached dwellings, three detached garages with annex accommodation over and the creation of garden and landscaped areas. Refused.

3/2013/0394/P – Proposed demolition of the redundant public house and hotel and the erection of three detached dwellings with three detached double garages with annex accommodation over and the creation of garden and landscaped areas (resubmission of 3/2012/0819/P). Withdrawn.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy ENV7 - Species Protection.

Policy EMP11 - Loss of Employment Land.

Policy H2 - Dwellings in the Open Countryside.

Policy T1 - Development Proposals - Transport Implications.

Policy T7 - Parking Provision.

The Core Strategy Submission version as proposed to be modified

Key Statement DS1 – Development Strategy.

Key Statement DS2 – Presumption in Favour of Sustainable Development.

Key Statement EN2 – Landscape.

Key Statement EN4 – Biodiversity and Geodiversity.

Key Statement EN5 – Heritage Assets.

Key Statement DM12 – Transport Considerations.

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMG3 – Transport and Mobility.

Policy DME2 – Landscape and Townscape Protection.

Policy DME3 – Site and Species Protection and Conservation.

Policy DME4 – Protecting Heritage Assets.

Policy DMH3 – Dwellings in the Open Countryside and AONB.

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

Environmental, AONB, Human Rights and Other Issues

In the determination of this application I consider it appropriate to look briefly at the recent planning history of the site and then to consider whether the proposal is acceptable in principle in relation to the sustainability requirements of NPPF and compliance or otherwise with the relevant saved Local Plan Policies and emerging Core Strategy Policies.

Planning History

Permission was granted in August 2012 for the conversion and redevelopment of the public house to provide 3 residential dwellings (3/2012/0356/P). That approved development involved the demolition of the inappropriate recent extensions to the building and the retention and enhancement of the older and more important parts of the building in order to form 3 dwellings. The site of that application did not include the existing car park. No works have been carried out in respect of the implementation of this permission, but it will remain extant until 6 August 2015.

Permission was then sought for the total demolition of the existing buildings and the erection on a larger site (including the car park) of 3 large detached dwellings (3/2012/0819/P). As this was still for a development of 3 dwellings, it was considered that, purely in relation to sustainability, it would satisfy the overriding requirements of NPPF.

It was, however, considered that, by virtue of their size, the dwellings were not intended to meet a proven local need and the development was therefore contrary to saved Policy H2 of the local plan and Policy DMH3 of the Core Strategy; that the demolition of a non-designated heritage asset was contrary to the intentions of conserving the historic environment as contained in Section 12 of NPPF; and that the group of 3 dwellings by virtue of their size and height and the extent of their curtilages would form a development not typical of the locality that would appear as an incongruous development detracting from the appearance and character of the AONB contrary to saved Policies G1 and ENV1 of the Local Plan and Policies DMG1, DMG2 and DME2 of the emerging Core Strategy. Permission was therefore refused for those reasons.

A further application for the demolition of the existing building and the erection of 3 large detached dwellings (3/2013/0394/P) sought to overcome the objections to the previously refused application. As this intention appeared to be failing, that application was withdrawn by the applicants.

This current application again seeks to address the reasons for refusal of 3/2012/0819. It has been recognised that, in visual terms, 3 large detached dwellings would not be appropriate for this prominent and isolated location in the AONB. The application therefore details 7 dwellings of more appropriate design and scale including 2 larger detached dwellings on the western part of the site and 5 small dwellings arranged around the courtyard on the eastern part of the site.

Principle of Development

Since the previous decisions on the site were made, the Core Strategy has now reached a more advanced stage. The consideration of this application therefore needs to take this into account.

It is still however, also appropriate to pay regard to the saved Local Plan Policies. I therefore look at the policy context below on this basis.

The site lies outside any settlement boundaries and falls within the Forest of Bowland Area of Outstanding Natural Beauty and as such Policy ENV1 within the saved Districtwide Local Plan is relevant. Within the AONB the landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. The environmental effects of proposals will be a major consideration and the design, materials, scale, massing and landscaping of development will also be important factors.

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

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

When assessing this proposal against the Core Strategy policies at this stage, a central issue for consideration is whether the proposals would cause harm to the Development Strategy. Main modification 21 and 25 of the Core Strategy Proposed Main Modifications (May 2014) outlines the proposed modifications to Key Statement DS1: Development Strategy. The current position is that zero additional dwellings are required outside of the 32 defined settlements and principal settlements. The only residential development considered appropriate in these locations is therefore local needs housing or development that results in regeneration benefits.

In addition to policy DS1, main modification 54 of the Core Strategy Proposed Main Modifications (May 2014) outlines the proposed modifications to Policy DMG2: Strategic Considerations. This policy states that *development should be in accordance with the Core Strategy Development Strategy and should support the spatial vision...within the less sustainable of the defined settlements (tier 2 villages) and outside the defined settlement areas, development must meet at least one of the following considerations:*

1. The development should be essential to the local economic or social well-being of the area.
2. The development is needed for the purposes of forestry or agriculture.
3. The development is for local needs housing which meets and identified need and is secured as such.
4. The development is for small scale tourism or recreational development appropriate to a rural area.
5. The development is for small scale uses appropriate to a rural area where a local need or benefit can be demonstrated.

6. The development is compatible with the enterprise zone designation.

In protecting the designated Area of Outstanding Natural Beauty the Council will have regard to the economic and social well-being of the area. However the most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area avoiding where possible habitat fragmentation. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build. Development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, design, use of material, landscaping and siting. The AONB Management Plan should be considered and will be used by the Council in determining planning applications.

This policy assists the interpretation of the development strategy and underpins the settlement hierarchy for the purposes of delivering sustainable development. In establishing broad constraints to development the Council will secure the overall vision of the Core Strategy.

This proposal does not comply with the basic intentions of policy DMG2 of the Core Strategy.

In addition, paragraph 55 of the National Planning Policy Framework (NPPF) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Whilst accepting that the provision of three dwellings through a conversion scheme has been approved (and remains extant) this current proposal is for a higher number of units (7 in total). In addition, paragraph 55 states that Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. Whilst one of these circumstances is “*where the development would reuse redundant or disused buildings and lead to an enhancement to the immediate setting*” these proposals would see the complete demolition of the existing inn with no retention (whereas the extant permission retained the best part of the building). Therefore, this proposal does not appear to be in compliance with the sustainability intentions of NPPF and the Core Strategy Development Strategy (policy DS1).

However, paragraph 12 of the NPPF states that the “*NPPF does not change the statutory status of the development plan as the starting point for decision making...and proposed development that conflicts should be refused unless other material considerations indicate otherwise*”. This position is reiterated at para 150 of NPPF, which states that “*planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise*”. As this proposal would lead to the creation of residential development outside of a defined settlement, it would be contrary to policy DS1 and DMG2 of the Core Strategy, the emerging local development plan. Whilst, accepting that there is an extant permission for three units, that decision was made prior to the proposed main modifications to the core strategy which has resulted in the settlement strategy, and this current proposal would increase this number by a further 4 units in a location which the current proposed development strategy does not support. Therefore, the proposal does not appear to be acceptable in principle as it would be contrary to aspects of NPPF, DS1 and DMG2.

However, I will now look at the question of sustainability in NPPF terms in more detail. Sustainability has the 3 dimensions of economic, social and environment (NPPF para 7).

The economic role involves contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and in the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure.

The loss of this public house/hotel (that, if operating successfully would be beneficial to the local rural economy) has been accepted by the extant permission for the conversion and renovation of the building. The use of local services and facilities etc by the occupiers of 7 dwellings would provide some contribution to the local economy. It is, however, not accepted that this site is of the right type and in the right location for a development of 7 dwellings. Such a development also runs counter to the Development Strategy of the Core Strategy. I do not therefore consider that this proposal could be justified by its contribution to the economic role of sustainability.

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

Looked at purely in terms of the scale, layout, massing, architecture, external materials and landscaping, it is accepted that this is a high quality proposed development. The site, however, is not close to local services. In my opinion, the proposal would contribute very little to the social role of sustainability.

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

The principle intention of this application has been to create high quality development that would be appropriate to its AONB location, and would address the reasons for refusal of the previous application 3/2012/0819/P. The Council's Planning (Urban Design) and Countryside Officers, and the Forest of Bowland Principal AONB Officer have played a part in this process. As a result of this, the design and layout of the development is considered to be acceptable; the Countryside Officer considers the proposed landscaping to be appropriate and to a high standard; and the AONB Officer has also confirmed that he considers the proposal to be acceptable in relation to its landscape and visual effects. With regards to addressing the "visual amenity" reasons for refusal of the previous application, it could be argued that the submitted scheme has probably satisfied its objective.

However, it has always been recognised that improving the visual aspects of the development by having a larger number of smaller, better designed dwellings, was going to run counter to other aspects of sustainability.

The other element of the environmental role involves using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy. This intention of NPPF is incorporated into the Council's Development Strategy that involves concentrating development in the larger, more sustainable, settlements. As previously stated, the Core Strategy is now at a stage where a recent Appeal Inspector considers that it "carries considerable weight".

It could be argued that, purely in terms of vehicle movements, the proposed development is more sustainable than the existing authorised use of the building. However, that is only one element of sustainability. The proposal is for 7 new build dwellings in a location that is distant from facilities and services, access to which would be reliant on the private car. The proposal would not therefore assist in moving to a low carbon economy.

As previously stated, paragraph 12 of NPPF states that “NPPF does not change the statutory status of the Development Plan as the starting point for decision making. Proposed development that accords with an up to date local plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise”. Therefore, irrespective of the high quality of the design of the proposed development, or the debate on sustainability, the fact is that the proposal is contrary to the Development Strategy and the relevant policies of the Core Strategy that now “carries substantial weight”.

It is considered that the proposal to provide 7 dwellings in this isolated open countryside location would be contrary to, and would be harmful to, the Council’s Development Strategy. It is also considered that a permission for this development would create a precedent for the acceptance of other applications for isolated dwellings, which would be further prejudicial to the implementation of the emerging Core Strategy policies. It is therefore considered that the application should be refused for these reasons.

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

1. The proposed development is contrary to Key Statement DS1 and Policy DMG2 and DMH3 of the Ribble Valley Core Strategy submission version as proposed to be modified as it would involve the construction of 7 dwellings in an isolated open countryside location that do not meet an identified local need. As such, the proposal would cause harm to the Development Strategy for the Borough as set out in the emerging Core Strategy leading to unsustainable development.
2. Permission for the proposed development would create a harmful precedent for the acceptance of other similar proposals without sufficient justification which would have an adverse impact on the implementation of the emerging planning policies of the Council contrary to the interests of the proper planning of the area in accordance with the core principles and policies of the NPPF.

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

APPLICATION NO: 3/2014/0517 (GRID REF: SD 361304 437393)
OUTLINE APPLICATION FOR UP TO 220 DWELLINGS WITH ALL MATTERS RESERVED,
SAVE FOR MEANS OF ACCESS FROM DILWORTH LANE/BLACKBURN ROAD,
LONGRIDGE

PARISH/TOWN COUNCIL: Objection. Serious concerns about this being yet another addition to the cumulative impending developments within Longridge. There is prematurity in this and earlier planning applications given that the Core Strategy has not yet been passed. Concerned that we are being asked to make decisions and recommendations in the absence of an integrated Longridge development plan, which would explore total transport and utilities constraints and solutions, as well as proposals from developers to enhance community assets. Also 4 trees will be lost at the proposed entrance to the site.

CAMPAIGN TO PROTECT RURAL ENGLAND: Objection. Objectively assessed housing need should be met on sites that are suitable and sustainable. Concern that the development would fundamentally alter the local character, loss of habitat and wildlife and loss of a site that is of amenity value for local residents.

ELECTRICITY NORTH WEST: No objection. Overhead lines would need to be diverted.

ENVIRONMENT DIRECTORATE (ARCHAEOLOGY): No objection. I have checked our records and there are no significant archaeological implications. I can confirm agreement with the conclusions reached in CgMs' *Archaeological Desk-Based Assessment: Dilworth Lane, Longridge* (June 2014) section 6.5 that no further archaeological work is considered necessary.

ENVIRONMENT DIRECTORATE (CONTRIBUTIONS): On the current information, a contribution of £1,010,488 is requested for 84 primary school places. No contribution required for secondary school places. A recalculation will be undertaken at reserved matters stage once bedroom information is available.

ENVIRONMENT DIRECTORATE (ECOLOGY): In general much of the application area appears to be of relatively low biodiversity value, comprising intensively managed agricultural land which will not provide habitats of any particular value to protected or priority species. The loss of such intensively managed land will not therefore result in any significant impact on biodiversity. There are however features and habitats of greater biodiversity value, such as hedgerows and mature trees (and offsite, the adjacent reservoirs) and these do constitute the habitat of protected and priority species and will need to be appropriately retained and treated as part of development proposals. In my opinion the applicant has submitted sufficient information (assessment of impacts on biodiversity) to enable determination of

ENVIRONMENT
DIRECTORATE
(COUNTY
SURVEYOR):

this application. Provided mitigation and compensation for impacts can be secured as part of any planning approval, reserved matters applications or by planning condition, then it should be possible to at least maintain biodiversity value and the proposals will be in accordance with the requirements of relevant biodiversity legislation, planning policy and guidance.

It is noted that the 'Dilworth Triangle' residential development (application 3/2011/0541) is currently under construction. In accordance with Condition No. 16 of the planning permission approval for the 'Dilworth Triangle' development, the implementation of speed reduction measures on Dilworth Lane, including vehicle activated interactive speed warning signs, must be complete prior to first occupation of those dwellings.

Access

Access to the development site is proposed via a new priority junction on B6243 Blackburn Road. The potential access arrangements have been presented on Drawing TPMA1178_011b. Further to LCC's response to the Scoping Report, the TA proposes relocating the 30mph speed limit on Blackburn Road approximately 80m to the east. This will comprise new red bar markings, a 30mph roundel on red surfacing, gateway signing and minor narrowing of the carriageway to manage vehicle speeds. It is important to ensure that there are appropriate measures in place to prevent vehicular misuse of the emergency access and to ensure that the access remains unobstructed at all times.

Sustainable Modes of Travel

The proposed vehicular access includes 2m footways on both sides of the carriageway, however it would be preferable to incorporate joint pedestrian/cycle provision along one side of the primary access road which would link in with the existing on-road cycle route along Blackburn Road (Northern Loop) and the proposed cycle/footpaths indicated on the Illustrative Masterplan.

Local services are concentrated to the west of the application site, within the centre of Longridge. The closest bus stop to the application site that is served by a frequent direct bus service between Longridge and Preston is located on Market Street. The footways that form the principal route from the proposed site access to the centre of Longridge, along B5269 Dilworth Lane and B6243 Blackburn Road, have varying widths between 1.5 and 2.0m.

The proposal for a new footway to the rear of the hedgerow within the application site is welcomed as an alternative pedestrian/cyclist route. The route as shown on the Illustrative Masterplan will provide convenient pedestrian and cyclist connections through the application site to Dilworth Lane.

Although the internal layout of the site will be subject to a reserved matter application, all pedestrian/cyclist routes must be provided to a high standard, in line with latest guidance, with appropriate lighting and surfacing. A minimum width of 3m would be required for joint pedestrian/cycle use.

Whilst the TA demonstrates a clear intention to provide good connectivity for sustainable modes, LCC have concerns that the proposed green links within the site will have limited natural surveillance and therefore users may not perceive the green links as safe, desirable routes throughout the year and during the evening. This could deter residents from commuting via sustainable modes.

The TA proposes to provide a new pedestrian crossing facility on Blackburn Road to the west of the site access, together with a new 2m footway connection on the opposite side of the carriageway, to the existing footway on Lower Lane. This will support pedestrian movements to the potential westbound bus stop on Lower Lane.

A 2m footway is also required along the site frontage on Blackburn Road between the potential eastbound bus stop and the new pedestrian crossing facility. This will provide a walking route between the site access and both of the potential eastbound and westbound bus stops. Consideration should also be given to the inclusion of street lighting as there is no existing street lighting either along this section of Blackburn Road, or at the location of the potential bus stop on Lower Lane.

It is expected that the eastbound bus stop on Blackburn Road and the westbound bus stop on Lower Lane will be delivered through a S278 agreement, and will satisfy full mobility standards.

In addition, developer contributions will be sought to deliver improvements to support the principles of the CLHTM towards developing the Longridge ~ Grimsargh ~ Ribbleton ~ Preston City Centre bus route (as a public transport priority corridor, with measures that follow a public realm approach to support sustainable transport movements and improve the operation of junctions and service reliability along this corridor).

To improve accessibility on the Longridge ~ Preston corridor LCC request a S106 contribution of £242,000 to fund improved combined footway/cycleway on Preston Road (inc Chapel Hill/Chapel Brow) between Longridge and Grimsargh.

Parking

The parking proposals must comply with the LPA parking standards. Garages as parking spaces must meet the minimum dimensions of 6mx3m for single garages.

Accessibility by Sustainable Modes of Travel

The TA includes indicative cycle and walking catchments from the site, however, the submitted plans failed to include any proposals to improve accessibility external to the site and site junction area to make this a truly sustainable development.

The developer needs to include proposals in supporting sustainable travel (to satisfy the key aims of NPPF) at the development for non-motorised modes (particularly travel to work) that provide direct links to encourage cycling and walking as a serious modal choice to the private car. *Please also refer to comments above (4.3).*

Proposed Development Traffic Distribution

I have not had the opportunity to review the traffic distribution in detail. I would expect the greatest proportion of the proposed development traffic to access the motorway network at M6 Junction 31a, with the majority of car journeys from the application site along Lower Lane and therefore the traffic distribution proportions appear reasonable. However, I intend to provide a further update in respect of the traffic distribution.

Highway Impact

Reference is made throughout the section to queue surveys undertaken on-site to validate the junction modelling, however these have not been included as an appendix to the TA.

Improvements to the Stonebridge roundabout were agreed in the Highways Statement of Common Ground for the development of the former Ridings Depot (06/2012/0101). The influence of these improvements has not been included in the analysis of the future highway network operation.

Grimsargh Corridor

An analysis of the queue lengths at Skew Bridge for each peak hour was submitted on 12th June 2014 in respect of the Inglewhite Road, Longridge application (06/2014/0248). The results were produced as delay in seconds and queue lengths in vehicles.

Although queuing does occur at the bridge during both the AM and PM peak hours, there are variances in queue lengths at the bridge throughout the peak hours. The highest observed queue over a 5 minute period was 11 vehicles during the AM peak, yet there are periods where no vehicles are queued.

LCC acknowledge that the use of a pedestrian crossing influences queuing in the area and on occasions around 8:45-8:55 queues can reach Skew Bridge (during term time).

When consideration is given to the duration of delay over the peak hour and the peaks within, whilst this may cause some frustration to highway users, the level of additional delay from this development

cannot be deemed severe (which is the NPPF test).

However, the cumulative impact of forthcoming development traffic may adversely affect bus journey time and reliability along the Grimsargh corridor. The Central Lancashire Highways and Transport Masterplan identifies the Longridge ~ Grimsargh ~ Ribbleton ~ Preston city centre bus route as a major public transport corridor. The CLHTM proposes to develop this route as a public transport priority. Therefore, it is considered appropriate to provide a future year scenario of queue lengths at Skew Bridge with the proposed and committed development.

Traffic Forecasting

The extent of the study network and assessed junctions accords with LCC's requests made at the pre-application stage.

ENVIRONMENT
DIRECTORATE
(MINERALS):

The Minerals Report submitted with the application considers the environmentally and financially acceptability of a commercial minerals extraction operation (quarry) on the proposed site and finds that a quarry would be unacceptable on both counts. However, the report does not consider the possibility of prior extraction as part of the proposed development; neither does it present any information on the depth of overburden or the presence of any mineral resource at workable depth, which is essential to determining the practicability of any prior extraction.

Whilst the impacts described as being associated with quarrying are relevant, they are equally relevant to the ground works and construction phase of development. Prior extraction, if practicable, could be incorporated into the groundworks phase without significantly increasing the duration or magnitude of these impacts to extract minerals that would otherwise have been sterilised.

In conclusion, the Council may wish to consider the opportunity for prior extraction as part of the proposed development in accordance with Core Strategy Policy CS1, and Policy M2 Mineral Safeguarding. The Minerals Report refers to the amount of reserves of sand and gravel and sandstone in Lancashire and the quantities of these reserves informs the conclusion that the exception requirements of Policy M2 have been met.

ENVIRONMENT
AGENCY:

No objection subject to conditions relating to surface water.

HIGHWAYS AGENCY:

No objection. We have reviewed this application and in particular, consideration has been given to the impact this development, together with other committed developments in the area, would have on the strategic road network, i.e. junction 31a of the M6 motorway. Having done so, we have concluded that the impact of the proposed development on the junction would not be significant.

LANCASHIRE
CONSTABULARY:

Design and physical security should be incorporated into the development so that crime and disorder, fear of crime does not undermine the quality of life or community cohesion. This would also contribute to reduced demand for emergency services and repair costs in general. Recommendations appended.

NATURAL ENGLAND:

Based upon the information provided, Natural England advises that the proposal is unlikely to affect any statutorily protected sites. The impact of the development on protected landscapes, protected species and local sites should be assessed in consultation with local advisors and Natural England's Standing Advice.

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

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

PRESTON CITY
COUNCIL:

The National Planning Policy Framework sets out a Duty to Co-operate between authorities on cross boundary matters, particularly strategic ones such as housing delivery. As part of the Duty to Co-operate between Preston City Council and Ribble Valley Borough Council (RVBC), Preston has been identified to accommodate 200 dwellings set out within RVBC's Core Strategy. Recent planning permissions in Preston have been granted for 220 dwellings on land north of Whittingham Road (Ridings Depot); 78 south of Whittingham Road (Mosses Farm); 10 at the former DJ Ryan depot on Inglewhite Road; and 190 dwellings on land south of Inglewhite Road. Therefore, the Duty to Co-operate has been fully discharged.

In terms of the above planning application at land north of Dilworth Lane, I can confirm that in principle Preston City Council raises no objection to the proposal. However, the development proposals

would inevitably result in increased vehicular traffic entering Preston along Whittingham Road (B5269) towards Broughton and along Longridge Road (B6243) through Grimsargh. At present the strategic highway network suffers from a level of congestion, with queuing at peak times on the A6 corridors through Broughton Crossroads, together with flows through Grimsargh village, including the pinch point at Skew Bridge. In order for future development proposals to come forward without having an unacceptable severe impact upon the strategic highway network, highway infrastructure improvements identified in the Central Lancashire Highways and Transport Masterplan (CLHTM) would need to be brought forward. The CLHTM identifies strategic highway improvements at the North West Preston Strategic Location, including the Broughton Bypass and the Preston Western Distributor, in addition to improvements at M6 Junction 31a.

On 30 September 2013, Preston City Council's Community Infrastructure Levy came into effect which sets out that planning approval for new developments will provide a CIL contribution, which will be used towards the funding and delivery of identified strategic infrastructure projects. These include both improvements to the Broughton Congestion Relief, Preston Western Distributor Road and M6 Junction 31a. Therefore, as the proposed development submitted to RVBC is likely to generate increased vehicular movements on this strategic highway network, there would be a requirement for the developer to provide a financial contribution towards this infrastructure in order to mitigate this impact. I would envisage that the precise level of contribution will be provided to you by Lancashire County Council.

SUSTRANS:

1. We would like to see a separate pedestrian/cycle only entry to the site on the western side of the proposed development, as shown. The developer should demonstrate how cyclists join Dilworth Lane safely at this location.
2. The Lancashire Cycleway runs along Dilworth Lane, and National Cycle Network route 6 passes to the west of Longridge. With the development planned for Longridge, the B roads, Preston Road and Cumeragh Lane will become less suitable for cycling toward employment sites, in particular, on the NE side of Preston. We would therefore like to see a development of this scale make a contribution to improving the pedestrian/cycle network on the Preston side of Longridge (please also see our comments on the Chipping Lane site at Longridge, ref 3/2014/0438).
3. The internal layout should restrict vehicle speeds to less than 20mph.
4. The design of any smaller properties without garages should include storage areas for residents' buggies/bicycles.
5. We would like to see travel planning set up for the site with monitoring and targets and with a sense of purpose.

UNITED UTILITIES:

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

ADDITIONAL
REPRESENTATIONS:

193 letters of objection have been received from local residents, including a letter of objection from Dilworth Hill Action Group. The main concerns raised include:

- The growth of Longridge should be considered in a balanced and holistic manner within the context of the Housing and Economic Development DPD – failure to do so would negate the need for the DPD.
- By virtue of the topographical and locational characteristics of Longridge, growth should be properly considered particularly given the growth in Preston. The application is premature.
- Site is too large and in the wrong place on land unsuitable for housing.
- There are already two strategic sites – Standen and Barrow.
- Taylor Wimpey already have planning permission for 650 properties at Whittingham Road in Preston.
- No road improvements or infrastructure improvements are proposed – schools, healthcare, jobs.
- Housing survey shows demand for bungalows not just family homes and there should also be flats for young people and adapted accommodation for the retired.
- Application is an attempt to avoid both the Core Strategy and the Neighbourhood Plan.
- Encroaches into the countryside.
- There are no major employers in Longridge and new residents would add to overcrowded roads to Preston to reach employment.
- Dilworth Lane is narrow and steep and the increase in traffic is unsustainable. The impact of lorries during construction has not been taken into account – noise and vibration is already excessive.
- Due to the acoustics in the area, noise from the houses would be amplified.
- Will the Council or Taylor Wimpey provide helicopters to get emergency cases to Preston Royal Infirmary given the traffic in Goosnargh and Ribchester.
- Lower Lane would be affected by increased traffic and residents along this road should be notified.
- Noise statement highlights that road noise from Dilworth Lane will exceed acceptable levels in gardens living rooms and bedrooms and mitigation measures are proposed, but not for existing homes.
- Detrimental to character of the area.
- Site unsuitable for housing for the elderly as Dilworth Lane is too steep.
- Overlooking to houses on Dilworth Lane.
- Overdevelopment of Longridge.
- Additional pressure on doctors surgeries, dentists and schools. Parks are already run down – need to make sure existing residents don't suffer.
- Impact on wildlife.

- The 633 figure should be further adjusted downward to reflect additional development approved by Preston.
- Changes to the settlement boundary should be properly assessed and planned for rather than amended on the basis of ad hoc schemes.
- The site is not in a primary location for expansion and would inappropriately extend the settlement.
- Council has 5 year land supply.
- Concern that the site could accommodate 330 dwellings at modern development densities.
- Other sites in Longridge more suitable.
- Longridge is a sought after commuter town and benefit tend to flow out rather than in, hence growth should be planned to avoid it turning into a dormitory town.
- Site is isolated and would lead to satellite housing on approach to Longridge.
- Starter homes needed for local people and those downsizing – build for need not greed.
- Only one entrance to the site onto an already busy road creating highway and pedestrian safety issues
- The land is used for grazing and it's important to keep the pastoral aspect of the setting of Longridge.
- Detrimental impact on quality of life for residents.
- Lower Lane floods and this has included sewage. Site is poorly drained.
- Land banking.
- Loss of light, privacy and view. Adequate distances between properties should be met.
- Police station in Longridge is rarely manned and fire station inadequate for level of new housing proposed.
- Building on the hillside would spoil the entrance to Longridge.
- Roads not wide enough for cycles.
- Large developers build top end 3, 4, 5 bed houses through greed and the town is saturated with these. Problems with lack of infrastructure and services. The Government has created country wide problems by taking local control away.
- Land to the north cannot be developed and would leave a ribbon of undeveloped land between the site and housing to the north.
- Lack of continuous footpath along Dilworth Lane.
- Water table in Longridge is very high and SUDs will not alleviate drainage problems.
- Loss of habitat. Bats use the site. There are nesting owls and birds present on the land.
- Noise from the development would deter wildlife.
- Proposal serves only to satisfy simplistic, neo-liberal market based thinking that whichever option provides the greatest financial incentive for landowners and developers must therefore be good for all of us – the application reflects vested interests and not the requirements of the town.
- An additional few hundred vehicles negotiating Grimsargh railway bridge is an interesting prospect.

- Not in the public interest for development to take place here.
- Rowland Homes development is not fully occupied – no demand.

One letter of support has been received, which states that houses are needed in Longridge for families wanting to stay in the town. This site would have the least impact on traffic through the town as Lower Lane can accommodate more traffic and traffic may also go towards Clitheroe and Blackburn rather than through the town, as would happen with the other developments.

Proposal

Outline planning permission is sought for a residential development comprising up to 220 dwellings including vehicular access from Blackburn Road and pedestrian/emergency accesses from Dilworth Lane. All other matters are reserved for subsequent approval. 154 of the dwellings would be market units and 66 would form affordable units, equating to 30% affordable housing provision.

The vehicular access is proposed to be located towards the eastern part of the site and to the east of the junction of Lower Lane and Dilworth Lane. A pedestrian refuge island on Blackburn Road is proposed along with a footway on the opposite side of Blackburn Road to provide a pedestrian link to Lower Lane. Whilst this is an outline application with access only, the indicative layout and illustrative masterplan show the majority of the trees and the hedgerows along the Dilworth Lane frontage and within the site would be retained. The parameters plan indicates that the dwellings would be single storey to two and a half storey in height and the development parcels would be set back from the road. A community woodland is indicated along the eastern boundary of the site adjacent to bridleway No.35.

Site Location

The site comprises of a broadly triangular parcel of land measuring 10.02 hectares to the north of Dilworth Lane in Longridge. Spade Mill reservoirs lie to the east of the site and the rear gardens of three dwellings on the northern side of Dilworth Lane adjoin the western boundary of the site, the closest of which is a recently constructed three storey dwelling. An area of open land adjoins the northern boundary of the site, beyond which are the rear gardens of properties to the south of Higher Road. Dilworth House is a detached two storey dwelling also to the north of Dilworth Lane and the application site comprises of the land around the curtilage of this property. Dilworth House is considered to be a non-designated heritage asset.

Bridleway No.35 runs along the eastern boundary of the site on Tan Yard Lane. Footpath No.36 adjoins this bridleway to the north leading to Higher Road and footpath No's 29 and 33 lead east towards Beacon Fell View holiday park. Dilworth Lane forms part of the Lancashire Cycleway.

Relevant History

No previous history.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control
Policy G5 - Settlement Strategy
Policy G11 - Crime Prevention
Policy ENV3 - Development in Open Countryside
Policy ENV6 - Agricultural Land
Policy ENV7 - Species Protection
Policy ENV9 – Other Important Wildlife Sites
Policy ENV10 – Nature Conservation
Policy ENV13 - Landscape Protection
Policy ENV14 – Archaeological and Historic Heritage
Policy ENV19 - Listed Buildings
Policy H2 - Dwellings in the Open Countryside
Policy H19 - Affordable Housing - Large Developments and Main Settlements
Policy H20 - Affordable Housing - Villages and Countryside
Policy H21 - Affordable Housing - Information Needed
Policy RT8 - Open Space Provision
Policy RT18 - Footpaths and Bridleways - Improvements
Policy RT19 - Footpaths
Policy T1 - Transport Implications
Policy T7 - Parking Provision

Ribble Valley Core Strategy (Including Proposed Main Modifications)

Key Statement DS1 – Development Strategy
Key Statement DS2 – Presumption in Favour of Sustainable Development
Key Statement EN2 – Landscape
Key Statement EN3 – Sustainable Development and Climate Change
Key Statement EN4 – Biodiversity and Geodiversity
Key Statement EN5 – Heritage Assets
Key Statement H1 – Housing Provision
Key Statement H2 – Housing Balance
Key Statement H3 – Affordable Housing
Key Statement EC2 – Development of Retail, Shops and Community Facilities and Services
Key Statement DMI1 – Planning Obligations
Key Statement DMI2 – Transport Considerations
Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME2 – Landscape and Townscape Protection
Policy DME3 – Site and Species Protection and Conservation
Policy DME4 – Protecting Heritage Assets
Policy DME5 – Renewable Energy
Policy DME6 – Water Management
Policy DMH1 – Affordable Housing Criteria
Policy DMB4 – Open Space Provision
Policy DMB5 – Footpaths and Bridleways

Joint Lancashire Minerals and Waste Local Plan

Policy CS1 – Safeguarding Lancashire's Mineral Resources
Policy M2 – Mineral Safeguarding

National Planning Policy Framework (NPPF)

Environmental, AONB, Human Rights and Other Issues

Principle

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

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

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

The NPPF advises that development should be allocated on land of lesser environmental value. Whilst the scope of any definition of this would be wide, the applicant has produced a land quality report that demonstrates that the land classification is not of high value to agriculture (Grade 3b – moderate quality). There is no principle objection to the loss of this agricultural land on the basis of its quality in agricultural terms.

Paragraph 215 of the NPPF advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. Certain policies in the Districtwide local plan are consistent with the NPPF, remain relevant to decision-making and will be referred to where relevant in this report. However, in the context of a national housing shortage and the identified need for additional housing in the Borough, policies in the adopted local plan in respect of housing provision are now out of date. As one of the three principal settlements in the Borough, it is acknowledged that the settlement boundary of Longridge will need to be reviewed and the release of greenfield land to accommodate additional land for housing will be necessary to meet housing needs.

In respect of emerging local plans, paragraph 216 of the NPPF advises that weight may also be afforded to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

- The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The 'Core Strategy 2008-2028: A Local Plan for Ribble Valley' continues to progress through the Examination in Public (EiP) and the formal hearings have concluded. A public consultation in relation to main modifications proposed to the Core Strategy ended on 5th September and the policies set out in the Core Strategy as proposed to be modified therefore represent the Council's proposed policy position. It is considered that the plan is at an advanced stage in the plan making process and the policies within it can therefore be afforded weight in the decision making process. Policies will be referred where relevant in this report.

In terms of strategic considerations, Key Statement DS1 of the Core Strategy outlines that the majority of new housing development will be concentrated within the identified strategic site to the south of Clitheroe (Standen); and the principal settlements of Clitheroe, Longridge and Whalley. Key Statement DS1 states that the scale of planned housing growth will be managed to reflect existing population size, the availability of, or the opportunity to, provide facilities to serve the development and the extent to which development can be accommodated within the local area. Policy DS1 identifies 1160 residential units to be provided in Longridge over the plan period (2008-2028) and current monitoring indicates that 633 dwellings remain to be provided (31st March 2014).

The Council is required to maintain a 5 year supply of housing land to ensure land supply is not a barrier to housing growth. Objectively assessed housing need identifies 280 units are required to be delivered in the Borough per year – these are minimum targets. Using the 31st July monitoring figures, the Council can demonstrate a 5.1 year supply of housing land with an annual requirement of 280 units using the Sedgefield methodology.

Whilst the Council can demonstrate a 5.1 year supply of housing land, completion rates remain below the identified 280dpa target in the emerging core strategy. Persistent underperformance in respect of completion rates would exacerbate the current undersupply of new residential units in the Borough. Notwithstanding this, the emerging core strategy, based on objectively assessed housing need, identifies the overall minimum housing target for Longridge is 1160 over the plan period 2008-2028. As of 31st March 2014 633 dwellings remain to be provided in Longridge over the plan period. The proposal would contribute 220 dwellings to this objectively assessed need and the principle of the development in housing numbers terms is therefore considered to be in accordance with the emerging core strategy and the NPPF.

Amendments to the current settlement boundary would normally be considered in the forthcoming Housing and Economic Development Plan Document (DPD) however, this application clearly precedes any such document. The application must be considered on its merits and in light of the additional housing proposed to be accommodated in Longridge, as set out in the Core Strategy, there could be no argument that the application is premature in respect of the core strategy adoption, as the principle of the proposed development is in accordance with the emerging core strategy in respect of housing numbers. Housing has recently been constructed on the opposite side of Dilworth Lane between this road and Lower Lane, which also lies outside the existing settlement boundary. I consider that a reason for refusal in respect of prematurity, in respect of either the core strategy or the DPD, would be unjustified and contrary to national planning policy.

Minerals

The application site lies within a minerals safeguarding area (sandstone). The minerals report submitted by the applicant has been supplemented with an addendum following the receipt of comments from Lancashire County Council. LCC have advised that they have no further comments to make on the addendum, which concludes that there is no prospect of prior extraction of the mineral taking place on this site. I concur with the conclusions of the reports submitted by the applicant - it is necessary for non-mineral development to take place and I consider that the site constraints, including the proximity to the biological heritage site at Spade Mill Reservoirs and the presence of trees of amenity value, are such that prior extraction would not be feasible. The proposal meets identified exceptions in Policy M2 of the Joint Lancashire Minerals and Waste Local Plan and the proposal therefore accords with Policies M2 and CS1 of the Joint Lancashire Minerals and Waste Local Plan and Key Statement EN3 of the emerging Core Strategy.

Highway Safety and Accessibility

The transport assessment demonstrates that vehicles associated with the development could be adequately accommodated on the highway network. There may be additional delay on the Grimsargh corridor and whilst this may cause some frustration to highway users, the local highway authority concludes that the level of additional delay from this development cannot be deemed severe and as such, a refusal on highway grounds would be unjustified. Alterations proposed to the highway include the relocation of the 30mph speed limit on Blackburn Road approximately 80m to the east to slow vehicle speeds in the vicinity of the site access in the interests of highway safety. The final comments of the local highway authority will be reported verbally in the late item.

One of the core planning principles of the NPPF is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling. New development should therefore be located to minimise the need to travel, with convenient links to public transport and good access for pedestrians and cyclists to reduce reliance on the private car.

Consent is sought for access as part of this outline application. The location of the vehicular access to the east of the site is somewhat detached from the existing settlement and would ideally be located further to the west. However, the site constraints, in particular the geometry of the highway and the tree lined frontage, dictate that the identified point of access is the most feasible location as alternative options would result in significant tree losses along the Dilworth Lane frontage. In this regard, given the siting of the vehicular access, the pedestrian and cycle connections are crucial to the integration of the development into the surrounding area. One of the main considerations in respect of this application is therefore the design of the development in respect of accessibility and connectivity to the wider area to encourage sustainable modes of travel. This is recognised by the NPPF, in particular paragraph 61:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations...planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

A pedestrian and cycle access is proposed to the west of the site to provide access to Dilworth Lane. Whilst this would provide convenient access for pedestrians and cyclists to Dilworth Lane

and therefore Longridge town centre, officers have expressed concern that the application does not include sufficient proposals to improve accessibility and connectivity beyond the site boundaries. The condition of the bridleway along Tan Yard Lane is likely to deter pedestrians and cyclists from using this route to Higher Lane and officers consider that this bridleway and the pedestrian routes along Dilworth Lane should be upgraded where possible to encourage sustainable modes of travel. The local highway authority is also concerned that whilst the transport assessment includes indicative cycle and walking distances, the submitted plans do not include proposals to improve accessibility external to the site and site junction area to make this a truly sustainable development.

The highway authority has requested a contribution towards improving accessibility on the Longridge-Preston corridor to fund improved combined footway and cycleways on Preston Road between Longridge and Grimsargh, which would be beneficial for access to Preston and would also secure improvements to Lower Lane. However, officers also requested an accessibility strategy to demonstrate proposals to support sustainable travel in the vicinity of the site to encourage cycling and walking and thus reduce reliance on the private car. Whilst this has not been submitted, it would relate specifically to Dilworth Lane and bridleway No.35 on Tan Yard Lane. I consider that a detailed assessment of these links, to include an assessment of feasible improvements to be funded by the developer, should be secured by condition of the permission to maximise accessibility and connectivity and to encourage sustainable modes of travel.

The internal routes from the points of access are indicative and would be determined at reserved matters stage. The indicative layout shows the internal pedestrian and cycle access to run broadly parallel to Dilworth Lane to provide convenient pedestrian and cycle connections through the application site to Dilworth Lane, through the site and to bridleway No.35 on Tan Yard Lane. To ensure they are fit for purpose, the routes should be 3m in width and 90 degree angles should be avoided, which should be secured in any subsequent reserved matters application(s).

Subject to the receipt of final comments from the local highway authority, appropriate mitigation and conditions, it is considered that the proposal would be acceptable in respect of access, connectivity and highway safety in accordance with Policies G1, T1 and T7 of the Districtwide Local Plan, Policies DMG1 and DMI2 of the emerging Core Strategy and the NPPF.

Landscape and Visual Impact

Main Modification 54 of the Core Strategy Proposed Main Modifications outlines the proposed modifications to Policy DMG2 Strategic Considerations. This policy states that development should be in accordance with Policy DS1 of the Core Strategy and should consolidate, expand or round off development so that it is closely related to the main built up areas, of an appropriate scale and in keeping with the existing settlement.

The site lies adjacent to the settlement boundary of Longridge and the nature of the proposed development is such that there would inevitably be a significant change in the landscape as a result of the residential development proposed. However, the topography of the area is such that the site is somewhat enclosed by existing residential development to the west and further to the north and also by the artificial and engineered landscape of the reservoirs to the east, hence the development of this site would not be visible in views from the Forest of Bowland Area of Outstanding Natural Beauty. Whilst the context of the site would ensure the impact of the development would be localised, the extent of the development to the east would have a negative impact on the character and appearance of the area. Officers requested that the

applicant reconsider the extent to which the development parcels extend to the east. Whilst localised, this harm would nonetheless need to be weighed in the planning balance.

The proposed woodland buffer could be increased at reserved matters stage and this, along with the retention of trees and setback from the road, would be sufficient to prevent visual intrusion. As the land slopes upwards to the north, careful consideration would need to be afforded to minimising visual intrusion in the landscape that might arise through inappropriate density, scale and height, particularly in the eastern extents of the site.

Trees

The trees on the site are of amenity value and make a positive contribution to the character and appearance of the area. The countryside officer has determined the trees to be worthy of protection and a Tree Preservation Order has been drafted, which would include trees both on the application site and also those deemed to be of amenity value in the vicinity of the site, including within the grounds of Dilworth House. In respect of the application site, the TPO does not include category U trees and some other trees have been excluded (for example those in an unsuitable location, of low amenity value, those not currently under threat, or those with significant defects). For the avoidance of doubt, the current draft of the TPO includes those trees identified for removal to facilitate access to the site as this application remains under consideration. Once a TPO is made, the Council has six months to confirm the order and therefore if the committee are minded to grant planning permission, an amendment could be made to the TPO before it is confirmed to omit those trees to be felled to facilitate access.

The arboricultural impact assessment (AIA) indicates that the provision of the vehicular access point would necessitate the removal of up to eight trees to provide adequate visibility at the site access. The provision of a pedestrian crossing to provide safe access to Lower Lane would may also result in tree removals on the opposite side of Blackburn Road, but the submitted AIA An amendment has been made since receipt of the application to re-position the pedestrian and cycle access in the western part of the site to Dilworth Lane, with the result that no trees would be removed. The AIA recommends consideration is afforded to the detailed layout to minimise the impact of the development on the trees, for example by employing no dig contribution methods and siting the internal pedestrian and cycle route outside the root protection zones. Subject to conditions, I am satisfied that the proposal has been designed to minimise as far as practicable, the loss of trees along the frontage of the site. Replacement tree planting in locations deemed suitable by the countryside officer and local highway authority would be secured at reserved matters stage.

The proposed woodland buffer to the east of the site may need to be increased in width to address concerns raised by the countryside officer and county ecologist. For a woodland area to be of high value to habitat it should be on average around 50m wide. The width of the woodland currently identified would be around 18m at its narrowest point and around 35m at its widest point. Subject to detailed consideration at reserved matters stage and appropriate conditions, the proposals would comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME1 and DME2 of the emerging Core Strategy as proposed to be modified.

Impact on Dilworth House

Dilworth House is a substantial detached two storey dwelling set within spacious sylvan grounds. The dwelling is not listed, however it is considered to comprise a non-designated

heritage asset and the application site comprises agricultural land that may once have been associated with Dilworth House. Whilst the site therefore makes some contribution to the setting of Dilworth House, the sylvan character of the curtilage itself makes a far greater contribution to its setting and significance and I am satisfied that the development parcels and landscaping indicated on the illustrative masterplan would not unduly harm the significance of Dilworth House.

Ecology

The site lies close to Spade Mill Reservoirs Biological Heritage Site (BHS), which is designated for its wintering bird interest and is used by birds in conjunction with the nearby Alston reservoirs. The proposed development would be set back from Tan Yard Lane and would be screened by a strengthened hedgerow and woodland buffer along the eastern boundary with Tan Yard Lane. Whilst further information could have been provided in respect of the impact on this site, the County ecologist is satisfied that the proposal would be unlikely to result in additional impacts subject to appropriate conditions to secure mitigation and enhancement. The County ecologist advises that consideration be given at reserved matters stage to; the installation of interpretation boards at the eastern end of the proposed development to raise awareness of the biodiversity value of the reservoirs and to suggest a code of good practice in proximity; landscaping; and in particular, the layout of the development where it approaches Tan Yard Lane and the BHS, which should demonstrate (with supporting information which evidences) that the proposed development will not adversely affect wintering or breeding birds associated with the adjacent BHS.

There are two ponds present on the site and a further pond is located within 250m of the site to the north within the garden of a residential property. Surveys of these ponds have been undertaken and a small number of frogs were the only amphibians found to be present and it is therefore concluded that great crested newts are highly likely to be absent. Extensive species surveys have been undertaken and the County ecologist is satisfied that the proposal would have no detrimental impact on species subject to appropriate conditions. Appropriate conditions would also secure a net increase in biodiversity and appropriate mitigation and as such, the proposal is therefore in accordance with Policy G1, ENV7 and ENV13 of the Districtwide Local Plan, Key Statements EN3 and EN4 and Policies DMG1 and DME3 of the emerging Core Strategy as proposed to be modified.

Flood Risk and Drainage

Following the receipt of an objection from the environment agency, the flood risk assessment has been revised. The environment agency has subsequently removed their objection and recommends conditions relating to surface waters. United utilities have also raised no objection subject to conditions relating to foul and surface waters. As such, the proposal is therefore considered to be acceptable in respect of drainage and flood risk in accordance with Policy G1 of the Districtwide Local Plan, Key Statements EN2 and EN3 and Policies DMG1 and DME6 of the emerging Core Strategy.

Whilst detailed design and layout is a reserved matter, in accordance with SUDs best practice the first 5mm of rainfall must be infiltrated on site. This can be achieved by the use of green roofs, pervious paving on hard standing areas (under-drained if ground conditions do not suit) and by landscaping the development so that water is directed to permeable areas such as filter strips and grass verges. The reserved matters applications would need to demonstrate that these matters are appropriately addressed in the detailed design and layout of the development.

Amenity

The application is outline with access only, hence detailed consideration would be afforded to amenity considerations at reserved matters stage once the detailed design has been established. A noise assessment has however been submitted to demonstrate that the future occupants of the dwellings would not be unduly affected by road noise subject to inclusion of appropriate mitigation in the detailed design. Whilst I appreciate the outlook from rear of the properties on Dilworth Lane would change significantly, it is an established principle that there is no right to a view. It is noted that No's 32 and 34 Dilworth Lane to the west of the site have short rear gardens, hence the applicant indicates that land within the site could be given over to form extended gardens for these properties. Alternatively, appropriate distances would need to be maintained between these existing properties and the proposed dwellings at reserved matters stage. The proposed location of the emergency access would have no undue impact on the amenity of the occupants of Dilworth House given it would be used only rarely by vehicles. Again, consideration would need to be afforded to the impact of the detailed layout on the amenity of the occupants of this property at reserved matters stage. On the basis of the outline application, the proposal is in accordance with Policy G1 of the Districtwide Local Plan and Policy DMG1 of the emerging Core Strategy.

Energy and Sustainability

One of the core planning principles of the NPPF is to support the transition to a low carbon future in a changing climate. Paragraph 93 clarifies that this is central to the economic, social and environmental dimensions of sustainable development - planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. To secure a sustainable form of development and in particular to contribute to the social and environmental roles, it is recommended that a condition be attached to the permission to require at least 10% of the energy needs of the development to be provided from renewable or low carbon energy sources. This would accord with

The reserved matters applications should also demonstrate that take account of landform, layout, building orientation, massing and landscaping minimise energy consumption in accordance with paragraph 96 of the NPPF.

Infrastructure, Services and Developer Contributions

The proposal would result in an increase in the population of Longridge and therefore increased demand for education services, sports facilities, open space and healthcare services and also increased pressure on existing infrastructure, such as the highway network. One of the core planning principles of the NPPF is to deliver sufficient community and cultural facilities and services to meet local needs and such impacts can be mitigated both on-site and off-site.

In relation to affordable housing, 30% affordable housing provision would equate to 66 units. The housing needs evidence for Longridge demonstrates the high demand for housing for older people and the housing waiting list has over 60 households requiring ground floor accommodation for older people. The housing strategy officer considers that although older person's provision is the highest demand, the topography of the area is such that this site is not the most appropriate location for delivering specialist housing. On this basis, the housing strategy officer advises that the 30% affordable housing requirement should comprise both on

and off-site provision and requests that a total of 26 affordable units are provided on site (10 bungalows, 8 x 2 bed properties and 8 x 3 bed properties) with a commuted sum for the equivalent of 40 units, which would be used to deliver accommodation for older people in a more appropriate location within Longridge. The commuted sum requested is £2,002,600.

Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities (paragraph 73 of the NPPF) and contributes to the social role of sustainable development. The indicative layout identifies an area of on-site open space provision to include a locally equipped area for play (LEAP) to provide a play facility for younger children. The provision and maintenance of this could be secured by condition of the permission. In respect of facilities for older children (which normally comprise neighbourhood equipped areas for play (NEAPs) such as multi-use games areas) and also for adults (sports pitches and sports halls), off-site contributions could be secured in lieu of provision of such facilities on site.

The Council is currently in the process of undertaking an assessment of need in respect of the open space and sports facilities in the Borough and whilst this is currently in draft form, the assessment is at an advanced stage of production and will be presented to both the Planning and Development Committee and the Community committee once finalised. In respect of Longridge, the assessment identifies specific areas for improvement in respect of the quality of the facilities available for use by residents and attributes a cost to these improvements based on information produced by Sport England. The improvements identified would secure the following:

1. Swimming pool modernisation scheme at Ribblesdale, Clitheroe
2. Grass pitch improvements at Mardale, Longridge
3. Cricket wicket provision at Longridge Cricket Club
4. Sports hall improvements at Longridge Sports Club
5. Play facility improvements in Longridge

It is considered that further evidence would be required before a contribution could be sought from developers of sites in Longridge to fund swimming pool improvements in Clitheroe. There may for example be such facilities in the Preston area more readily accessible to the residents of Longridge and it is not currently known to what extent Longridge residents use the pool in Clitheroe. Excluding the contribution towards swimming pool facilities, a contribution of £150,040 (£682 per dwelling) would be required to mitigate the impact of the development on sports and open space facilities in Longridge and to improve the quality of provision.

The development would place additional pressure on healthcare services in Longridge. The applicant has endeavoured to discuss this matter further with the health authority and whilst some progress has been made, in the absence of any strategic input from the NHS and thus an assessment of current facilities, the applicant and the Council have been unable to determine what mitigation may be required to mitigate the additional demand associated with the development. An assessment of current facilities would for example determine what mitigation may be required based on current capacity and the projected increase in population as a result of new residential development and therefore how any contributions would therefore be spent. In the absence of any strategic input from the NHS, it is considered that a contribution towards general health care provision in Longridge could not be sought from the applicant at the current time. However, there remains the potential to identify mitigation to accommodate additional demand associated with this development at specific medical practices in Longridge.

Lancashire County Council request the following contributions towards highway and accessibility improvements, in addition to works that would be delivered under a section 278 agreement:

1. £12,000 towards travel plan implementation and monitoring;
2. £242,000 towards accessibility improvements on the Longridge-Preston corridor to fund improved combined footway/cycleway on Preston Road (inc Chapel Hill/Chapel Brow) between Longridge and Grimsargh;
3. Contributions to deliver improvements to support the principles of the CLHTM towards developing the Longridge - Grimsargh-Ribbleton-Preston City Centre bus route (as a public transport priority corridor, with measures that follow a public realm approach to support sustainable transport movements and improve the operation of junctions and service reliability along this corridor).

On the basis of the information currently available, the education authority requests a contribution of £1,010,488 to provide 84 primary school places. No contribution is requested for secondary school places. This figure is however indicative and the precise level of contribution would be determined at reserved matters stage once the precise number of dwellings and bedrooms is known. The contributions would be directly related to the development, would mitigate the impacts of the development, are fairly and reasonably related in scale and kind and would be necessary to enable the development to proceed.

Benefits

The proposal would contribute to the provision of housing in the Borough, including affordable housing and this would contribute to the social role of sustainable development. There would be economic benefits in NPPF terms and economic benefits associated with funding from the new homes bonus. The proposal would result in job creation during the construction period and benefits to the local economy from the resulting increase in population and thus expenditure. The proposal would secure biodiversity enhancements and the creation of the woodland buffer along the eastern boundary of the site with Tan Yard Lane would result in environmental and social benefits. The highway works are mitigation associated with the development, however the contribution to sustainable travel would provide a valuable improved pedestrian and cycle link between Longridge and Grimsargh to the benefit existing and future occupants.

Conclusion

The proposal would contribute to the provision of housing and affordable housing in the Borough to meet objectively assessed housing need. Whilst the development of agricultural land to provide housing would inevitably change the character of the area, the topography of the area is such that the visual impact of the proposal would be localised. I am satisfied that the tree losses required to facilitate access have been minimised and would be compensated with replacement tree planting to maintain the tree lined appearance of the road. Appropriate conditions would ensure the connectivity of the site is maximised to provide inclusive access and to reduce reliance on the private car. Furthermore, the visual impact of the proposal would be mitigated with appropriate design, layout, scale, appearance and landscaping at reserved matters stage. On balance, I consider the harm that would arise to the character and appearance of the area would not be so significant as to outweigh the benefits of the proposal. I therefore recommend accordingly.

RECOMMENDATION: That the application be DEFERRED AND DELEGATED to the Director of Community Services for approval following the satisfactory completion of a legal agreement (in the terms described in the developer contributions section of this report) within 3 months from the date of this Committee meeting or delegated to the Director of Community Services in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions:

General

1. No part of the development hereby permitted shall be commenced on any phase (as referred to in Condition 5) until full details of the layout, scale and appearance of the buildings and landscaping within that phase (hereinafter called ‘the reserved matters’) have been submitted to and approved in writing by the Local Planning Authority.

In relation to landscaping, the details shall include: the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform, full specifications of all boundary treatment and a scheme of maintenance, including long term design objectives.

In respect of ecology, any submission of reserved matters shall demonstrate and evidence that the biodiversity interest of the adjacent Biological Heritage Site will not be adversely affected; that the identified bat foraging and commuting habitat will be retained, maintained and enhanced; that mature trees and hedgerows will be retained and any losses appropriately compensated; that replacement ponds (to compensate the loss of the two ephemeral ponds) will be created and maintained, and that any necessary habitat mitigation will be delivered as part of the proposals.

REASON: As the application is outline only and to define the reserved matters in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan, Key Statement EN2 and Policies DMG1 and DME3 of the emerging Ribble Valley Core Strategy as proposed to be modified.

2. Applications for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. The development hereby permitted shall begin not later than two years from the date of approval of the final of the reserved matters.

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

3. No more than 220 dwellings shall be developed on the application site edged red on the submitted Red Line Boundary Plan (drawing reference 492B-21-A) and the vehicular and pedestrian accesses to the site shall be constructed in accordance with the details shown on the following plans unless otherwise required by condition of this permission:
 - a) Eastern Access drawing number TPMA1178-011 Rev G
 - b) Western Access drawing number TPMA1178_010 Rev E

Each site access shall be constructed to base course level prior to the first occupation of a dwelling within the parcel of the development served by the access and completed in accordance with the timetable to be approved pursuant to Condition 14 of this permission.

REASON: For the avoidance of doubt and to clarify the permission in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the emerging Ribble Valley Core Strategy as proposed to be modified.

4. Prior to the submission of any reserved matters application, an accessibility and connectivity strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall include an assessment of the feasibility of qualitative improvements to Dilworth Lane and Tan Yard Lane (bridleway No.35) to inform a schedule of works and shall include a timescale for implementation. The development shall be carried out in complete accordance with the approved strategy.

REASON: To facilitate inclusive access for pedestrians and cyclists and to deliver a sustainable form of development in accordance with the National Planning Policy Framework, Policies G1 and T1 of the Ribble Valley Districtwide Local Plan, Key Statement EN2 and Policies DMG1, DMG3 and DMI2 of the emerging Ribble Valley Core Strategy as proposed to be modified.

Phasing

5. Prior to the submission of any reserved matters application, a phasing scheme including the parcels which shall be the subject of separate reserved matters applications shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing scheme.

REASON: To ensure the development is appropriately phased to deliver a sustainable form of development in accordance with Policies G1, ENV7 and T7 of the Ribble Valley Districtwide Local Plan, Policies DMG1, DMG3, DME3, DMI2 and Key Statements EN2 and EN4 of the emerging Ribble Valley Core Strategy as proposed to be modified.

Design

6. Notwithstanding the indicative building heights, the reserved matters shall substantially accord with the illustrative masterplan (drawing reference 492B 06D), parameters plan (drawing reference 492B 20E) and design and access statement (dated 6th June 2014) unless otherwise required by condition of this permission.

REASON: To ensure the development accords with the general design principles and to reserve full consideration of the reserved matters in accordance with Policies G1, ENV7 and T7 of the Ribble Valley Districtwide Local Plan, Policies DMG1, DMG3, DME3, DMI2 and Key Statements EN2 and EN4 of the emerging Ribble Valley Core Strategy as proposed to be modified.

Landscaping and Levels

7. All landscaping and landscape maintenance schemes approved for each phase of development (as approved under Condition 5) shall be fully implemented in accordance with the approved details in the first complete planting season following the first occupation of

each dwelling within that parcel or the completion of the parcel to which they relate, whichever is the sooner. Any trees or plants which, within a period of five years from completion of the relevant development parcel die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To ensure the site is satisfactorily landscaped in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the emerging Ribble Valley Core Strategy as proposed to be modified.

8. Applications for the approval of reserved matters shall include details of existing and proposed land levels and finished floor levels, including the levels of the proposed roads. The development shall thereafter be carried out in accordance with the approved details.

REASON: To secure satisfactory finished ground and floor levels in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the emerging Ribble Valley Core Strategy as proposed to be modified.

Drainage

9. Prior to the commencement of development, a drainage strategy outlining the general system of drainage for foul and surface water flows arising from the entire site shall be submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall accord with the approved Flood Risk Assessment (Ref: 30058/SRG Rev A, dated 16 July 2014) and shall demonstrate that: the surface water run-off generated by the 1 in 100 year plus climate change critical storm shall not exceed the run-off from the undeveloped site and shall not increase the risk of flooding off-site; surface water run-off shall be limited to 73 litres per second; and pervious paving shall be used on private driveways to facilitate the infiltration of the first 5mm of rainfall. Thereafter the detailed schemes for foul and surface water drainage approved pursuant to Conditions 10 & 11 for development within each phase shall accord with the approved drainage strategy under this condition.

REASON: To ensure satisfactory storage and disposal of surface water from the site to prevent flooding in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan, Policies DMG1 and DME6 and Key Statement EN2 of the emerging Ribble Valley Core Strategy as proposed to be modified.

10. Prior to the commencement of development within a phase, the details of a scheme for surface water drainage and means of disposal for that phase, to accord with the Drainage Strategy approved pursuant to Condition 9 and to include evidence of an assessment of site conditions, sustainable drainage principles, an assessment of the hydrological and hydro-geological context of the development, management and maintenance and timescales for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented, maintained and managed in accordance with the approved details at all times thereafter.

REASON: To ensure satisfactory storage and disposal of surface water from the site to prevent flooding in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan, Policies DMG1 and DME6 and Key Statement EN2 of the emerging Ribble Valley Core Strategy as proposed to be modified.

11. Prior to the commencement of development within a phase, details of the foul drainage scheme for that phase, which shall be based on the Drainage Strategy approved pursuant to Condition 10 of this permission, shall be submitted to and approved in writing by the Local Planning Authority. The foul drainage scheme shall be implemented prior to completion of the first dwelling within that phase of development and maintained and managed in accordance with the approved details at all times thereafter.

REASON: To ensure satisfactory means of foul drainage in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the emerging Ribble Valley Core Strategy as proposed to be modified.

Construction

12. Prior to commencement of development within a phase, the sampling and analytical strategy of the site investigation for that phase shall be submitted to and approved in writing by the local planning authority. The strategy shall address; the nature, degree and distribution of contamination and ground gases; an identification and assessment of the risk to receptors as defined under Part IIA of the Environmental Protection Act 1990, focusing primarily on risks to human health and controlled waters; implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes; and on wider environmental receptors including ecological systems and property. The site investigation shall be carried out in accordance with the approved details and the results submitted to and approved in writing by the local planning authority prior to commencement of development. If the site investigation(s) indicates remediation is necessary, Remediation Statement(s) detailing the recommendations and remedial measures to be implemented within the site, including timescales for implementation, shall be submitted to and approved in writing by the local planning authority. The remediation shall be carried out in accordance with the agreed statement and on completion of the development/remedial works with each phase (approved pursuant to Condition 5), the developer shall submit a Verification Report to the local planning authority for approval in writing that certifies that all works were completed in accordance with the agreed Remediation Statement prior to the first occupation of each dwelling in that phase.

REASON: To prevent pollution of ground and surface waters both on and off site and to ensure the site is suitable for its end use in accordance with Policies G1, ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the emerging Ribble Valley Core Strategy as proposed to be modified.

13. No development approved by this permission shall commence within a phase until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The approved Management Plan shall be adhered to throughout the construction period and shall provide for:
 - i) The routes to be used by construction vehicles carry plant and machinery routes to be used by vehicles carrying plant and materials to and from the site which shall have been constructed to base course level;
 - ii) Parking of vehicles within the site of site operatives and visitors;
 - iii) Loading and unloading of plant and materials;
 - iv) Storage of plant, materials and potential ground and water contaminants;

- v) Erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate;
- vi) Wheel washing facilities;
- vii) A management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures;
- viii) A scheme for recycling/disposing of waste resulting from construction works. There shall be no burning on site;
- ix) A scheme to control noise during the construction phase;
- x) Details of lighting to be used during the construction period;
- xi) Site working hours;
- xii) Periods when plant and materials trips should not be made to and from the site (mainly peak hours, but the developer to suggest times when such trips should not be made)
- xiii) Sustainable travel options for journeys to and from construction workers including pedestrian routes, travel by bicycles, journeys by train, car sharing schemes and other opportunities to reduce journeys by car.

REASON: In the interests of residential amenity, highway safety and convenience and to protect the adjacent biological heritage site during construction works in accordance with Policies G1, ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DMG1, DME2 and DME3 of the emerging Ribble Valley Core Strategy as proposed to be modified.

Highways

14. No development approved by this permission shall commence until a scheme for the on and off-site highway works, including timescales for implementation for each phase, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: In the interests of highway safety and to mitigate the impacts of the development in accordance with Policies G1, T1 and T7 of the Ribble Valley Districtwide Local Plan and Policies EN2, DMG1, DMI2 and DMG3 of the emerging Ribble Valley Core Strategy as proposed to be modified.

15. Prior to the occupation of the first dwelling within a phase, a Travel Plan based upon the submitted Travel Plan Framework to improve accessibility by sustainable modes for residents of dwellings within that phase shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:
- a) Appointment of a named Travel Plan Co-ordinator.
 - b) Details of measures to encourage sustainable travel patterns.
 - c) A scheme for the management and implementation of the Travel Plan.
 - d) Targets for modal shift.
 - e) Implementation timescales.
 - f) A strategy for marketing and proposed incentives.
 - g) Arrangements for monitoring and review.

The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved Travel Plan for development within that phase for a period of time not less

than 5 years following completion of the final parcel of development in that phase (as approved under Condition 5).

REASON: To deliver a sustainable form of development and to reduce reliance on the private car in accordance with Policies G1, T1 and T7 of the Ribble Valley Districtwide Local Plan and Policies EN2, DMG1, DMI2 and DMG3 of the emerging Ribble Valley Core Strategy as proposed to be modified and the National Planning Policy Framework.

Trees

16. Prior to the commencement of any site works, a revised Tree Survey, revised Arboricultural Impact Assessment and a Methods Statement for all works associated with the development hereby permitted, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in complete accordance with approved details. All trees identified to be retained in or adjacent to the application site shall be protected during construction in accordance with BS5837: 2012 'Trees in relation to design, demolition and Construction (as subsequently amended).

REASON: In the interests of visual amenity and to protect trees during construction in accordance with Policies G1, ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME2, DME3 and Key Statement EN4 of the emerging Ribble Valley Core Strategy Core as proposed to be modified.

Ecology

17. The development hereby permitted shall not commence during the bird nesting season (March to August inclusive) unless the absence of nesting birds has been confirmed by further surveys or inspections undertaken by an appropriately qualified ecologist, the results of which shall be submitted to and approved in writing by the local planning authority prior to any commencement in the bird nesting season.

REASON: To protect nesting birds, having regard to the adjacent biological heritage site in accordance with Policies G1, ENV7 and ENV9 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME3 and Key Statement EN4 of the emerging Ribble Valley Core Strategy Core as proposed to be modified.

18. Prior to the commencement of each phase of the development (approved pursuant to condition 5), the land within that phase shall be subject to a further survey to confirm the continued absence of badgers and badger setts and the results shall be submitted to the Local Planning Authority for approval in writing together with proposals for mitigation if required. The development shall be carried out in complete accordance with the approved survey(s).

REASON: To protect any badgers that may be present on the land at the time of commencement in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME3 and Key Statement EN4 of the emerging Ribble Valley Core Strategy Core as proposed to be modified.

19. The reserved matters application(s) shall be accompanied by repeat surveys of the trees identified for removal to confirm the continued absence of roosting bats. If the surveys demonstrate that bats have colonised, the surveys shall include appropriate mitigation

and/or compensation proposals. The development shall thereafter be carried out in complete accordance with the approved survey(s).

REASON: In the interests of protected species in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME3 and Key Statement EN4 of the emerging Ribble Valley Core Strategy Core as proposed to be modified.

20. No site works shall take place within a phase until a Landscape Management Plan to include: long-term design objectives; habitat creation; details of the retention, creation and enhancement of native hedgerows, mature trees, woodlands, grasslands and ponds; and shall demonstrate that the habitat of protected and priority species (most notably bats, but also breeding birds and amphibians) is enhanced; enhancement, management responsibilities and maintenance schedules for all landscaped areas (other than privately-owned domestic gardens) and timing of works within each phase, has been submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include (but not be limited to) details of the proposed woodland buffer to the east of the site adjacent to Spade Mill Biological Heritage Site, trees and tree lines, hedgerows and other areas of public open space. The Landscape Management Plan shall be informed by the Ecological Appraisal (dated 3rd June 2014), Bat Survey Report (dated 5th September 2014) and the details approved pursuant to condition 16. Habitats shall comprise locally appropriate native species and plant species used in more formal/ornamental planting should be selected to provide benefit for biodiversity (i.e. pollen, nectar, berry bearing). The landscape management plans shall be implemented and maintained in accordance with the approved details.

REASON: To secure biodiversity enhancements having regard to the adjacent biological heritage site in accordance with Policies G1, ENV7 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME3 and Key Statements EN2 and EN4 of the emerging Ribble Valley Core Strategy Core as proposed to be modified.

21. Prior to the felling of the tree identified as T84 (Alder) in the submitted Tree Survey Report (dated 3rd June 2014) a pre-works visual inspection to check for occupation by bats shall be carried out by a suitably qualified ecologist, the results of which shall be submitted to and approved in writing by the local planning authority. Should evidence of roosting bats be found, a European Protected Species licence will be required from Natural England.

REASON: To protect any bats that may be present in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME3 and Key Statement EN4 of the emerging Ribble Valley Core Strategy Core as proposed to be modified.

22. Prior to commencement of development within a phase, details of the provisions to be made for building dependent species of conservation concern, including artificial bird nesting boxes and artificial bat roosting sites for that phase shall be submitted to and approved in writing by the Local Planning Authority. The details shall be submitted on a dwelling/building dependent bird/bat species development site plan and include details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building/dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated. The artificial bird/bat boxes shall be incorporated during the actual construction of those individual dwellings

identified on the submitted plan and made available for use before each such dwelling is first occupied unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of biodiversity and to enhance roosting opportunities for species of conservation concern in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME3 and Key Statement EN4 of the emerging Ribble Valley Core Strategy Core as proposed to be modified.

Energy

23. No development shall take place until a scheme to secure at least 10% of the energy requirements of the development hereby permitted from renewable or low carbon energy sources, with a timetable for implementation, has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme and retained thereafter at all times in accordance with the approved scheme. Any solar panels installed as part of this scheme shall be removed after a period of 25 years from the date of electricity first being generated.

REASON: To allow the energy needs of the development to be partially generated on site to reduce reliance on the grid in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan, Key Statements EN2 and EN3 and Policies DMG1 and DME5 of the Core Strategy Submission Version as proposed to be modified and the National Planning Policy Framework.

Play Space

24. Prior to commencement of development within a phase a play space management plan including long term design objectives, timing of the works, management responsibilities and maintenance schedules for the play areas within that phase, shall be submitted to and approved in writing by the Local Planning Authority. The play space management plan shall provide precise details of all play equipment and other related structures in that phase and its maintenance and indicate a timescale when the play spaces and related structures on the open space shall be provided and made available for use within that phase. The play space management plan shall be implemented in accordance with the approved details.

REASON: In the interests of the amenity of the future occupants in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the emerging Core Strategy as proposed to be modified.

Lighting

25. Prior to commencement of development within a phase (approved pursuant to Condition 5) details of a scheme for all external lighting for that phase/parcel, including timescales for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall accord with guidance issued by the Bat Conservation Trust and Institute of Lighting Engineers and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised. The lighting scheme(s) shall be implemented in complete accordance with the approved details and retained thereafter at all times.

REASON: In the interests of residential amenity and protected species in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME1 and DME3 of the emerging Ribble Valley Core Strategy as proposed to be modified.

Noise

26. Prior to commencement of development within a phase of development (approved pursuant to Condition 5 of this permission) a scheme of noise mitigation measures for that phase adhering to the principles laid out in the Noise Assessment dated 3rd June 2014 (REC reference 90339R2) shall be submitted to and approved in writing by the Local Planning Authority. The measures so identified shall be incorporated into the construction of the development within that phase and thereafter retained at all times.

REASON: In the interests of the amenity of the future occupants in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the emerging Core Strategy as proposed to be modified.

APPLICATION NO: 3/2014/0597/P (GRID REF: SD 373905 442207)
OUTLINE APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF UP TO 275 DWELLINGS
ON LAND OFF WADDINGTON ROAD, CLITHEROE, BB7 2DE

TOWN COUNCIL: Clitheroe Town Council objects to this application on the following grounds:

1. The development is outside the settlement boundary as defined by saved Policy G5 of the Local Plan and because the application precedes the emerging Ribble Valley Core Strategy and the work being done on the Development Land Document.
2. The land adjoining Kirkmoor Road and Back Commons is valuable green space amenity land adjoining an area of high housing density. Protected species frequent this land including barn owl, otters and bats. An important hedgerow would be lost.
3. Traffic and parking conditions make the Bawdlands Bridge junction, Castle View and Kirkmoor Road unsuitable for a regular bus service. Due to the location of the junction being off Bawdlands Bridge and Castle View being on top of a bridge, the Town Council considers that there is no possible realistic financial engineering solution to this problem.
4. At the Appeal the Inspector said that he agreed that significant congestion at Waterloo Road/Shawbridge Street junction would be a moderate to strong reason for resisting this proposal in the absence of highway improvements. Since the Appeal, the Standen application for 1,040

dwellings at the top of Pendle Road has been approved. The application has only one egress which is from Pendle Road and all traffic into town would go through this junction. The schemes proposed to alter the junction are merely tinkering. Traffic lights would increase congestion not decrease it.

5. The Town Council also object on highway congestion grounds due to the effect that the development will have by increasing the volume of vehicles to the pinch point of the Waddington Road/Railway View junction (under the railway bridge). At the Appeal, the revised traffic flow forecasts seem to be grossly understated. The Inspector accepted a figure of 7 journeys per dwelling per day and we saw no reason to depart from that even for affordable housing. 275 dwellings at Waddow View could create 1,925 journeys per day and 50 dwellings at the already agreed Milton Avenue development could create 350 journeys giving a total of 2,275 additional journeys per day along Waddington Road. Waddington Road bridge has a height limit of 3.5m and flood warning signage confirms that this is a current hazard.
6. Owing to these highway concerns in points 3 – 5 the Town Council believe that this development is contrary to Policy G1 of the Local Plan, paragraphs 32 and 35 of NPPF and Policy DMG1 of the emerging Core Strategy.

PARISH COUNCIL:

Waddington Parish Council has made a formal objection to the application on the following grounds:

1. Although the proposed development is not situated in the parish of Waddington, its approval would adversely affect the residents of Waddington village when they travel to and from Clitheroe. The adverse effect would mainly be in the form of increased flow of traffic on Waddington Road.
2. The Parish Council understands that the Appeal Inspector is of the opinion that each dwelling would generate 7 journeys per day, so, as approval has already been granted for 50 dwellings on a development off Milton Avenue, then a definitive increase of 350 journeys per day will take place. This would again have an adverse effect on the traffic on Waddington Road.
3. If the new development was for 275 dwellings that would result in a further 1,925 journeys per day taking the total additional journeys up to 2,275 per day.
4. Unacceptable delays already occur where Waddington Road meets Railway View Road so the additional journeys as a result of this proposed development would mean that

gridlock would undoubtedly happen, particularly at peak times in the morning and late afternoon.

5. The schools in the area surrounding the development are already full so the infrastructure is not in place to cope with the increased population which would result from building the proposed development.

ENVIRONMENT
DIRECTORATE

(COUNTY SURVEYOR):

The LCC Highways comments on the application are as follows:

1. There are extensive comments in this letter below on the highways aspects of this development. This paragraph highlights outstanding matters relating to the new development, which still need to be resolved but which I anticipate are solvable. These outstanding matters relate to the Waterloo Road/Shawbridge Street junction and will require a fundamental reconsideration of this junction by the transport consultant. I would ask for an agreement from the developer to the proposals made in this letter concerning the need for a more comprehensive improvement to the local roads in order to accommodate traffic flows from other local developments such as Standen. I would have an objection to this application on highway safety and capacity grounds if this matter and other outstanding issues are not resolved to the satisfaction of LCC Highways.

Introduction

2. Lancashire County Council (LCC) as the local highway authority is responsible for providing and maintaining a safe and reliable highway network. With this in mind, the present and proposed highway systems affected by this proposed development have been investigated to highlight areas of concern that potentially could cause significant problems for the public: motorists, cyclists, public transport users and other vehicles in and around the area.
3. As a consultee in the planning process, LCC is bound by the requirements of the National Planning Policy Framework, which requires that we only object to a proposed development where we have robust evidence of severe impacts that cannot be mitigated to an acceptable level (by amended proposals or by the developer's investments).
4. The highways comments take account of the historic nature of Clitheroe town centre roads. Many of the roads potentially affected by the proposed development are fronted by homes or local shops, where occupiers have little or no convenient access to off-street parking opportunities. This inevitably leads to on-street parking, which can reduce the width of road available for passing traffic. With a mixture of private cars, vans and waggons serving local businesses,

agricultural vehicles passing through and touring vehicles/caravans accessing the attractions of the town centre and the wider Ribble Valley, Clitheroe's roads can at times be very busy. Whilst this activity is often a strong indicator of welcome economic activity, it can also frustrate local people who find it adds unacceptable delays to their journeys by private vehicle at particular times of the day or week when they encounter permanent physical restrictions and/or delays created by on-street parking.

5. With this in mind, the highway-related assessments undertaken focus on peak travel times (mid-week am peak 8 – 9am, pm peak 5 – 6pm) to identify the most likely times when new residential development close to the town centre is likely to generate new road users in greatest numbers, who will impact on existing users of local roads and also on already planned-for road users (arising from committed development). It should be noted that at other times of the week, there are only limited incidents of delay on the local road network which are not considered to be severe and which are not expected to be severely impacted by the proposed development.
6. Saturday shopping periods are an exception, as at this time people from outlying villages are likely to drive into Clitheroe to use shops, supermarkets and the town centre market, combining with weekend/tourist traffic and contributing to delays on local roads. This period has been excluded from assessment in relation to the proposed development as it is a particular feature of Clitheroe town centre and whilst it may appear severe to observers, it does not appear in practice to discourage town centre visitors.
7. I should like to take this opportunity to identify to you that some of the highway impacts arising from the proposed development will be experienced some distance away from the proposed development if it were to go ahead, and these will be experienced by people who may not be aware of the impact on them. I recommend that you take all reasonable steps to make this information available to such people to minimise the risk of their confusion and disappointment at a later date.

Development now proposed

8. This application is a re-submission of an earlier application (3/2012/0913) for residential development on this land. The earlier application was refused by RVBC and subsequently this decision was upheld on appeal. The Inspector's report discusses in some depth the traffic and transport related issues and proposed mitigation measures. He concluded that some of the highways related issues had not been

satisfactorily resolved. It is these issues that remain to be resolved, to the extent that they are relevant to the new development proposals. This response from LCC as the Highway Authority to the 2014 development proposals is informed by the discussions and conclusions drawn from previous communications with the developer, documents submitted during the appeal hearing, the decision of the Secretary of State and the Planning Inspectorate's report on the appeal.

9. The 2012 development proposals were a development of 345 dwellings with access onto Waddington Road and also onto Kirkmoor and via Castle View to Bawdlands. The traffic using the Waddington Road access was generated by 220 dwellings and a 50 bed care home. The new application is for a development of 275 dwellings with access onto Waddington Road and bus and emergency vehicle access only onto Kirkmoor Road.
10. As with the 2012 development proposals, I understand that the Milton Avenue access is for a self-contained residential development and there will be no vehicular linkage to the proposed development site.
11. Mitigation measures and sustainable transport improvements will be required for this 2014 proposed development as finally agreed for the 2012 proposed development, with exceptions where appropriate because of the changes in the development proposed (e.g. reduced mitigation measures for the Castle View / Bawdlands junction).

Traffic flows and junction analysis

12. A new Transport Assessment has been prepared for this application. Where the Inspector in the appeal has agreed mitigation measures during consideration of the first (2012) application, the new TA has not reconsidered these junctions and improvements, and this is accepted.
13. The 2012 development proposed that the Waddington Road access would be used for 220 dwellings plus a 50 place children's nursery, whereas the new development proposes that all 275 of the new dwellings would use Waddington Road. There are some small increases in the predicted traffic flow as the assessment year for this application is 2019, two years later than for the previous application. This means that the current TA takes account of two more years of background traffic growth in the Clitheroe area, which is an acceptable approach. Having reviewed the current proposals, I do not anticipate any problems arising from use of the proposed access provided that visibility is secured as

shown in plan J087/Site access/Fig 1.

14. In Section 6 of the 2014 TA, the trip rates per dwelling have been reviewed and reduced by the transport consultant and this would result in a reduced peak period traffic flow. However, the trip rates are reconsidered in the TA Addendum and the trip rates to be used in the traffic modelling are the same as those used in the 2012 TA (these are the same trip rates as used for the Gladman development in Henthorn Road). The trip rates used produce a robust assessment of the future situation for this 2014 Waddow View development.
15. The junctions that were considered by the Inspector to have unresolved traffic related issues have been reconsidered in the new TA. These junctions, with a brief comment on the issues at each one, are:
 - Waddington Road – Railway View Road. The mitigation measures proposed in 2012 were amongst other things, a mini-roundabout. The Inspector considered that the ARCADY modelling shows that the mini-roundabout would work satisfactorily, notwithstanding that the 2012 TA showed that the evening ratio of flow to capacity (RFC, an indicator of whether the junction can pass traffic through at the same rate as it arrives at the junction) was in excess of 0.9 on two arms, and evening peak queues of 13 vehicles could be expected on arm C of the junction (Waddington Road north). It is appropriate for the new TA to consider the implications here for a mini-roundabout operating with current assessed/higher flows.
 - Waterloo Road – Shawbridge Street. The 2012 TA showed that during peak periods the capacity of this roundabout is inadequate and there will be lengthy queues. The developer proposed improvements to the junction, including improvements to the approaches and the installation of traffic signals. The Inspector considered that a 'do nothing' approach was not appropriate as the resulting congestion would be a reason for refusing the application. It is appropriate for the new TA to consider the implications here for different junction treatments operating with current assessed/higher flows.
16. The TA Addendum assesses these two junctions using the trip rates in the 2012 TA. The 2014 development now under consideration is called scenario 3. (Scenario 1 was the development under consideration in 2012.) The developer has presented information to show how the 2014

development trips vary from the 2012 development trips. This information is in the first table in the TA Addendum under the title 'Background' in 'Section 2 Junction Assessments'. For clarity, for the Waddington Road access to the site, I have included a table below for which I have used data from the table in the TA Addendum; but corrected for scenario 1. The increase in traffic flows for the 2014 development is slightly greater than that shown in the 2014 TA Addendum.

Junction	Scenario 1 – 2012 proposal				Scenario 3 – current proposal			
Site access at Waddington Road	am		pm		am		Pm	
	arr	dep	arr	dep	arr	dep	arr	dep
	45	110	107	62	39	122	120	62
Two way flows	155		169		161		182	

17. The proposals now made by the developer in the 2014 TA are discussed below.

Waddington Road – Railway View Road

18. The 2012 TA proposed to improve the priority T junction with a mini roundabout. This improvement did not fully mitigate the impact of the Waddow View development on this junction, with increased delays predicted in 2017 compared with the priority T junction operation modelled for the 2017 base flow. However, the Inspector considered that the predicted queuing and delays would not be 'of such significance as to amount to a severe delay' (see paragraph 223 of the PINS report to the Secretary of State for Communities and Local Government dated 26 November 2013).
19. The 2014 TA Addendum reconsiders this mini-roundabout with modelling of the impact of the development for the assessment year, 2019. The resultant congestion and queuing is predicted to be marginally worse than the 2017 estimates, and I consider that the mitigation measures proposed can be viewed in the same way as they were viewed in the Planning Inspector's report (see paragraph 18 above). The proposed mini-roundabout treatment at this junction is therefore acceptable in highway terms subject to detailed design at a later stage of development.
20. LCC does not consider that the risk of flooding under the railway bridge on Waddington Road to be a constraint on development at Waddow View. In 2012 LCC made

significant investment in improved drainage in this area and has subsequently maintained the drainage here in good condition. Since 2012 the numbers of incidents, their severity and duration have been much reduced.

Waterloo Road – Shawbridge Street

21. In the 2012 TA, for the existing mini-roundabout, the RFC for 2017 base only traffic flow on the most congested arm (arm C – Waterloo Road north) was determined to be: am 0.95, and pm 1.11. For the 2017 base flow plus the development flow the RFC was: am 1.04, and pm 1.17. These values indicate that the existing mini-roundabout will operate with regular congestion and queuing during peak periods, and the developer suggested that the geometry of the mini-roundabout should be improved.
22. The improved mini-roundabout was modelled using ARCADY (2012 TA). For the 2017 base plus development flows the RFC was: am 0.93 (Arm C), and pm 1.05 (Arm C). The am peak RFC and the pm peak RFC for the other arms were less than 0.76. The values for the peak periods on Arm C show a small improvement compared to the predicted 2017 base flow RFC. However, during peak periods there will be regular congestion and delays. The Inspector considered that with a 'do nothing approach' the resulting queuing and delays would comprise a 'moderate to strong reason for resisting this proposal without the phase 1 improvements' (paragraph 226 of Inspector's report dated 26 November 2013).
23. The 2014 TA Addendum reconsiders this improved mini-roundabout with modelling of the 2019 base flow plus the development flow. The estimated RFCs are: am 0.95 (Arm C), and pm 1.07 (Arm C). These values show that delays will be slightly increased compared to the 2017 RFC values. I advise that these delays are not acceptable in highway terms and mitigation will be required in order for the impact at this junction to be managed down to acceptable levels.
24. The extent to which mitigation measures should alleviate congestion is dependent on the extent that congestion would occur with no development. A comparison of the predicted Arm C RFC values from the 2017 base flow (existing roundabout) to the 2019 base plus development flow (improved roundabout) indicates a marginal improvement only. In other words the congestion and queues at this improved junction for the fully built out development will be much the same as it would be in 2017 with no development. Note there is no data for RFC values for a 2019 base flow with the existing roundabout. The relevant RFC values are given in the following table:

Waterloo Road / Shawbridge Street				
2012 TA	2017 base flow		2017 base + development flow	
	am	pm	am	pm
Arm C existing mini roundabout (ARCADY)	0.948	1.112	1.036	1.166
Arm C mini roundabout with improvements (ARCADY)			0.93	1.05
2014 TA			2019 base + development flow	
			Am	pm
Arm C mini roundabout with improvements (ARCADY)	-	-	0.95	1.07

25. The developer has also considered the improvements to traffic flow through this junction that might be achieved by the introduction of traffic signals. Modelling of this junction with traffic signals was carried out in the 2012 TA for a 2017 assessment year, and this showed that the DoS (degree of saturation) for each arm is approaching a value of 90%, which is considered to be the desirable maximum in order to result in a reasonably efficient junction. A similar exercise has been carried out in the 2014 TA Addendum for a 2019 assessment year. The results of the modelling showed that the values of DoS exceeded 90%. The use of MOVA at this junction would improve the efficiency of the traffic signals at this junction, as suggested by the developer in the TA.
26. There are two issues arising from the improvement of this junction.
- (1) Looking at the mitigation required at this junction for the Waddow View development, in isolation from any other developments proposed in Clitheroe, the increased efficiency of the junction provided by the improved roundabout does mitigate the impact of the development. However, it does so without providing any surplus capacity. Consequently this mitigation measure would be beneficial for the Waddow View development alone, but any additional increase in traffic in Clitheroe would require additional mitigation. This may lead to a situation where this junction is improved more than once over a period of a few years, with the disruption due to the road works resulting in

temporary but potentially severe and repeated periods of congestion.

- (2) Considering the Waddow View development together with the proposed Standen development (now accepted as committed development), this is acknowledged in the 2014 TA Addendum as requiring a traffic signalised junction. The TA shows that with these two developments, the junction will operate with some queuing and delays for much of the peak periods and will exceed a DoS of 90% from time to time. Having now evaluated and commented on the proposed Standen development, LCC Highways have considered this junction in some detail. It is apparent that the installation of traffic signals here would not be appropriate because of the consequent effects on the network of interacting roads and minor junctions in the vicinity of the main junction under consideration. The peak hour queues that would be a feature of traffic signals, would result in queuing on roads at nearby junctions which in turn would promote 'rat-running' along residential and minor roads.
27. The improvements to the mini-roundabout proposed by the Waddow View developer will deliver only marginal mitigation improvements to the junction in the assessment year, 2019, and the residual RFC values indicate that the junction will suffer congestion and delays. As a result I recommend that the developer should investigate the operation of the local road network, taking into account the traffic flows from the Standen development. This should produce proposals for the improvement of the local highway network influenced by the operation of the Shawbridge Street / Waterloo Road junction.
28. A workable solution which will accommodate the Waddow View and Standen developments, and which would reduce local congestion and the possibility of 'rat-running', would involve a wholesale re-design of the Waterloo Road / Shawbridge Street junction. This solution must include consideration of widening of the Mearley Brook bridge, and probably also an improved mini roundabout. Consideration should also be given to the introduction of mini roundabouts at Taylor Street, at Wellgate and at other junctions dependant on the outcome of modelling the local road network. I recommend that the Waddow View developer should be required to contribute to this larger improvement scheme through an appropriate S106 agreement.

Whalley Road / Queensway mini-roundabout

29. One of the junctions from the 2012 TA to be improved was

this junction, which requires a widening of the entries onto the roundabout to improve its capacity. There is no discussion or modelling of this junction in the 2014 TA. Without any input from the developer, I recommend that the improvements are still required. The improvements agreed in 2012 were a widening of the entries onto the mini roundabout. A drawing is required for these improvements so that the design can be reviewed.

Access onto Back Commons / Kirkmoor Road

30. This is intended to be a limited access and egress for buses and emergency vehicles only. The developer's proposals for this junction are shown on drawing number J087/bus gate/Fig 4. The detail of the junction layout will need to be amended and refined and the mechanism for restricting the use of this access to buses and emergency vehicles will need to be agreed. I would ask for traffic signing together with appropriate traffic regulation orders to limit the use of this access to buses and emergency vehicles, bicycles and pedestrians only. Rising bollards or other mechanical means to achieve this are not favoured as they introduce a significant future maintenance and operational liability. Although in principle the introduction of such a junction is agreed, the layout and other details are not. However, I am confident that an agreement on the detail of the design is achievable.

31. I should like to note, as part of consideration of this issue, that Back Commons residents believe there are outstanding matters of land ownership which affect the developer's right to access the development site from Kirkmoor Road. I can advise that the County Council's records indicate that the public highway (managed and maintained by the County Council) extends to a point approximately 7m northwest of the centre line of Swan Meadow. The developer needs to demonstrate that he has a right of access to his site from Kirkmoor Road, which he can confer onto future residents, their visitors and essential services. If the road running from the limit of adoption to the proposed rear site access off Kirkmoor Road is to be offered for use by buses, cyclists, pedestrians and emergency services, it would be in the public interest for it to be constructed to adoptable standard before it was opened to use and maintained at that standard in perpetuity. Whilst I cannot require the developer to offer this section of road for adoption by the highway authority, I can undertake that it would be so adopted if all required improvements were made through an appropriate agreement (Highways Act 1980 Section 38) that would need to include all affected landowners.

Proposed Junction Improvements

32. Waddington Road, at the proposed new entrance to the Waddow View development. The design and construction of this access will be subject to an agreement under the Highways Act 1980 Section 278 and the works will require the approval of Lancashire County Council as the relevant Highway Authority. An approach consistent with Manual for Streets is appropriate at this location. The works proposed by the developer on drawing J087/site access/fig1, are acceptable, although this will be subject to a design review.
33. Waddington Road and Railway View Road. The change from a priority junction to a mini-roundabout is acceptable in principle based on the ARCADY modelling provided. However, a detailed scheme design will be required which will be the subject of S278 agreement (as above) and will require the approval of Lancashire County Council as highway authority.
34. Waterloo Road and Shawbridge Street. The improvements to this junction proposed by the developer amount to changes to the geometry of the mini roundabout. This would be a short term solution, as other development in Clitheroe, especially the Standen development, will result in the junction capacity being exceeded. LCC does not agree with the developer's proposal to install traffic signals and considers a bigger improvement scheme is required as discussed in paragraph 28 above. Clearly this will require discussion between LCC and the developer with the aim of agreeing a sum that the developer will pay to LCC (through a S106 agreement).
35. Whalley Road and Queensway. Improvements are required to the geometry of the existing mini roundabout. A detailed scheme design will be required which will be the subject of a S278 agreement and will require the approval of Lancashire County Council as highway authority.

Other improvements on the highway

36. Waddington Road. The traffic calming, lining and minor road junction improvements are accepted in principle as shown on drawing number J087/wadd calming/fig2, although these proposals will be subject to a design review. The 20mph speed limit is to be extended past the proposed access into the development for a distance of approximately 50m north of the cemetery access. These improvements are to be paid for by the developer and implemented through a S106 agreement and a S278 agreement as appropriate. Maintenance and improvement works have been carried out by LCC on the highway drainage under the railway bridge, to mitigate the risk of flooding here and

reduce the incidence of flooding severe enough to close the road.

37. Castle View and Kirkmoor Road. The principle of the bus only link from the proposed development to Kirkmoor Road is accepted. As discussed at paragraph 30 above, the details and junction geometry shown in drawing number J087/bus gate/Fig 4 need to be reviewed.
38. The bus route from Kirkmoor Road will be via Castle View to Bawdlands, where buses will turn right only. Parking restrictions may need to be introduced to ensure there is sufficient space for the bus to drive along and navigate around junctions, especially at the Bawdlands junction.
39. The principle of improvements to the footways and pedestrian provision linking the site to Clitheroe town centre have been agreed previously.

Pedestrians and Cyclists Access

40. The site is located conveniently for the town centre and the accessibility score reflects this close proximity. However, I have detailed below improvements to routes for cyclists within and around the development site that would enhance accessibility thus reducing the demand for new residents to use cars for local journeys:
 1. Design the bus only road to be accessible to cyclists.
 2. Provide 3 metre wide shared use paths to link the site at several locations.
 3. Modify the road closure on Corbridge Court, leading from Chester Avenue, to provide a 3 metre wide cycle path with smooth surfacing appropriate for cycle use. The cost of this measure is estimated to be £10,000.
 4. Consider environmental improvements to Back King Street as this will form an increasingly significant pedestrian route to the town centre. This could include the provision of additional street lighting. The cost of these measures may well be dependent on the available services.
 5. A secure cycle shelter at Clitheroe railway station should be provided. This amenity would have an estimated cost of £10,000.
41. Public Rights of Way footpath No.20 runs within the site and is to be retained in full, supported by the internal layout of footways and carriageway,
42. In view of the increased pedestrian activity associated with the site, a new pedestrian priority crossing (zebra crossing) should be provided on Waddington Road. An appropriate

location has been agreed at a point just west of the railway bridge near to the Railway View junction. As a guide, the introduction of a zebra crossing would cost in the region of £15,000 to £20,000, depending on the necessity for any servicing alteration and other associated highway works. This would be implemented under a S278 agreement, after a period of notice to local road users and frontagers.

Public Transport

43. The Clitheroe bus and rail interchange is conveniently located for this development and falls within a 400m radius from the centre of the site. Good access to public transport services will be an important factor in helping to reduce dependence on the private car, particularly for commuting journeys.
44. The proposed bus service through the site was intended to be provided before the occupation of the 176th dwelling under the 2012 application (345 dwellings). The Inspector commented, however, that the site bus service 'could be introduced much earlier' (paragraph 256 of the Inspectors report). I would recommend that the bus service should be introduced for the 2014 development application (275 dwellings), before the occupation of the 75th dwelling. This will require construction of the estate road through to the Kirkmoor Road access, completion of the bus only link and the off-site improvements to Kirkmoor Road.
45. Funding for the improvement of bus services through S106 was agreed at £110,000 per year for 5 years (statement of common ground dated 8 July 2013). It should be noted that the railway companies will invest in improving rail services for new developments where they see a commercial market. However, it would be unreasonable to ask the developer here to make provision for rail services as this Waddow View development is not of a sufficient size.

Internal Site Layout

46. This is an outline application with all matters except access reserved, and the indicative masterplan is based on a limited level of detail. The internal road layout should be developed in accordance with LCC's Creating Civilised Streets policy and design guidance and in accordance with the design principles set out in Manual for Streets (editions 1 and 2). The internal site layout shall be designed to comply with a 20mph speed limit and should incorporate appropriate engineering features to secure a more sympathetic and robust means of managing vehicle speeds and enhancing highway safety.

47. In line with the present Lancashire County Council policies to improve highway safety in residential areas, it would be appropriate to introduce a 20mph Speed Limit within the site. The provision of the necessary Traffic Regulation Order would form part of an agreed programme of measures, should the application receive planning consent.
48. The internal site layout should provide for safe and convenient manoeuvring for servicing, delivery and waste collections. A service, delivery, waste collection and routing strategy should be developed and agreed with Lancashire County Council and RVBC to ensure that all deliveries, servicing and waste collection can be undertaken safely without creating conflict with other vehicles, pedestrians and cyclists.
49. Prior to the commencement of the bus service, the development should provide two bus stops to DDA standard within the residential layout of the site, as part of the detailed approval.
50. On-site parking provision for individual properties should comply with parking guidelines, which provide for two on-site parking spaces per two or three bedroom dwellings and three on-site parking spaces per four or more bedroom dwellings, or a similar level of parking per dwelling located in a parking court.
51. With any reserved matters application relating to internal road layout, I shall recommend that steps be taken to ensure the roads within the site have an appropriate phasing and adoption agreement or private maintenance agreement so that prospective residents will have clear understanding of what to expect.

Travel Plan

52. A travel plan has not been submitted with this application. Consequently, I would ask that a condition be attached to any consent you may decide to grant, requesting the submission of a travel plan when a reserved matters application is made. Comments were made on the framework travel plan submitted with the 2012 application, and these comments should be used in the preparation of the full travel plan.
53. A contribution of £24,000 is recommended to enable Lancashire County Council Travel Planning team to provide a range of services as described in 2.1.5.16 of the Planning Obligations in Lancashire paper dated September 2008.

Traffic Regulation Orders

54. The following Traffic Regulation Orders would be advisable. The provision of additional TROs may be appropriate as subsequent reserved matters are considered. The provision of the necessary TRO would form part of an agreed programme of measures, should the application receive formal planning consent. The consultation and legal stages should be funded through the S106 agreement and works added into the S278 agreement if there are no insurmountable objections to the legal processes:

- As detailed above, it would be appropriate to introduce a 20mph zone within the site. The design of the internal layout should include engineering features to manage vehicle speeds and enhance highway safety.
- An extension of the existing 20mph Speed Limit on Waddington Road, from its present transition point to the north of Milton Avenue to a point north of the entrance to Clitheroe Cemetery.
- A length of prohibition of waiting to both sides of Castle View to allow buses to safely use the junction with Bawdlands.
- A length of prohibition of waiting at the Kirkmoor Road junction to enable the junction to operated efficiently.
- Further waiting restrictions at junctions to be improved as part of the mitigation measures which will become apparent once the design of these junctions is agreed and finalised.
- Introduction of a zebra crossing on Waddington Road to assist with pedestrian movements.

Proposed Off-Site Highway Works

55. The provision of the following off site highway works should be delivered through a Section 278 Agreement (some elements of this list may be dependent on successful completion of the Traffic Regulation Order processes as explained above):

- A zebra crossing is required on Waddington Road.
- The proposed priority and right turn junction design from Waddington Road into the site.
- The provision of improved footway and cycling provisions linking the site to Clitheroe town centre via Corbridge Court and back King Street. This is to maximise pedestrian access between the proposed development site, the bus and rail interchange and the town centre.
- The proposed mini-roundabout junction design at Railway View Road and Waddington Road.
- Improvements to the Waterloo Road and Shawbridge Street junction. These are not yet agreed with the

developer.

- Improvements to the Whalley Road / Queensway mini roundabout.

Other Items for inclusion in a S106 Agreement

56. Travel Plan. A contribution of £24,000 is required to enable Lancashire County Council Travel Planning team to provide a range of services as described in 2.1.5.16 of the Planning Obligations in Lancashire paper dated September 2008.
57. Funding for the improvement of bus services £110,000 per year (index linked) for 5 years.
58. The developer will make a contribution of £10,000 for the provision of a secure cycle storage facility at the Clitheroe Railway Station.
59. A contribution is required in the sum of £6,000 for the S106 component of cost (construction costs to be included in a S278 agreement) for highways related projects including improved cycle and pedestrian linkages to the town centre. This funding would be used also for 'no waiting' restrictions, extension of the 20 mph zone, a 20 mph order for the internal estate roads, and the zebra crossing.

In the event that the Council is minded to grant outline planning permission, LCC Highways recommend the imposition of a number of conditions and informatives. Compliance with some of the recommended conditions will be dependent on an appropriate agreement being reached with the applicants on matters pertaining to funding of consultation and legal procedures relating to Traffic Regulation Orders.

**LANCASHIRE COUNTY
COUNCIL (PLANNING
CONTRIBUTIONS):**

Following an education assessment on 25 September 2014, LCC has advised that a contribution for 41 secondary school places and 44 primary school places will be required. This results in a request for a contribution of £743,182 (£18,126.38 x 41 places) towards secondary school places and £529,303 (£12,029.62 x 44 places) towards primary school places.

The County Council, however, refers to four pending planning applications that would have an impact on the group of schools that are relevant to this application in Clitheroe. If decisions are made on any of these developments (including the outcome of any appeals) before agreement is sealed on this contribution, the County Council may need to reassess its position taking into account the likely impact of such decisions. This would not affect the requested contribution towards two secondary school places but could result in a claim for up to 83 primary school places. The maximum claim for primary school places could therefore be £998,458 (£12,029.62 x 83 places).

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

LANCASHIRE COUNTY
COUNCIL
(ARCHAEOLOGY):

Has commented that the site was the subject of both a geophysical survey and archaeological field evaluation in 2012 by Archaeological Research Services. The surveys did not encounter any significant archaeological features and no further archaeological investigation of the site is considered necessary.

ENVIRONMENT
AGENCY:

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

In relation to flood risk, the application site is greater than 1 hectare in size and lies within Flood Zone 1, which is defined as having a low probability of flooding in the National Planning Practice Guide (PPG) to the National Planning Policy Framework (NPPF). In accordance with the NPPF, the application is accompanied by a Flood Risk Assessment (FRA).

EA has reviewed the submitted FRA (Ref: 263 – FRA Rev 2.0, dated 2 July 2014) in relation to the risk of flooding on and off-site and they are satisfied that the proposed development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere, provided that any subsequent development proceeds in accordance with the recommendations outlined in the approved FRA. This should be ensured by an appropriate condition.

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

In relation to the aquatic environment, EA has given advice in relation to the watercourse that crosses the site. (The applicant is aware of this advice and it will inform any subsequent reserved matters applications).

In relation to foul drainage EA advises that the development should comply with Paragraph 20 of the “Water supply, wastewater and water quality” category of the PPG. As this site is in an area served by the public sewer, any development on this site would be expected to connect all foul drainage to the existing sewer network.

In relation to pollution control EA advises that, prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking/servicing areas should be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained.

UNITED UTILITIES:

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

In accordance with NPPF and the Building Regulations, the site should be drained on a separate system with foul drainage to the public sewer and surface water draining in the most sustainable way. Building Regulation H3 clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. The developer is asked to consider the drainage options in the following order of priority:

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

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

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

ELECTRICITY NORTH WEST:

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

SPORT ENGLAND:

Has no comments to make on this application.

ADDITIONAL REPRESENTATIONS:

Letters have been received from 338 local households (more than one letter has been received from some households). The letters are on file and available for viewing by Members, but a summary of the objections that they contain is as follows:

1. Planning Policy Issues

- The application site is outside the long established historical and natural boundary of the town. The proposed development is not consolidation or rounding off.
- At the time of the Public Inquiry, the Inspector did not give much weight to the Core Strategy and dealt with the appeal on the basis of NPPF. The Core Strategy is now at a more advanced stage and (as stated by an Inspector in a more recent appeal) now carries substantial weight. Councillors should now therefore be in a position to decide what development is appropriate.
- The previous application was refused because the development represented an urban extension in the open countryside that would change the character of this area of countryside to the detriment of the visual amenities of the area contrary to Local Plan Policies G1, G2 and ENV3 and Core Strategy Policies DMG1, DMG2 and DME2 and the provisions of NPPF in respect of visual amenity considerations. These reasons for refusal remain valid.
- The Council presently has a five year housing supply. This application should be determined in relation to the up to date housing supply figures.
- With over 2,000 dwellings built or in the pipeline, this more than satisfies the Core Strategy requirement for the town for the foreseeable future.

2. Highway Safety/Traffic Issues

- The revised traffic flow forecasts seem grossly understated. The Appeal Inspector accepted a figure of 7 journeys per dwelling and this should be applied across the board.
- In assessing trip generations it is inevitable that most residents on the proposed development would drive to employment outside Clitheroe using the A59. There is little evidence locally of any extensive use of public transport or cycling as a means of access to employment sites.
- 275 dwellings on the application site would generate 1,925 journeys per day and the already approved 50 dwellings at Milton Avenue would create 350 journeys giving 2,275 additional journeys per day along Waddington Road.
- The bridge on Waddington Road has a height limit and floods from time to time. The applicants have offered to fund works to mitigate the flooding problem but have not suggested how this could be achieved.

- The footpaths under the railway bridge are very substandard being of inadequate width, particularly for wheelchair users and mobility scooters and additional traffic will only increase the possibility of an accident.
- There is already regular traffic congestion on Waddington Road at peak times and the development will only exacerbate this problem.
- A mini roundabout is proposed at the junction of Waddington Road and Railway View but in considering traffic flows at this junction have the permissions for 460 dwellings or thereabouts at Henthorn and Low Moor being taken into account.
- Two alternative schemes for seeking to mitigate issues at the Shawbridge Street/Waterloo Road mini roundabout are suggested without coming to a conclusion. Both alternatives appear to be tinkering with what will prove to be a severe congestion issue.
- Traffic lights would increase congestion and there is strong concern as to whether an improved mini roundabout would be capable of coping with the additional traffic generated by this application and the various other approved housing developments in Clitheroe.
- The traffic flow at the Shawbridge Street/Waterloo Road roundabout is compromised by other junctions in the locality at Wellgate, Duck Street and Taylor Street plus the access to the Lidl supermarket. Consideration should therefore be given to additional mini roundabouts at these junctions.
- There has been insufficient traffic flow modelling within the Transport Assessment and restricting the projected flow to the year 2017 is inappropriate and it would be more realistic for this to be extended out to 5, 10 or 15 years.
- Given the reduced number of houses, the proposed bus/emergency vehicle access via Kirkmoor Road is unnecessary. There does not appear to have been any consultations with the Police, Fire and Rescue Service, Ambulance Service or bus companies in relation to this particular proposal.
- There is already a regular bus route on Waddington Road and, given the proximity of the site to the Clitheroe public transport interchange there has to be a question of whether there would be a demand for an additional bus service.
- Due to ownership issues, it is questionable whether the proposal to link the site with the adopted part of Kirkmoor Road is deliverable.

- The proposal involving a vehicle exiting Eastwood bungalow directly on to the proposed road with no visibility whatsoever is positively dangerous.
- A regular bus route along Kirkmoor Road and Castle View would be torturous and inevitably from time to time a bus would find itself unable to get through because of parked vehicles.
- The provision of no waiting near to Bawdlands Bridge would improve safety but there are issues as to whether displaced vehicles would then park given the existing pressures on highway parking in the locality. This would also not mitigate the sub-standard sightlines at Bawdlands Bridge and this junction is not suitable for a regular bus route.

3. Public Health Issues

- Ribble Valley has the highest per capita CO₂ emissions in England. Traffic congestion increases toxic emission. These cause diseases which will be made worse when they occur in the background of already high air pollution.
- NPPF states that Councils should promote healthy communities. Additional houses will cause more traffic causing more congestion that will directly influence the health and safety of pedestrians including hundreds of children who daily walk to school.
- The loss of walking spaces will have a detrimental effect on the health of the community.
- Green spaces ameliorate CO₂ levels. This proposal results in the loss of green spaces.
- The proposal results in the loss of green spaces.
- The proposal is likely to be further detrimental to safety due to increased risk of injury through road traffic accidents.

4. Detriment to the local landscape.

5. Detriment to the local ecology and wildlife.

6. Loss of public footpaths.

7. This is incremental planning that lacks foresight.

8. It is the wrong development in the wrong location on the wrong side of the railway line.

9. The existing infrastructure of the health centre, doctors, dentists and schools are all already struggling to cope with existing demand. The proposed development will exacerbate this problem.

Proposal

The application seeks outline permission for a development of up to 275 new dwellings. All matters except access are reserved for consideration at reserved matters application stage.

An illustrative master plan has been submitted which shows the general layout of the development and the position of the proposed points of access.

The principal vehicular access into the site would be formed by the creation of a new junction onto Waddington Road. This would provide vehicular access to all of the proposed dwellings. A bus and emergency vehicle only access would also be formed onto Kirkmoor Road.

The illustrative internal site layout includes the retention of the public footpath that crosses the site, which is to be improved to provide a safe, overlooked and well lit pathway through the centre of the development. The existing watercourse that crosses the site is also to be retained within an open space area/wildlife green corridor. There would also be a formal public open space on the eastern part of the site.

The density of the development would vary across the site with higher density on the eastern part of the site (closest to the existing high density development within the town centre); medium density in the centre of the site and lower density of those parts of the site adjoined by undeveloped land.

Substantial landscape/screen planting is also shown on the majority of the external boundaries of the site.

It is proposed that 30% of the dwellings would be “affordable”.

Site Location

The application site comprises 9.2 hectares of agricultural land that is outside, but adjoining the western settlement boundary of Clitheroe.

To the north, the site is immediately adjoined by dwellings in Brungerley Avenue, by a field use for the grazing of horses and by the section of Waddington Road onto which the access is to be formed. To the northeast, but not immediately adjoining the site are Milton, Cowper and Chester Avenues, together comprising a high density of residential area.

The northern part of the western boundary is adjoined by land designated as an extension to the existing cemetery. The southern part of the western boundary is adjoined by open countryside.

The western part of the southern boundary is adjoined by open countryside whilst the eastern part of that boundary is adjoined by housing development in Kirkmoor Road, Kirkmoor Close and Corbridge Court.

To the east, the site is adjoined by a proposed housing development site (3/2011/0892/P – refused by allowed on appeal) beyond which is the Chester Avenue public car park.

Relevant History

3/2012/0913/P – Outline application for a development of up to 345 dwellings and a 50 place crèche/nursery with all matters except access to be reserved for consideration at reserved matters application stage. Refused and appeal dismissed.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy G11 - Crime Prevention.

Policy ENV3 - Development in Open Countryside.

Policy ENV6 - Development Involving Agricultural Land.

Policy ENV7 - Species Protection.

Policy ENV10 - Development Affecting Nature Conservation.

Policy ENV13 - Landscape Protection.

Policy H20 - Affordable Housing - Villages and Countryside.

Policy H21 - Affordable Housing - Information Needed.

Policy RT8 - Open Space Provision.

Policy T1 – Development Proposals – Transport Implications.

Policy T7 – Parking Provision.

The Core Strategy Submission Version as proposed to be modified

Key Statement DS1 – Development Strategy.

Key Statement EN2 – Landscape.

Key Statement EN3 – Sustainable Development and Climate Change.

Key Statement EN4 – Biodiversity and Geodiversity.

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMG3 – Transport and Mobility.

Policy DME1 – Protecting Trees and Woodland.

Policy DME2 – Landscape and Townscape Protection.

Policy DME3 – Site and Species Protection and Conservation.

Policy DMH3 – Dwellings in the Open Countryside.

National Planning Policy Framework (NPPF).

National Planning Policy Guidance (NPPG).

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application relate to the planning history of the site (previous application 3/2012/0913/P), the principle of development, highway safety/traffic issues, infrastructure provision, ecology/tree considerations, effects upon visual amenity, effects upon residential amenity, affordable housing, public open space provision, public footpath and archaeology.

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

Previous Application 3/2012/0913/P

This previous application sought outline permission for a development of up to 345 dwellings and a 50 place crèche/nursery. All matters except access were reserved for consideration at reserved matters application stage.

That application related to the same site as the site as outlined in red on this current application. In the previous application there were two principal points of access. A new junction with a right turn ghost island was to be formed onto Waddington Road in order to give access to 220 of the proposed housing units and the crèche. The second access, that was to serve the remaining 125 dwellings, was to be formed onto Kirkmoor Road. This second access would have connected, via Castle View, to Bawdlands where a signalled junction was proposed. Within the site, a bus shuttle route was indicated with a second of bus only highway linking the northern and southern separate sections of estate roads. This would have had a post gate, to prevent shortcutting by cars, but the link road could also be used by emergency vehicles.

Application 3/2012/0913/P was considered by Planning and Development Committee on 14 February 2013 and was refused for two reasons relating to the matters of visual impact and prematurity. As the Lancashire County Council Highway Authority have not expressed any objections to that previous application, there was no reason for refusal relating to highway safety or other traffic related issues.

An Appeal was submitted against the refusal that was decided at a Public Inquiry. As a result of a review of the planning balance, appeal decisions received around about that time, ministerial advice and new evidence available to the Council, the decision was taken that the Council would not defend the appeal.

The Inquiry nevertheless proceeded in August and September 2013 with the Appellants and third parties putting forward their respective cases. The Appeal was called in by the Secretary of State and the decision letters from the Inspector and the Secretary of State were issued on 23 January 2014. The Appeal was dismissed on the ground that the Inspector and the Secretary of State did not consider Kirkmoor Road to be a suitable access to serve part of the proposed scheme. On all other counts however, the proposal was considered to be acceptable.

At para 303 the Inspector states that “in summary, the presumption in favour of sustainable developed prevails over all matters except for highways. Even then, there is the option to relook at the Waddington Road access to ascertain the level of development on the Appeal site that could be served from this single access, with bus/emergency access retained to connect to Kirkmoor Road”.

Principle of Development

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

Policy G5 of the DWLP is also applicable to the proposals. The policy is intended to recognise

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

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

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

When assessing the proposals against the Core Strategy policies at this stage, a central issue for consideration is whether the proposals would cause harm to the Development Strategy. Main Modification 54 of the Core Strategy Proposed Main Modifications (May 2014) outlines the proposed modifications to Policy DMG2: Strategic Considerations. This policy states that *development should be in accordance with the Core Strategy Development Strategy and should support the spatial vision. Development in the principal settlements of Clitheroe, Longridge and Whalley and the more sustainable defined settlements (Tier 1 Villages) should consolidate, expand or round off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with the existing settlement.* It is considered that the proposals would therefore comply with policy DMG2 of the Core Strategy.

In assessing the impact on the Development Strategy however, main modification 21 and 25 of the Core Strategy Proposed Main Modifications (May 2014) outlines the proposed modifications to Key Statement DS1: Development Strategy. This policy states that *the majority of new housing development will be concentrated within an identified strategic site located to the south of Clitheroe towards the A59; and the principal settlements of Clitheroe, Longridge and Whalley.* Policy DS1 goes on to state that *in general, the scale of planned housing growth will be managed to reflect existing population size, the availability of, or the opportunity to provide facilities to serve the development and the extent to which development can be accommodated within the local area.* As set out under Main Modification 21 and 25 of the Core Strategy Proposed Main Modifications (May 2014), the overall number of residential units to be provided in the Clitheroe area over the plan period (2008-2028) is 2320, with the residual requirement at 30 June 2014 of 226 units.

Whilst the site lies just outside of the existing settlement boundary for Clitheroe, it is clear that further development will be required within the Clitheroe area to accommodate the residual

residential requirement set out in the Core Strategy. It is accepted that the settlement boundaries for these principal settlements will be subject to a review to ensure clarity and conformity with the Core Strategy. With this in mind it is considered that 275 units would be an acceptable number in light of the residual requirement, making the proposals acceptable in housing numbers terms. Whilst DWLP policy ENV3 and G5 remain as saved policies until such a time that the Core Strategy becomes adopted, it is not considered that the proposals conflict with these policies. The policy direction of DWLP policy ENV3 is reflected in Key Statement EN2: Landscape, stating that *as a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.*

In addition to the Core Strategy, the NPPF also needs to be considered. Paragraph 55 of the National Planning Policy Framework (NPPF) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. This site is clearly not isolated and is not remote from other built form. Indeed, the site is close to a variety of services within the Key Service Centre of Clitheroe such that it is a highly sustainable location for development.

The proposal is therefore considered to be acceptable in principle.

Highway Safety/Traffic Issues

The appeal relating to the previous application was dismissed solely for reasons relating to highway matters. The principally related to the proposal to serve 125 dwellings by an access from Kirkmoor Road and the implications on this on the junction of Castle View with Bawdlands. Other than as a bus/emergency route, that access has been deleted from this current application. The Inspector also commented, however, that “whilst the access to Waddington Road would be acceptable, there are unresolved issues along Waterloo Road”.

The comments of LCC Highways on this current application have been included in full earlier in this report. From this it can be seen that, whilst there still appear to be unresolved issues relating to the treatment of the Waterloo Road/Shawbridge Street junction, it is considered that these matters can be resolved such that permission can be granted subject to appropriate conditions.

Infrastructure Provision

Concerns have been raised by persons objecting to the application about the ability of the schools in Clitheroe to cope with the additional demands generated by this proposed development.

The County Council has requested a financial contribution to address the shortfall in both primary and secondary school places. This is in accordance with the normal practice. The applicants have submitted a draft Section 106 Agreement with the application in which there is an undertaking to pay to Lancashire County Council a contribution towards the provision of school places.

Subject to conditions, the Environment Agency does not express any objections to this application.

United Utilities has not expressed any objections to the application.

In relation to the previous application (that was for a greater number of dwellings) the Appeal Inspector commented on the matter of infrastructure, including schools, doctors, dentists, burials and services. The Inspector commented that the local education authority has a legal responsibility to provide education for children of school age and a contribution is required of the developers to secure this where necessary. Doctors and dentists tend to be demand-led and in such a pleasant town as Clitheroe this should not prove problematical. The Inspector commented that future hospital accommodation had been raised, highlighting the shortfall in provision at the new hospital compared to the increase in population. The Inspector considered that this may not so surprising because many specialist procedures are now being transferred to centres of excellence, which are often remote from the local hospital. As for burials, the Inspector pointed out that the Council is proposing a cemetery extension to accommodate future interments. The Inspector, therefore, did not see any objections to the previous application in relation to the provision of infrastructure.

For these reasons I can see no issues relating to infrastructure provision that would represent reasons to refuse this current application.

Ecology/Tree Considerations

In respect of the previous application, an Ecological Assessment (EA) and an Arboricultural Impact Assessment (AIA) were submitted. Subject to appropriate mitigation measures, neither of these Assessments identified any undue harm to the ecology or trees that would represent sustainable reasons for refusal of the application. Other than a comment that there should be more substantial new planting on the site boundaries with the open countryside, the Council's Countryside Officer did not dispute the findings of either of these Assessments. Ecological and arboricultural matters were given thorough consideration at the Public Inquiry. In his decision letter, the Appeal Inspector accepted that some trees and hedge would be lost, but these were not the best specimens. However, the Inspector commented that in addition to the retention of most trees and some hedgerow, much more new landscape would be planted. He therefore did not consider there to be any cogent objection arising from this particular topic.

In relation to fauna, the Inspector commented that there are no records of any protected species living on the site. This includes badgers, deer, otters, bats, water voles and owls. He recognized, however, that in some cases these species may forage over the area and that, as a direct or indirect consequence of the development, such foraging opportunities for some would diminish or possibly even disappear. The Inspector considered this to be a negative point that needed to be taken into account.

The Inspector commented, however, that wildlife corridors would be incorporated into the development and that, during the construction period, soil stripping and earth moving would be outside the bird breeding season. He added that the landscape proposals would include enhanced planting of indigenous species and that this may arrest any predicted decline. In any event, with areas of open countryside having to be forfeited in order to provide the necessary amount of housing, the ecological contribution of the site would be harmed no more than most. As such, the Inspector considered that the effects would register a small negative factor but not of sufficient weight to materially affect the overall balance.

Similar Ecological Assessments and Arboricultural Impact Assessments, with similar conclusions and recommendations, have been submitted with this current application. As shown on the submitted illustrative layout plan, the proposal (that is for a reduced number of dwellings with increased peripheral planting) would not have any detrimental effects upon

trees/ecology of any greater magnitude than those considered to be acceptable by the Appeal Inspector (and also the Secretary of State) in their consideration of the previous application.

Subject to appropriate mitigation measures, secured through conditions, I can therefore see no sustainable reason for refusal of this current application in relation to ecological and arboricultural issues.

The Effects Upon the Character, Appearance and Landscape of the Countryside Area

A Landscape Visual Impact Assessment (LVIA) was submitted with the application in which it was accepted that the proposed development would affect the visual amenity of users of the site and from views that are generally at close quarters as seen by:

1. walkers using the footpath that crosses the site and the footpath that runs along its western boundary;
2. the occupiers of existing residential properties;
3. users of the short section of Waddington Road where the new access is to be formed;
4. from the cemetery to the west and the older burial ground on the northern side of Waddington Road.

It was, however, stated in the previous LVIA that through the use of landscaped buffers, an integrated landscaping and tree planting scheme to the development and a sensitive choice of building materials the impacts could be appropriately mitigated. The overall conclusion was that, with mitigation, the landscape and visual impact would be within the range “minor adverse to negligible/minor beneficial” with new landscaping providing an enhanced biodiversity within the locality.

It was also accepted in the previous LVIA that, with regards to the footpath that crosses the site, the development would lead to changed experience for users that this could be associated with the open space areas in the development and which could provide a positive experience in amenity terms.

The view of the site from Clitheroe Castle was also examined in the previous LVIA. The conclusion reached was that the development would form a “closed edge” to built form as development wraps around to meet with existing properties on Waddington Road; and that the impact would be moderate adverse moving in the longer term to minor adverse. Overall, therefore the previous LVIA accepted that the proposal would have adverse effects upon visual amenity but generally considered that these would be mitigated in the longer term by appropriate landscaping/screening.

The effects of the development on the character appearance and landscape of the countryside were given very careful and thorough consideration in the Public Inquiry.

In this decision letter, the Appeal Inspector concluded in relation to this particular consideration that there could be little doubt that the experience for those using and viewing the area would be devalued. He acknowledged that there would be a loss of open countryside, which, he said, would run counter to the aims and objectives of a strict application of saved Local Plan and emerging Core Strategy Policies. Even so, with no special landscape designation, he

considered that this would amount to only a small negative factor and not a determining issue in its own right. He considered that the crucial point was that the boundaries of Clitheroe have got to be relaxed in order to meet the Council's future housing demands, and he considered the appeal site to be one of the least vulnerable locations in landscape and agricultural terms and, he stated that locationally it is the most sustainable site available.

This current application is for a lesser number of dwellings on the same site. A new Landscape and Visual Impact Assessment (LVIA) is submitted with the application. This has taken into account points made during the consideration of the previous application and appeal (such as a proposed increase in landscape screen planting on the edges of the development in response to a point made by the Council's Countryside Officer but broadly reaches the same conclusions as the previous LVIA.

As those conclusions were supported by the Appeal Inspector; and as the number of properties has now been reduced, and the amount of natural screening has been increased; I can see no sustainable objections to the current application in respect of its impact on the appearance and landscape of the locality.

Effects Upon Residential Amenity

The illustrative site layout submitted with this outline application shows a landscaping/screen planting belt on the southern and south eastern boundaries of the site adjoining existing residential properties in Kirkmoor Road, Kirkmoor Close and Back Commons; and also on the northern boundary adjoining dwellings in Brungerley Avenue.

Any reserve matters application will be expected to broadly comply with this particular feature of the illustrative site layout. Through such appropriate screen planting and appropriate separation distances between existing and proposed dwellings, these specific effects of the development on the amenities of existing nearby residents will be properly assessed and addressed at reserved matters application stage.

In relation to the previous application, the Appeal Inspector commented that whilst a few existing residents would suffer a significant loss of view; this was not of such magnitude as to justify withholding planning permission. The Inspector commented that buildings and planting would have to be laid out such that there would be no inordinate sense of overbearing or undue loss of light or privacy. The Inspector commented that the loss of view for a limited number of residents did not constitute a minor level of objection to the scheme, and said that it must be remembered that no one has the right to an uninterrupted view.

I consider that the Inspector's comments would equally apply to the development as shown on the illustrative layout submitted with this current application. As such, I can see no sustainable reason for refusal of the application relating to the effects of the development upon the amenities of nearby residents.

Affordable Housing

During the consideration of the previous appeal, a Unilateral Undertaking (UU) was formulated for use in the event that the Inspector had been minded to allow the appeal. Amongst other things, this contained an undertaking in respect of the provision of affordable housing. That UU (that was agreed by both parties and by the Planning Inspectorate) has been submitted as a draft Section 106 Agreement with this application, but with all numeric values, percentages etc

deleted. The Council's Strategic Housing Officer has provided those figures/values by stating as follows:

1. There should be a total of 83 affordable units with 50% shared ownership and 50% affordable rental.
2. A discounted sale unit would be at a discount of 60% of open market value.
3. The final (83rd) property shall be complete before the 96th market dwelling is occupied.
4. There should also be a minimum of 41 properties that are suitable to accommodate older people, 50% of which can be included within the affordable housing provision.

In the event that this application is approved, the Section 106 Agreement will be drafted to reflect the Council's affordable housing requirements as stated above.

Public Open Space

The submitted illustrative layout shows the retention of both the existing public footpath and the existing watercourse that cross the site within "linear" open spaces plus the provision of an equipped children's play area in a central location within the site, and a further public open space on the eastern part of the site coupled with a financial contribution to mitigate the impact of the dev on local sports facilities. Taken together, these public open spaces represent sufficient open space for this development. In the event that outline permission is to be granted, conditions will be required to ensure the provision of these public open spaces as indicated on the illustrative master plan and also to ensure their future management and maintenance (that would be by the applicants and not by the Council).

The Council is currently in the process of undertaking an assessment of need in respect of the open space and sports facilities in the Borough and whilst this is currently in draft form, the assessment is at an advanced stage of production and will be presented to both the Planning and Development Committee and the Community committee once finalised. In respect of Clitheroe, the assessment identifies specific areas for improvement in respect of the quality of the facilities available for use by residents and attributes a cost to these improvements based on information produced by Sport England. The improvements identified would secure the following:

Clitheroe-

Swimming Pool modernisation scheme at Ribblesdale Pool

Artificial Pitch

(87% shared with Whalley 13%)

Small Sided Artificial Pitch

Clitheroe Rugby Club Pitch improvement

Roefield Sports Hall improvements

Edisford Grass Pitches improvements

Contribution to Play Facility Provision

The contribution towards improvement of facilities which would include the swimming pool would be in the region of £350,000 (£1,270 per dwelling) would be required to mitigate the

impact of the development on sports and open space facilities in Clitheroe and to improve the quality of provision. This would be included in the Section 106 Agreement.

Public Footpaths

In the previous application, all the footpaths crossing and bounding the site were to be kept open on their existing routes, and new footpaths were to be created within the site. In respect of that previous application, the Appeal Inspector accepted that there would “undoubtedly be a diminution of enjoyment with the loss of tranquility and of perceived openness, with the greater sense of enclosure, whether caused by the proximity of built development or the additional activity and landscape features” on balance, he accepted that there would therefore be some loss of benefit but did not consider this to represent a sustainable reason for refusal of the application.

In the master plan submitted with this current application, again, all existing footpaths are to be retained on their existing routes, and new footpaths would be created within the development. The existing Public Right of Way that passes through the site would be maintained within a landscaped “linear” open space. Whilst the experience of persons using the footpath would therefore undoubtedly change, I agree with the conclusion reached by the Appeal Inspector that this would not be so harmful as to represent a sustainable reason for refusal of the application.

Archaeology and Heritage

As a result of surveys and archaeological field investigations carried out in 2012, the County Archeologist has been able to confirm that this application does not have any archaeological implications. No archaeological mitigation measures are therefore required.

Waddow Hall (Grade II listed) is located on the opposite side of the River Ribble approximately 500m away from the application site. In the local list of Lancashire’s Unregistered Historic Designated Landscapes (2013) Waddow Hall is described as a country house with parkland; and in the earlier Historic Designated Landscapes of Lancashire (1998) there is mention of a “vista across River Ribble”.

In the Appeal Inspector’s decision letter, he states that “the appeal proposals would invite no marked visual impact from the lower floors and grounds of Waddow Hall. Whereas there would be some perception from upper floors, the intention of strengthening the tree landscape belt to the north and west of the appeal site would filter these views in time. Nevertheless, with the residential development proposed, the character of the area would change and this would be a negative factor to be weighed in the balance.

Having made that planning balance, the Inspector did not consider there to be any sustainable reason for refusal of the appeal concerning the effects of the proposal on the setting of Waddow Hall. Given the distance between the site and the listed building; and the strengthening of the landscape screen planting in the current application, I consider that there would be minimal, if any, detriment to the setting of the listed building; and that any such harm would not outweigh the benefits of the proposal.

Section 106 Agreement Content

A draft Section 106 Agreement was submitted with the application and is in the process of being checked by colleagues in the legal section. As detailed earlier in this report, the Section 106 Agreement will need to cover the following matters:

1. Affordable Housing

- The provision of 83 affordable dwellings 0 50% shared ownership and 50% affordable rental.
- Discounted sole units to be at a discount of 60% of open market value.
- The final (83rd) affordable property to be completed before the 96th marker dwelling is occupied.
- The provision of a minimum of 41 properties to be accommodation suitable for older people – 50% of which could be included within the affordable housing.

2. Education Contributions

- The payment to be County Council, as education authority, of the sum of £529,303 towards the provision of 44 primary school places, and the sum of £743,182 towards the provision of 41 secondary school places.

This is subject to a requirement for possible reassessment once more detailed information regarding bedroom numbers is available and also in the event that any of four specified pending planning applications are determined prior to the contributions stated above having been finalised.

3. Highways/Sustainable Transport Contributions

- Travel Plan. A contribution of £24,000 to enable Lancashire County Council Travel Planning team to provide a range of services as described in 2.1.5.16 of the Planning Obligations in Lancashire paper dated September 2008.
- Funding for the improvement of bus services £110,000 per year (index linked) for 5 years.
- A contribution of £10,000 for the provision of a secure cycle storage facility at the Clitheroe Railway Station.
- A contribution of £6,000 for the S106 component of cost (construction costs to be included in a S278 agreement) for highways related projects including improved cycle and pedestrian linkages to the town centre This funding would be used also for 'no waiting' restrictions, extension of the 20 mph zone, a 20 mph order for the internal estate roads, and the zebra crossing.

4. Offsite Recreation Facilities

- A contribution of in the region of £350,000

Conclusion

As explained in the report, the application follows a previous application (3/2012/0913/P) that sought outline permission for a development of up to 345 dwellings and a 50 place crèche/nursery on the same site as the site of this current application. In the previous application, a new junction was to be formed on to Waddington Road in order to give access to 220 of the proposed dwellings and the crèche/nursery; and a second access, that was to serve the remaining 125 dwellings, was to be formed on to Kirkmoor Road.

Permission was refused, and an appeal was submitted that was considered at a Public Inquiry.

In the Public Inquiry all relevant matters were given thorough and careful consideration by the Inspector. In the Inspector's decision letter under the heading 'Overall Balance and Conclusion' the Inspector made a number of comments that, for clarity, I summarise below as a series of bullet points:

- The proposal would not conform to the Local Plan but this is an old plan and in the absence of an up to date replacement, the default position identified in NPPF prevails.
- Thus, as the site constitutes sustainable development there is a presumption in favour of the appeal scheme unless other material circumstances dictate otherwise. The permission would stand even if there was a five year supply of readily available housing land.
- The Council did not argue prematurity as, even with the strategic site at Standen, more land would need to be released to meet the Core Strategy figure of 250 dwellings per annum.
- In relation to the rural landscape, the site has no special designation and, whilst there might be some harm, there is acceptance that some countryside around Clitheroe would have to be forfeited. The boundaries of the town will need to be revised and, the modest harm to the countryside landscape, its usage and public and private views do not constitute a cogent reason for dismissing the appeal.
- There are minor to moderate objections in relation to matters such as ecology, flooding under the railway bridge and some broader sustainability aspects. However, taken individually or cumulatively they are not sufficient to outweigh the presumption in favour of sustainable development. Even if combined with the landscape harm, this would not tip the balance in favour of dismissal.
- This is the most sustainable undeveloped site, immediately outside the present town boundary of the largest and most sustainable town in the borough.
- Common sense dictates that this site will almost certainly be developed at some time in the future.
- There are, however, compelling highway objections to the proposal.
- Whilst the access to Waddington Road would be acceptable, there are unresolved issues along Waterloo Road.

- Crucially, however, the combination of geometrically substandard junction of Castle View/Bawdlands Bridge and the heavily parked Castle View and Kirkmoor Road route together with the additional environmental intrusion for local residents living on these roads forge a compelling reason for refusal.
- In summary, the presumption in favour of sustainable development prevails over all matters except for highways.
- Even then, there is the option to relook at the Waddington Road access to ascertain the level of development on the appeal site that could be served from this single access, with a bus/emergency access retained to connect to Kirkmoor Road.
- As it stands, the adverse impacts of allowing the appeal proposals as they are, would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
- Accordingly, and having taken into account all of the matters raised, this particular project should be rejected and the appeal should fail.

The Inspector therefore made a recommendation to the Secretary of State that the appeal should be dismissed. The Secretary of State agreed with the Inspector and the appeal was dismissed for the highway safety/traffic related reason recommended by the Inspector.

In accordance with the Inspector's recommendation, this current application has relooked at the Waddington Road access as the sole access to serve the proposed reduced number of dwellings (and with the crèche/nursery having been deleted from the proposal).

As stated previously, the comprehensive comments of Lancashire County Highways are included in this report. From these comments it appears that (subject to agreement on the precise details of the works required to the Waterloo Road/Shawbridge Street junction – that can be achieved through appropriate conditions) the proposed development is considered to be acceptable in relation to all highway considerations.

As this proposal does not result in any greater harm or impact in relation to any other considerations than the effects that the Appeal Inspector considered to be acceptable; and as the Inspector's single objection on highway grounds appears to have been satisfied, it is considered that outline planning permission can be granted in respect of this amended scheme subject to appropriate conditions, but following the completion of an appropriate Section 106 Agreement.

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

1. Approval of the details of the siting, design and external appearance of the building[s], and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.
2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the siting, design and external appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.
3. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of [three] years from the date of this permission.
4. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later
5. The submission of reserved matters in respect of layout, scale, appearance and landscaping shall be carried out in accordance with the Design and Access Statement and the 'illustrative master plan' (Drawing number 1110.1) submitted with the application.

REASON: To define the scope of the permission.

6. The development hereby permitted in outline relates to the erection of up to 275 residential units. The application for reserved matters shall not exceed 275 residential units.

REASON: To define the scope of the permission.

7. Prior to the commencement of development, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall provide details of:

- i) Sustainable travel options for journeys to and from work for the site operatives, including pedestrian routes, travel by bicycles, journeys by train, car sharing schemes and other opportunities to reduce journeys by motor car.
- ii) The parking of vehicles of site operatives and visitors;
- iii) Loading and unloading of plant and materials;
- iv) Storage of plant and materials used in the construction of the development;
- v) The erection and maintenance of security fencing;
- vi) Wheel washing facilities;
- vii) Measures to control the emission of dust and dirt during construction; and
- viii) A scheme for recycling/disposing of waste resulting from construction works.
- ix) Periods when plant and materials trips should not be made to and from the site (mainly peak hours, but the developer to suggest times when trips of this nature should not be made).
- x) Routes to be used by vehicles carrying plant and materials to and from the site which shall have been constructed to base course level.
- xi) Measures to ensure that construction vehicles do not impede adjoining accesses.
- xii) Plans identifying the existing surface water and foul drainage systems both within the site and outside the site; measures for the protection of those systems; and a remediation strategy in respect of any damage that might be caused to any parts of the existing drainage system whether within or outside the application site

- xiii) Details of how existing habitat features, hedgerows/streams shall be retained and protected during the lifetime of the development from the adverse effects of development works by maintaining construction exclusion zones the details of which shall have first been submitted to and approved in writing by the Local Planning Authority prior to commencement of each phase of development.

The approved construction method statement shall be adhered to throughout the entire period of construction works.

REASON: In order to ensure safe working practices on or near the highway in the interests of safety and in the interests of the amenities of nearby residents in accordance with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

- 8. Prior to the commencement of the development hereby permitted in outline a scheme for flood risk mitigation shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be in accordance with the details contained in the flood risk assessment submitted with the application (reference 263 – FRA Rev 2.0 dated 2 July 2014) and shall be carried out in their entirety and thereafter retained in perpetuity.

REASON: To prevent flooding by ensuring the satisfactory storage/disposal of surface water from the site in order to prevent a mitigate the risks of flooding on and off site and to comply with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan; Policy DMG1 of the Core Strategy Submission Version as proposed to be modified and the requirements of the National Planning Policy Framework.

- 9. No development shall take place until a surface water drainage scheme for the site (based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of grey water recycling and details of the phasing of the provision of its various elements. The surface water drainage scheme shall demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details (including the approved phasing) and shall be retained in perpetuity thereafter in a condition commensurate with delivering the approved objectives.

REASON: To prevent flooding by ensuring the satisfactory storage/disposal of surface water from the site in order to prevent a mitigate the risks of flooding on and off site and to comply with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan; Policy DMG1 of the Core Strategy Submission Version as proposed to be modified and the requirements of the National Planning Policy Framework.

- 10. Prior to the commencement of development, a strategy outlining the general system of foul drainage arising from the entire site shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall include details of any necessary infrastructure including details of the phasing of the provision of its various elements. Thereafter, the detailed scheme for foul drainage for any phase of the development shall be submitted for approval in accordance with the strategy for the entire site that has been approved under this condition.

REASON: To secure proper drainage and to reduce the risk of flooding and pollution and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified and to comply with the requirements of the National Planning Policy Framework.

11. Any reserved matters applications submitted pursuant to this outline permission shall indicate the provision of a buffer zone extending 8 metres on each side of the watercourse that crosses the site. This buffer zone shall be measured from the top of the bank of the watercourse. No development, including the erection of any structures, buildings, fences, walls or other means of enclosure or formation of hard standings shall be carried out within this area unless precise details of any such developments have first been submitted to and approved in writing by the Local Planning Authority. No planting shall take place within this area except with the prior written permission of the Local Planning Authority.

REASON: To protect the watercourse and the wildlife using the river corridor and to reduce the impact of the development on biodiversity in accordance with Policies G1 and ENV10 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

12. Prior to the commencement of development, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:
 - (a) A Desk Study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on and off-site contamination and ground gases.
 - (b) If the Desk Study identifies potential contamination and ground gases, a detailed Site Investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under Part IIA of the Environmental Protection Act 1990, focusing primarily on risks to human health and controlled waters. The investigation shall address implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property. The sampling and analytical strategy shall be submitted to and approved in writing by the LPA prior to the site investigation survey.
 - (c) If the site investigation indicates remediation is necessary, a Remediation Statement detailing the recommendations and remedial measures to be implemented within the site shall be submitted to and approved in writing by the LPA. The remediation shall be carried out in accordance with the agreed statement and on completion of the development/remedial works, the developer shall submit a Verification Report to the LPA for approval in writing that certifies that all works were completed in accordance with the agreed Remediation Statement prior to the first occupation of the development.

REASON: To prevent pollution of ground and surface waters both on and off site and to ensure the site is suitable for its end use in accordance with Policies ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the Core Strategy Submission Version as proposed to be modified.

13. No development shall begin until a scheme identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods, has been submitted to and approved in writing by the Local Planning

Authority. The scheme shall then be implemented in accordance with the approved details prior to occupation of the development and thereafter retained in a condition commensurate with delivering the agreed level of energy generation..

REASON: In order to encourage renewable energy and to comply with the requirements of the National Planning Policy Framework.

14. No tree pruning or removals shall be implemented at the site, with the exception of emergency situations without the prior consent of the Local Planning Authority, which will only be granted when the Local Planning Authority is satisfied that it is necessary. All tree works shall be implemented in accordance with BS3998:2010 Tree Work – Recommendations, and carried out by an approved arboricultural contractor. Note: these restrictions shall not apply to planned systematic hedgerow maintenance works.

REASON: In order to ensure that any trees affected by the development are afforded maximum physical protection from the adverse effects of development in accordance with policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME2 of the Core Strategy Submission Version as proposed to be modified.

15. No development shall begin until details of a lighting scheme have been submitted to and approved in writing by the Local Planning Authority. [The lighting scheme shall include details to demonstrate how artificial illumination of wildlife habitats (trees with bat roost potential and hedgerows used by foraging areas bats) is minimised] and how light spillages can be minimised close to existing residential properties around the site. Lighting columns should reflect the scale and character of the town. The approved lighting scheme shall be implemented in accordance with the approved details and thereafter retained in perpetuity in a condition commensurate with delivering the agreed levels of illumination.

REASON: In order to reduce the impact of the development on biodiversity in accordance with Policies G1 and ENV10 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

16. The dwellings shall achieve a minimum Level of the Code for Sustainable Homes in force on the date of occupation. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that the appropriate Code Level has been achieved.

REASON: In order to encourage an energy efficient development in accordance with the requirements of the National Planning Policy Framework.

17. Prior to the commencement of development, precise details of the means of preventing the use of the bus lane within the development by vehicles other than authorised buses and emergency vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details and thereafter retained in a condition commensurate with delivering the desired control.

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

18. The finished floor levels of all dwellings hereby permitted in outline shall be a minimum of 150mm above ground levels at the site as existing prior to any ground level changes carried out as part of the development.

REASON: In order to mitigate the risks of flooding to properties in accordance with the requirements of Section 10 of the National Planning Policy Framework.

19. Prior to the demolition or any renovation works on the barn in the north eastern corner of the site, appropriate surveys shall be carried out to determine whether the barn is used as a roost for bats and, if so, to provide detailed advice on mitigation and design requirements. The results of the survey and any proposed mitigation measures shall be submitted for the written approval of the Local Planning Authority; and any mitigation measures shall be carried out in accordance with the approved details.

REASON: In order to minimise the impact of development on a protected species (bats) and to comply with Policy ENV7 of the Ribble Valley Districtwide Local Plan and Policy DME3 of the Core Strategy Submission Version as proposed to be modified.

20. Prior to the commencement of any site works, including the formation of the vehicular accesses, a plan, prepared in accordance with guidance in BS5837:2012, shall be submitted to the Local Planning Authority and approved in writing. The plan shall include the following:

- a) Details of trees to be retained;
- b) Details of trees proposed for removal as part of the enablement works;
- c) Details of the locations and type of temporary protective fencing to be erected, in accordance with the advice contained in BS5837 2012;
- d) Details of proposed pruning of trees to be retained as part of the enablement works, whether located on site or on adjacent land;
- e) Details of all development related proposals, including ground level changes and excavations, within 10 metres of the Root Protection Area of any tree to be retained, including those located on adjacent land.

In addition to the plan a schedule of proposed enablement related tree works shall be provided to the Local Planning Authority and approved in writing prior to the commencement of any site works.

Following the implementation of the enablement related tree works the temporary protective fencing detailed in item c) shall be erected to form Construction Exclusion Zones in accordance with BS5837 2012 and the details on the approved plan. Prior to the commencement of any development works the temporary protective fencing shall be inspected and approved in writing by the Local Planning Authority. The Construction Exclusion Zones shall remain in place until all construction works have been completed and the removal of the fencing has been agreed, in writing, with the Local Planning Authority.

During the construction works no excavations or changes in ground levels of any type shall take place within the Construction Exclusion Zones. In addition, no construction materials, including spoil, soil, rubble, etc., shall be stored or redistributed within the Construction Exclusion Zones.

REASON: To enable the Local Planning Authority to consider the details of the proposed development in relation to the existing trees.

21. No development shall take place until a check for nesting birds has been undertaken if vegetation removal is to take place between 1st March to 31st August, inclusive. The nesting bird check shall be undertaken by a suitably qualified ecologist.

REASON: To safeguard nesting bird species in accordance with the provisions of the Wildlife & Countryside Act 1981 (as amended).

22. No development shall take place until a scheme for the enhancement of the watercourse and retained hedgerows has been submitted to and approved by the local planning authority. The scheme for habitat enhancement shall include details of physical modifications to the watercourse, proposed habitat planting within the channel and details of proposals for hedgerow management. All new habitat planting to comprise locally occurring native plant species.

REASON: To safeguard and enhance the biodiversity value of the watercourse and hedgerows.

23. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i) The numbers, type, size (including number of bedrooms), tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units/bed spaces;
- ii) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) The arrangements for the transfer of the affordable housing to an affordable housing provider (or the management of the affordable housing if no RSL is involved); the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

REASON: To ensure the provision of affordable housing in order to comply with Policy H2 of the Ribble Valley Districtwide Local Plan and Policy DMH3 of the Core Strategy Submission Version as proposed to be modified and the advice contained in Section 6 'Delivering a wide choice of high quality homes' of the National Planning Policy Framework.

24. No development shall take place until a survey has been undertaken to identify any overland routes used by otters within any areas likely to be affected by construction activities. A scheme for the protection of such routes during construction and in the future shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and the approved scheme shall be implemented in accordance with the timescales set out therein.

REASON: In order to ensure that any otters in the locality of the site are appropriately protected from any potential adverse effects of the development.

25. A visibility splay at the junction of the site access onto Waddington Road shall be provided in accordance with the details shown on drawing number J087/Site access/Fig 1. This shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain within the visibility splay defined any building, wall, fence, hedge, tree, shrub or other device over the height of 0.6m from the channel level.

REASON: To ensure adequate visibility at the street junction or site access and in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified

26. No phase or 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.

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

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

REASON In order to ensure the provision of satisfactory and safe accesses into the site for construction vehicles in the interests of highway safety and to comply with policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

28. No phase or part of the development hereby approved shall be occupied or opened for trading until all the offsite highway works and works required for improved access as listed below have been constructed in accordance with a scheme which shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

- a. Restricted access off Kirkmoor Road for buses, emergency vehicles, pedestrians and cyclists;
- b. New mini-roundabout junction improvement at Waddington Road/Railway View Road;
- c. Capacity improvements to the existing Whalley Road/Queensway Road mini-roundabout junction.

REASON: In order that traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of completion of the highway works, in the interests of highway safety and to comply with policy G1 of the Ribble Valley Districtwide

Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

29. No phase or part of the development hereby approved shall be occupied or opened for trading until details of this developer's contribution to and programming of the offsite highway works and works required for improved access at the junction of Waterloo Road and Shawbridge Street have been determined in accordance with a scheme which shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

REASON: In order that traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of completion of the highway works, in the interests of highway safety and to comply with policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

30. The proposed phasing of the construction and implementation of the development applied for (including numbers to be included in each phase) shall be submitted to and approved in writing by the Local Planning Authority before any construction work takes place. No phase or part of the development hereby approved shall be occupied or opened for trading until all the off-site highway works and means of access related to the phasing of the development of the site have been constructed in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works, in the interests of highway safety and to comply with policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

31. No phase or part of the development hereby approved shall commence until a scheme for the improvement of cycle and pedestrian facilities (cycle tracks and footpaths) related to the phasing of the development of the site has been submitted to and approved in writing by the Local Planning Authority. Thereafter development shall be carried out in accordance with the approved details.

REASON: In order to encourage sustainable transport and to satisfy the Local Planning Authority and the Highway Authority that the details of improvements to cycle and pedestrian facilities are acceptable before work commences on site in the interests of highway safety and to comply with policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

32. Prior to the commencement of development, a Framework Travel Plan for the whole development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, prior to the commencement of development of any phase or portion of development, a separate Travel Plan (or up-dated information for the Framework Travel Plan) for each phase shall also be submitted to and approved in writing by the Planning Authority. The Travel Plan shall be implemented, audited and updated within the timescale set out in the approved plan.

REASON: To ensure a multimodal transport provision for the development and to reduce the traffic impact on the local road network, in the interests of highway safety and to comply with policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

INFORMATIVES

- i. The applicants are advised that the grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way would need to be subject of an Order under the appropriate Act.
- ii. The applicants are advised that 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 reserved the right to provide the highway work within the highway associated with this proposal. Provision of the highway works includes design, procurement of the works by contract and supervision of the works. The applicant is advised to contact the Developer Support Manager at Lancashire County Council by email to developeras@lancashire.gov.uk .

APPLICATION NO: 3/2014/0779/P (GRID REF: SD 372508 436005)
OUTLINE APPLICATION FOR A PROPOSED DEVELOPMENT OF 18 DWELLINGS TO INCLUDE 5 AFFORDABLE UNITS AND 13 OPEN MARKET DWELLINGS, TOGETHER WITH ASSOCIATED ACCESS ROADS, GARAGES AND GARDENS ON LAND OFF DALE VIEW, BILLINGTON, BB7 9LL

PARISH COUNCIL: The Parish Council objects to the application for the following reasons:

1. It is a further erosion of the green space in Billington, the land is outside the development boundary and there will be a loss of amenity space.
2. We are concerned about the increased volume of traffic and the access to and from the site.
3. The Parish Council are aware that this site has been flooded in the past.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): Raises no objection to the proposal on highway grounds subject to the imposition of conditions to cover the following matters:

1. The new estate road between the site and Dale View to be constructed in accordance with LCC Specification for Construction of Estate Roads to at least base course level before the construction works take place within the site.

2. No development to 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 and shall provide for:
- a) the parking of vehicles of site operatives and visitors;
 - b) the loading and unloading of plant and vehicles;
 - c) the storage of plant and materials used in constructing the development;
 - d) the erection and maintenance of security hoarding;
 - e) wheel washing facilities.

The County Surveyor also recommends the imposition of an Advisory Note on any planning permission to inform the applicant that planning permission would not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. This note is necessary because public footpaths 40 and 41 pass adjacent to the site.

The County Surveyor also made reference to a number of alterations to the internal road layout that would need to be addressed at reserved matters application stage.

LANCASHIRE COUNTY
COUNCIL (PLANNING
CONTRIBUTIONS):

Following an education assessment on 23 September 2014 LCC has advised that a contribution for two secondary school places would be required, but with no requirement in respect of primary school places. This results in a request for a contribution of £36,253 (£18,126.38 x 2 places).

The County Council, however, refers to four pending planning applications that would have an impact on the group of schools that are relevant to this application in Billington. If decisions are made on any of these developments (including the outcome of any appeals) before agreement is sealed on this contribution, the County Council may need to reassess its position taking into account the likely impact of such decisions. This would not affect the requested contribution towards two secondary school places but could result in a claim for up to four primary school places. The maximum claim for primary school places could therefore be £48,118 (£12,029.62 x 4 places).

LANCASHIRE COUNTY
COUNCIL (ARCHAEOLOGY):

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

UNITED UTILITIES:

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

In accordance with NPPF and the Building Regulations, the site should be drained on a separate system with foul drainage to the public sewer and surface water draining in the most sustainable way. Building Regulation H3 clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. The developer is asked to consider the drainage options in the following order of priority:

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

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

Overall, United Utilities would have no objection to the proposed development subject to attention being paid as appropriate to the following notes/conditions:

- Public sewers cross this site and UU will not permit building over them and would require an access strip width in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense may be necessary. To establish if a sewer diversion is feasible the applicant should discuss this matter at an early stage with the UU developer engineer.
- Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.
- No habitable buildings should be erected within 15m of the pumping station unless otherwise agreed in writing by the Local Planning Authority.
- No development shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. The development should then be completed, maintained and managed in accordance with the approved details.

ENVIRONMENT AGENCY: The Environment Agency has confirmed that they have no comment to make on this application because the proposed development is not listed in the "When to Consult the Environment Agency" document nor is it in the Development Management Procedure Order (DMPO) or in the General Development Procedure Order (GDPO).

ADDITIONAL REPRESENTATIONS: Five letters have been received from nearby residents in which objections are made to the application on the following grounds:

1. Noise and disturbance during construction works.
2. Increase in traffic on Dale View (that is not adopted and not gritted in winter) with an unsatisfactory junction with Whalley Road to the detriment of highway safety.
3. Other approved, but unimplemented, developments on Dale View should be carried out before any further permissions are granted.
4. Loss of light.
5. Loss of privacy.
6. Additional noise due to proximity of the proposed houses.
7. The development would exacerbate existing drainage and sewerage problems on Dale View.
8. Increased traffic on the wider local highway network, especially Whalley Road, adding to the extra traffic as a result of the McDermott Homes development.

Proposal

In order to describe this current proposal, it is necessary to first refer to two existing outline permissions for housing developments on land to the north of the existing housing development at Dale View; and then to refer to a recently refused application for 18 dwellings on a slightly larger site than the site of this current application. Under reference 3/2012/0065/P outline permission was granted (following the completion of an appropriate Section 106 Agreement) for a development comprising 12 houses, 8 of which were to be market housing and 4 to be affordable, and for a new foul water pumping station to replace the existing pumping station within the site that was to be demolished. That outline permission was only for the means of access, with the matters of appearance, landscaping, layout and scale reserved for consideration at reserved matters application stage. A layout plan that was submitted with that application was therefore for illustrative purposes only.

Then, under reference 3/2012/0738/P, outline planning permission was granted (following the completion of an appropriate Section 106 Agreement) for the erection of a total of 10 dwellings comprising 7 units for sale on the open market and 3 affordable units. One of the dwellings in that application (Plot 10) was a substitute dwelling for Plot 1 of outline planning permission 3/2012/0065/P relating to the adjoining parcel of land. Therefore, the total number of properties with existing outline permission at this location is 21.

The sites of the two existing outline permissions when combined form an approximate 'L' shape. Previous application 3/2013/0665/P related to a site that would "fill-in" the area to the north of the site of previous application 3/2012/0065/P and to the west and north of the site of 3/2012/0738/P. A single access point from Dale View would serve the two existing outline approved developments, and the development for which outline permission was sought by 3/2013/0665/P.

In common with the previous applications, 3/2013/0665/P again sought permission in outline with only the matter of access to be considered at that stage. As originally submitted, permission had been sought for a development of 33 dwellings comprising a mixture of detached, semi-detached and terraced houses and including an apartment block of 6 units in the north eastern corner of the site. Following consultation, however, application 3/2013/0665/P was amended to be for a maximum of 18 dwellings of which 13 would be open market and 5 would be affordable.

Part of the application site of 3/2013/0665/P was within Flood Zone 2. The application was considered by Planning and Development Committee on 24 July 2014 and was refused for a single reason that had been recommended by the Environment Agency.

This current application has been amended by a reduction in the site area in order to remove from the site that area of the previous application site that was within Flood Zone 2. Permission is again sought in outline for 18 dwellings, 5 of which would be affordable units.

If outline permission was granted in respect of this current application there would then be outline permission for a total of 39 dwellings on this land to the north of Dale View.

Site Location

The application site has an area of approximately 0.9 hectares (2.22 acres) and comprises a parcel of agricultural land and a small area of allotment land that adjoins a larger area of allotment land in respect of which outline permission has already been granted for residential development (3/2012/0738/P). The majority of the land is therefore agricultural pastureland and forms a green field area on the edge of the settlement of Billington when taking into account the two developments for which outline permission has been granted. As defined in the Local Plan however the site is just outline the western settlement boundary of Billington.

Relevant History

3/2012/0065/P – Outline application (with all matters except 'access' reserved for subsequent consideration) for 12 houses including 4 affordable dwellings. Outline permission granted subject to conditions following the completion of an appropriate Section 106 Agreement.

3/2012/0738/P – Outline application (with all matters except ‘access’ reserved for subsequent consideration) for 10 dwellings including 3 affordable units. Outline permission granted subject to conditions following the completion of an appropriate Section 106 Agreement.

3/2013/0665/P – Proposed development of 18 dwellings to include 5 affordable units and 13 open market dwellings on a site of approximately 1 hectare. Refused for a reason relating to flood risk in accordance with a recommendation of the Environment Agency.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy G11 - Crime Prevention.

Policy ENV3 - Development in Open Countryside.

Policy ENV6 - Development Involving Agricultural Land.

Policy ENV7 - Species Protection.

Policy ENV10 - Development Affecting Nature Conservation.

Policy ENV13 - Landscape Protection.

Policy H20 - Affordable Housing - Villages and Countryside.

Policy H21 - Affordable Housing - Information Needed.

Policy RT8 - Open Space Provision.

The Core Strategy Submission version as proposed to be modified

Key Statement DS1 – Development Strategy.

Key Statement EN2 – Landscape.

Key Statement EN4 – Biodiversity and Geodiversity.

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMG3 – Transport Mobility.

Policy DME1 – Protecting Trees and Woodland.

Policy DME2 – Landscape and Townscape Protection.

Policy DME3 – Site and Species Protection and Conservation.

Policy DMH3 – Dwellings in the Open Countryside.

National Planning Policy Framework (NPPF).

National Planning Policy Guidance (NPPG).

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application are the principle of development, and the effects of the proposal upon visual amenity, the amenities of nearby residents, flooding/Environment Agency issues, the ecology of the site and highway safety. These are broken down into the following sub-headings for ease of discussion.

Principle of Development

The policy basis against which the scheme should be appraised is set out in the context of national, regional and local development plan policies.

At national level, the National Planning Policy Framework (NPPF) advocates a presumption in favour of sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The site of this application is just outside the settlement boundary of Billington. As such, Policies G5 and ENV3 of the DWLP would be applicable, and the proposed development would not fall within any of the categories of development defined by those policies as permissible. However, those policies were adopted in 1998 and had been framed around the strategic framework set by the Lancashire Structure Plan. It was against the planned housing requirements of the DWLP that the settlement boundaries were drawn and definitions given to appropriate limits of development so as not to undermine the urban concentration strategy for Lancashire at that time. The current circumstances, however, include a need to meet the requirements of NPPF and maintain a deliverable five year supply of housing. As such, this proposed development is considered to meet the three dimensions of sustainable development as outlined in NPPF – economic, social and environmental. Located, as it is, just outside the settlement boundary of Billington, it is considered that a development of an appropriate scale would not be considered inappropriate to the locality. It is therefore concluded that the use of this site for residential development as a principle would be consistent with the National Planning Policy Framework.

The application also of course, falls to be considered in relation to the current status of the emerging Core Strategy. This was submitted to the Secretary of State for Examination in September 2012 with the formal Hearing Sessions of the Examination in Public (EiP) taking place between 14 and 22 January 2014. Following those Sessions it was considered that a series of Main Modifications be made for the purposes of soundness with those proposed Modifications out for a six week consultation period that ended on 7 July 2014. The Development Strategy put forward in Key Statement DS1 as proposed to be modified (Main Modification 21 and 25) seeks to direct the main focus of new house building to the Strategic Site (Standen) and the three Principal Settlements of Clitheroe, Longridge and Whalley and the nine Tier 1 Villages which are considered to be the more sustainable of the 32 defined settlements. Billington is one of the nine Tier 1 villages.

For each of the three Principal Settlements and each of the nine Tier 1 Settlements, the total number of houses required during the planned period has been identified as has the total number of existing commitments for each of those settlements. From this, the residual number of houses for each settlement has been identified. For Billington, the residual number of houses required presently stands at 18.

This application seeks outline permission for 18 dwellings. Although it is just outside the settlement boundary of Billington, as previously stated, it is considered to be sufficiently close to this Tier 1 settlement that it represents sustainable development as defined by NPPF and would not undermine the Council's emerging Development Strategy.

The proposal is therefore considered to be acceptable in principle.

Flooding/Environment Agency Considerations

Previous application 3/2013/0665/P also sought permission for 18 dwellings, but on a slightly larger site, part of which was in Flood Zone 2. The Environment Agency expressed an objection to that previous application because the submitted Flood Risk Assessment (FRA), did not comply with the relevant requirements of the Technical Guidance to the National Planning Policy Framework. As such, the FRA had not demonstrated that the development would not increase flood risk elsewhere nor that, where possible, it would reduce the flood risk overall.

Planning permission was accordingly refused by Planning and Development Committee on 24 July 2014 for the reason recommended by the Environment Agency.

This current application has been amended by a reduction in the site area in order to remove from the site that area of the previous application that was within Flood Zone 2. As previously stated, the Environment Agency has confirmed that, due to this amendment, it has no comments to make in respect of this current application.

Visual Amenity

Subject to appropriate design and external materials at reserved matters application stage, from the east, the proposed dwellings would appear as an extension to the existing housing development at Dale View and the development for a total of 21 houses immediately adjoining Dale View for which outline permission has already been granted. From the west, the development would be visible from the A59, but it would be viewed against the existing Dale View development that is on higher ground. In this wider context it is not considered that the proposal would be detrimental to visual amenity.

In order, however, to further protect/enhance the visual amenities of the locality, in the event that outline permission is granted, a condition is recommended that will require any reserved matters application to include details of a substantial landscaping/screening scheme for the western and northern boundaries of the site.

Residential Amenity

Other than the north-eastern corner of the site, the development proposed in this application would be separated from existing residential properties by the 21 dwellings for which outline planning permission has already been granted.

At its north-eastern corner, the site is adjoined by an existing dwelling. The submitted illustrative layout shows that this existing dwelling would be adjoined by the rear gardens and rear elevations of two detached two storey houses. The rear elevation of the nearest proposed dwelling is shown to be approximately 24 metres away from the existing adjoining property. This satisfies the usual "guideline" separation distance of approximately 21m.

Subject to appropriate consideration at reserved matters application stage the development would not have any seriously detrimental effects upon the amenities of any nearby residents.

Ecology of the Site

An Ecological Appraisal has been submitted with the application, the conclusions of which were as follows:

- Bats are known to occur in the local area, there was however no conclusive evidence of any specifically protected species regularly occurring on the site or the surrounding areas which would be negatively affected by site development following the mitigation proposed.
- The vegetation to be cleared has low ecological significance in the local area; the trees close to but outside the development area are generally of low quality.

- The protection of trees on the site boundary and landscaping will promote structural diversity in both the canopy and at ground level and will encourage a wider variety of wildlife to use the site than already occurs.
- Contractors will be observant for protected species and all nesting birds. Should any species be found during construction, all site works should cease and further ecological advice should be obtained with a view to a detailed Method Statement and programme of mitigation measures being prepared and implemented.

The Council's Countryside Officer has studied the ecological appraisal and concurs with its findings. The Countryside Officer therefore has no objections to the proposed development subject to appropriate conditions relating to tree protection; connectivity/biodiversity landscaping scheme; and mitigation measures as appropriate in relation to protected species.

Highway Safety

Permission is sought at this stage only for means of access into the site. The County Surveyor has expressed no objections to the proposed means of access subject to appropriate conditions.

Public Open Space and Recreational Facilities

The site does not incorporate any on site recreation facilities so in order to mitigate the impact of the development on sports and open space facilities in Whalley and Clitheroe and to improve the quality of provision a financial contribution would be required. The Council is currently in the process of undertaking an assessment of need in respect of the open space and sports facilities in the Borough and whilst this is currently in draft form, the assessment is at an advanced stage of production and will be presented to both the Planning and Development Committee and the Community committee once finalised. In respect of Whalley, the assessment identifies specific areas for improvement in respect of the quality of the facilities available for use by residents and attributes a cost to these improvements based on information produced by Sport England. The improvements of facilities would include the following:

Swimming Pool modernisation scheme at Ribblesdale Pool
 Artificial Pitch (13% shared with Clitheroe)
 Q.E. II Playing Fields or Oakhill Pitch
 Oakhill Academy
 Contribution to Play Facility Provision

The financial contribution would be in the region of £16,000 (£914 per unit). This would be included in the Section 106 Agreement.

Section 106 Agreement Content

A draft Section 106 Agreement was submitted with the application in which the applicants agree to the provision of 5 units of affordable housing (2 rented and 3 shared ownership) and to the payment to LCC of an appropriate contribution towards the provision of school places. The Council's Strategic Housing Officer has confirmed that the proposed number and tenure type of the affordable units is acceptable. In the event that outline planning permission is to be granted, a prior Section 106 Agreement covering these matters would be required. A contribution of approximately £16,000 towards improvements of existing recreational facilities.

Conclusion

Subject to appropriate conditions it is considered that an outline permission for a maximum of 18 dwellings on this site would comply with the sustainability requirements of NPPF and would

not undermine the Council's emerging Development Strategy. There would also be no significant detrimental effects upon visual amenity, ecology/wildlife habitats, the amenities of any nearby residents or highway safety. I can therefore see no sustainable objections to this application.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Community Services for approval following the satisfactory completion of a Legal Agreement within 3 months from the date of this Committee Meeting or delegated to the Director of Community Services in conjunction with Chairman and Vice Chair of Planning & Development Committee should exceptional circumstances exist beyond the period of three months and subject to the following conditions:

1. Application for approval of reserved matters must be made not later than the expiration of 3 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 3 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 to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

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 Policy DMG1 of the Core Strategy Submission Version as proposed to be modified 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. The development hereby permitted in outline is for a maximum of 18 dwellings. Any reserved matters application shall be submitted in accordance with the submitted illustrative layout plan (drawing no Gel/454/1817/01).

REASON: For the avoidance of doubt and to ensure that the development does not contravene the Council's development strategy as defined by Key Statement DS1 and Policy DMG2 of the Core Strategy Submission Version as proposed to be modified.

4. Prior to the commencement of development, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:
 - (a) A Desk Study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on and off-site contamination and ground gases.

- (b) If the Desk Study identifies potential contamination and ground gases, a detailed Site Investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under Part IIA of the Environmental Protection Act 1990, focusing primarily on risks to human health and controlled waters. The investigation shall address implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property. The sampling and analytical strategy shall be submitted to and approved in writing by the LPA prior to the site investigation survey.
- (c) If the site investigation indicates remediation is necessary, a Remediation Statement detailing the recommendations and remedial measures to be implemented within the site shall be submitted to and approved in writing by the LPA. The remediation shall be carried out in accordance with the agreed statement and on completion of the development/remedial works, the developer shall submit a Verification Report to the LPA for approval in writing that certifies that all works were completed in accordance with the agreed Remediation Statement prior to the first occupation of the development.

REASON: To prevent pollution of ground and surface waters both on and off site and to ensure the site is suitable for its end use in accordance with Policies ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

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

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

- 6. No development shall take place until a construction method statement has been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
 - a) The parking of vehicles of site operatives and visitors
 - b) The loading and unloading of plant and materials
 - c) The storage of plant and materials used in constructing the development
 - d) The erection and maintenance of security hoarding
 - e) Wheel washing facilities.

REASON: In the interests of highway safety and the amenities of nearby residents during the construction period and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

- 7. The development hereby permitted in outline shall not be commenced until details of the landscaping of the site, species mix, plant type and density have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall incorporate new tree

lines and hedgerows as well as shrub areas and shall include substantial landscape screen planting close to the northern and western boundaries of the site, including the retention of existing trees as appropriate.

The approved landscaping scheme shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub that is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

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

8. The development hereby permitted in outline shall be carried out in accordance with the recommendations and mitigation measures contained in Section 7 of the Ecological Appraisal Report by Envirotech (report reference 1643) that was submitted with the application.

REASON: In order to protect the ecology of the locality and wildlife habitats in accordance with the requirements of Policy ENV7 of the Ribble Valley Districtwide Local Plan and Policy DME3 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

9. Prior to the commencement of the development hereby permitted in outline, a scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall show the drainage of the site on a separate system with only foul drainage connected into the combined sewer with surface water discharging to the soakaway watercourse. The scheme shall be constructed and completed in accordance with the approved details.

REASON: To ensure satisfactory drainage of the site and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

10. 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 the requirements of the National Planning Policy Framework.

11. The dwellings hereby permitted in outline shall achieve a minimum level of the Code for Sustainable Homes in force on the date of occupation. No dwellings shall be occupied until a final Code Certificate has been issued for it certifying that the appropriate code level has been achieved.

REASON: In order to encourage an energy efficient development in accordance with the requirements of the National Planning Policy Framework.

12. Prior to the commencement of any development works, including delivery of building materials and excavations for foundations or services, all existing trees identified for retention in the landscaping details required by condition No.7 of this outline permission shall be protected with a root protection area in accordance with the BS5837 [Trees in Relation to Construction]. Details of a tree protection monitoring schedule shall also be submitted to and agreed in writing by the Local Planning Authority before any site works are begun. The monitoring schedule shall then be implemented in accordance with the agreed details.

The root protection area shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble. During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone. In addition no impermeable surfacing shall be constructed within the protection zone.

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

REASON: In order to ensure that the trees within the site that are to be retained are afforded maximum physical protection from the adverse effects of development in order to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified

NOTES

1. This outline permission shall be read in conjunction with the Legal Agreement Dated
2. The granting of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath no's 40 and 41 in the Parish of Billington affect the site.
3. A public sewer crosses the site and United Utilities (UU) will not permit building over it. UU will require an access strip the width of 6m, 3m either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the Applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the Applicant must discuss this at an early stage with Graham Perry Developer Engineer at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems. No habitable buildings shall be erected within 15m of the pumping station unless otherwise agreed in writing by the Local Planning Authority.
4. The Local Planning Authority operates a pre-planning application advice service which applicants are encouraged to use. Whether or not this was used, the Local Planning Authority has worked proactively and positively at formal application stage in order to secure amendments to the proposal that, subject to the imposition of appropriate conditions, will deliver a sustainable form of development.

ITEMS DELEGATED TO DIRECTOR OF COMMUNITY SERVICES UNDER SCHEME OF DELEGATED POWERS

The following proposals have been determined by the Director of Community Services under delegated powers:

APPLICATIONS APPROVED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0493/P	Installation of new shop front to provide independent access to first floor	20 Whalley Road Clitheroe
3/2013/0508/P	Application for the renewal of planning permission 3/2010/0194/P for the proposed conversion and change of use of a redundant building into a live/work unit to provide a 3 bedroom dwelling and a café and bunk barn accommodation	New Barn Holden Lane Slaidburn
3/2014/0459/P (LBC)	Essential repairs including roof slating, rainwater goods, masonry repair and repointing, renewal of timber windows and some internal repairs	Park House Farm Gisburn Road Bolton-by-Bowland
3/2014/0512/P	Proposed removal of redundant garages, sheds and outbuildings to the rear and construction of two storey extensions to side and rear to create a new function suite, bar and lounge together with additional letting bedrooms over	Derby Arms Longridge Road Thornley Longridge
3/2014/0580/P	Discharge of condition 5 (renewable energy) and condition 6 (travel plan)	Clitheroe Hospital Chatburn Road, Clitheroe
3/2014/0600/P	Proposed alterations to existing single storey side lean-to garage to create additional first floor space (bedroom and study) and alterations to the drive to create an additional car parking space	12 Denbigh Drive Clitheroe
3/2014/0611/P	Discharge of conditions 3-Materials, 4-Drainage, 5- Landscaping, 6-Landscaping of planning consent 3/2013/0271 on land adjacent to the south	The Barn George Lane Read
3/2014/0626/P	Proposed subdivision of the existing property into two dwellings and change of use of existing detached garage to a detached dwelling	7 Isle of Man Ramsgreave
3/2014/0662/P	Residential development one dwelling at land adjacent	Elker Mews Whalley Road, Billington
3/2014/0653/P	Proposed new agricultural livestock building	The Hills Farm, Higher Road Longridge
3/2014/0655/P	Proposed alterations to the front elevation	Copley Cottage, Martin Top Lane, Rimington

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0677/P (LBC)	Extension of the existing handrail to the top of the entrance steps to the Conference Centre, Whalley Abbey	Whalley Abbey Whalley
3/2014/0690/P	Retrospective application for siting of air conditioning condensers to the rear elevation	Lloyds Pharmacy 40 King Street, Whalley
3/2014/0698/P	Extension to lambing shed	Midge Hall Farm, Haggs Hall Fields, off Showley Road Ramsgreave
3/2014/0704/P	Proposed demolition of rear entrance porch, boiler room and wc. Erection of a two and single storey rear extension to create additional living and bedroom space. Proposed alterations to detached garage to increase roof pitch to create family hobby room over existing garage with external steps, fenestration changes and external works. (Resubmission of application No. 3/2014/0387).	Rookward School Lane Simonstone
3/2014/0715/P	Proposed change of use of former Police Office to use as part of the existing dwelling including use of former Police House and office as a dwelling	2 Police Houses Main Street Gisburn
3/2014/0729/P	Extension to dining room	Gibbon Bridge Hotel Green Lane, Chipping
3/2014/0731/P	External alterations including removal of garage door opening and replacement with window on the west elevation and insertion of bi-folding doors on the east elevation	78 King Street Whalley
3/2014/0736/P (LBC)	Restoring the opening between Arundell Library and the former Rhetoric Common Room	Stonyhurst College Stonyhurst

APPLICATIONS REFUSED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2014/0312/P	Temporary (12 months) use of land for a creation of car park	Time House Lower Road Knowle Green	G1, DMG1 – Detrimental to highway safety.
3/2014/0557/P	Proposed new two bedroom dwelling within the curtilage of St James House with shared access	St James House St James Street Clitheroe	G1, ENV19 / DMG1, DME4, EN5 - stark, unsympathetic and incongruous form of development, being of detriment to the visual amenities of the area and the character, appearance, significance

Cont/

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
Cont...			and setting of heritage assets G1 / DMG1 – Parking area would lead to noise, disturbance and overlooking to the occupiers of St James House.
3/2014/0595/P	Two 3 bedroom detached houses including change of use of land to residential at land adjacent	Chapel House off Chapel Lane West Bradford	Key Statement DS1 and Policy DMG2 of the Core Strategy Submission Version as proposed to be modified – provision of 2 market dwellings in a tier 2 settlement contrary to the emerging spatial vision leading to unsustainable development. Policies G1 and ENV13 of the DWLP and EN2, DMG1, DME1 and DME2 – insufficient information submitted regarding impact on trees from the formation of the roadway within the site. Create a harmful precedent.
3/2014/0679/P	Demolition of single house and development of three detached houses	Mill Cottage Victoria Terrace Mellor Brook	ENV4, EN1 – Inappropriate development in the Green Belt. G1, ENV3, ENV4, EN1, DMG1, DME2 – Design detrimental to visual amenities of the area. G1, ENV13, DMG1, DME1, DME2 - Inadequate information submitted to assess impact on trees. G1 and DMG1 – Detrimental to highway safety.

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0621/P	Application for a Lawful Development Certificate for proposed taxi operating from residential property	84 West View Clitheroe

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 PARTS 6 & 7 PRIOR NOTIFICATION OF AGRICULTURAL AND FORESTRY BUILDINGS AND ROADS PRIOR APPROVAL **NOT** REQUIRED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0807/P	Agricultural livestock building for the winter housing of sheep and young stock	Lower West Clough Farm Grindleton Road West Bradford

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2012/0785	Clitheroe Hospital Chatburn Road Clitheroe	6/12/12	57	With Applicants Solicitor
3/2014/0981	Land at Chatburn Road Clitheroe	13/2/14	23	Ongoing negotiations with Agent & LCC
3/2014/0666	15 Parker Avenue Clitheroe	18/9/14	15	With Legal
<u>Non Housing</u>				
3/2011/0649P	Calder Vale Park Simonstone	15/3/12		Subject to departure procedures, draft 106 received from Lancashire County Council

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Time from First Going to Committee to Decision</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2013/0771	Land off Middle Lodge Road Barrow	13/2/14 24/7/14	33 weeks	102	Decision 29/9/14