

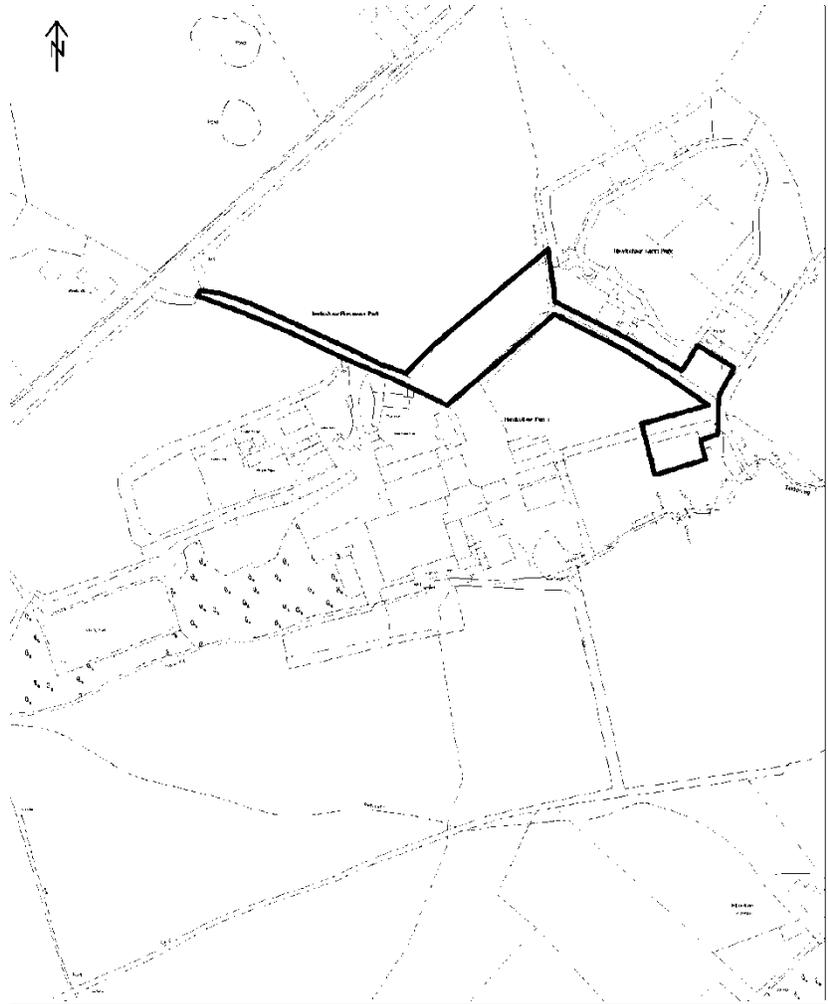
**RIBBLE VALLEY BOROUGH COUNCIL  
REPORT TO PLANNING AND DEVELOPMENT COMMITTEE**

Agenda Item No

meeting date: THURSDAY, 17 DECEMBER 2015  
title: PLANNING APPLICATIONS  
submitted by: DIRECTOR OF COMMUNITY SERVICES

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

APPLICATION NO: 3/2014/1092/P (GRID REF: SD 365462 432631)  
RETROSPECTIVE APPLICATION FOR CHANGE OF USE OF AN AGRICULTURAL STORAGE BUILDING TO SCARE KINGDOM AND VISITOR ATTRACTION, RETENTION OF TEMPORARY STORAGE CONTAINER BUILDING AND CAR PARKING AT HAWKSHAW FARM, LONGSIGHT ROAD, CLAYTON-LE-DALE



3/2014/1092 Hawkshaw Farm, Clayton le Dale BB2 7JA

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## INTRODUCTION

Members may recall that a report recommending approval of this application subject to conditions was considered by Committee at its meeting on 16 April 2015. Committee resolved to defer a decision pending the receipt and reporting of further information, especially in relation to the matter of potential noise nuisance to nearby residents.

Noise monitoring was carried out at a Horror Camp Live event in May 2015 by a private company acting on behalf of the applicant.

Further monitoring was then carried out by the Council's own Environmental Health Officers at a Horror Camp Live event in September 2015.

The results of this monitoring, including the comments and recommendations of the Council's Environmental Health Officers were included in a further report to Committee on 15 October 2015. There was concern, however, that any noise at a Horror Camp Live event might not be the same as that which would result from a Scare Kingdom event. Committee therefore again resolved to defer a decision pending further information and noise monitoring.

The Council's Environmental Health Officers therefore monitored the Scare Kingdom event on 6/7 November, following which the following comments were made to the Planning Department:

"The event was audible in the form of screaming when people who were attending the event were outside ie in the car park/surrounding area as the noise appeared to be general chatter, frivolity and giddiness, but once the event was inside, the noise was contained and would not be likely to cause a nuisance. It is therefore believed that the permission for the permanent Scare Kingdom could have impact on neighbouring properties, particularly during the summer months when windows were open. I believe that, by keeping outside activities to the minimum, that this would be beneficial to all parties. I believe that Dowson's may have to look at establishing methods or practices to mitigate the impact that the event could have on neighbours such as having signs displayed requesting noise to be kept to a minimum or providing indoor facilities for people to congregate in prior to and after the event".

In response to the Environmental Health Officer's comments, the applicant has offered to make a number of alterations to the application and to put noise mitigation measures in place. Firstly, the applicant has agreed to reduce the number of days per year for the events from 50 to 41, comprising 32 days for Scare Kingdom events and 9 days for Horror Camp Live events.

Secondly, the applicant has stated that prior to the Halloween events in 2016, measures would be put in place including straw bale barriers; additional screen planting; feather edged board fencing adjoining paths and waiting areas; and members of staff to accompany visitors at all times when they are outside the buildings, in order to ensure that they remain quiet in order not to cause a nuisance/disturbance to nearby residents.

It is evident from the comments of the Environmental Health Officer that the main noise problem relates to the times when visitors are outside any of the buildings rather than when they are in the buildings. It is considered that, through the submission for approval and subsequent implementation/operation of measures to mitigate noise nuisance (generally the measures to which the applicant has already agreed) it should be possible for the Scare Kingdom events to operate without detriment to nearby residents.

It will, of course, be necessary for the measures to be fully implemented and operated throughout each event, and for any effects on nearby residents to be monitored. It is therefore considered appropriate to grant a temporary permission for 12 months in order that the Council will then be able to review the situation and make a decision on any renewal application in the light of how the events have been operated over the 12 month period; and an assessment of whether or not there has been harm to the amenities of nearby residents.

The original report, including the recommendation of approval, is repeated below. It has, however, been updated and amended as appropriate to include:

- a condition restricting the permission to a temporary period of 1 year expiring on 31 December 2016;
- a condition to require the submission for approval and subsequent implementation of a management plan to prevent possible noise nuisance to nearby residents caused by visitors to the attraction when they are outside any of the buildings;
- a reduction in the permitted number of days per year that the attraction would operate from 50 to 41;
- deletion of condition relating to 'possible' acoustic insulation of the building as this is not necessary in view of the temporary permission condition;
- an update of the relevant planning history.

PARISH COUNCIL:

Clayton-le-Dale Parish Council have not made any representations in relation to this application.

Mellor Parish Council commented in a letter dated 8 March 2015 that this retrospective planning application has excessive noise issues impacting on a number of residents in the Parish of Mellor and that there are also serious concerns about the nature and type of content that is involved in the Scare Kingdom attraction, all of which is covered in a document submitted by a number of nearby residents. Mellor Parish Council therefore asks that it be put on record that the objections contained in the document submitted on behalf of 16 Mellor residents is strongly supported by Mellor Parish Council.

Mellor Parish Council made additional comments in a letter dated 12 June 2015 that was written following a consideration of the application at a meeting of their Full Council. An objection was made by Councillors on the grounds of noise with the Parish Council wishing it to be acknowledged that whilst the site is in Clayton-le-Dale, the extreme noise is heard in Mellor Parish, in particular the Birley and Saccary Lane areas. The Parish Council was aware that a sound engineer had taken noise readings at the site but they considered this to be unsatisfactory as the extreme noise had occurred in the past, without planning permission, late at night, for long periods

during and after the allowed hours of the Premises Licence.

The Parish Council expressed concerns about the questionable nature of the proposal and wonder whether it should be considered under licensing for Sex Establishments in addition to Premises Licence legislation as well as Planning.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR):

The proposal would operate outside the hours of operation of the main uses of the site and as a result there would be minimal highway implications arising from the proposal. However when he visited the site there were two advertising boards within the sightlines of the site access to the A59. Irrespective of whether planning permission is required, the County Surveyor stated that these signs should be removed as soon as possible as they are obstructing visibility for emerging vehicles. Subject to the removal of those advertising boards, the County Surveyor raised no objection to the proposal on highway grounds.

ADDITIONAL  
REPRESENTATIONS:

One letter has been received from residents living in Longsight Road who express no objection to the application stating specifically that they are never disturbed by noise from events at Hawkshaw Farm.

Three individual letters and a 14 page letter signed by 16 persons from 8 addresses at Birley Fold have also been received. These letters, that are on file and available for inspection by Members, contain objections to the proposal that are summarised as follows:

1. The application contains inaccurate information. The building has been used for Scare Kingdom performances immediately following its construction. It has never been used for its approved agricultural purpose.
2. The stated size of the building on the application form is larger than the building for which permission was granted.
3. Noise nuisance. Residents object strongly to the levels of noise coming from this attraction. The noise levels are extremely loud and are of a disturbing nature. Typically, the noise consists of a combination of horror suspense type music combined with human and terror screams, and animal noises can be clearly heard. It is not a continuous steady noise but is strongly impulsive and irregular with heavy bass levels. Residents have carried out their own monitoring and have provided a table that they consider shows the levels to be very high such that the application should be refused based on unreasonable disturbance to local residents.

4. The loud noises could also be harmful to local wildlife including a small population of deer that might be dispersed as a result of the noise.
5. Highway safety. The access from the site onto the A59 has restricted visibility especially due to signs being erected within the visibility splay. The A59 is a busy road that has a national speed limit and, as such, it is more probable that an accident will occur with a greater volume of traffic entering and exiting the site.
6. Inadequate facilities. The building to which the application relates was constructed as an agricultural building that was built for storage purposes. The current use emits very loud noises including screams, shouts and music. Any other establishment would require some level of noise insulation in the form of noise absorption and noise barriers. This building does not contain such features.
7. Ex-rated content. On occasions some residents have been woken in the middle of the night by “actors” screaming obscenities at the top of their voices. The residents strongly object to this vulgar, offensive and debasing behaviour.
8. Seasonal use. The application states that the activity would operate on a seasonal basis and that it would operate for a short period, however, no opening days are declared in the application that would allow reasonable assessment with regards to, but not limited, to the impact upon the residents.

A 4 page letter signed by 12 persons from 6 addresses at Birley Fold was received by the Council on 10 June 2015. This letter is headed “acoustic report” and contains the following points that are in addition to those points made in the previous 14 page letter:

1. Residents raised objections previously about the operation of the Scare Kingdom which is the event to which the application specifically relates. Residents highlighted extremely loud noise during these events from music, screams and swearing and vulgar language. The noise measurements, however, were taken during a Horror Camp Live event that consisted of people camping in fields remote from their dwellings. Loud music was not played and on the whole this event is much quieter and did not operate from the agricultural storage building that is the subject of the application. The Scare Kingdom event in comparison is performed within the building at very high noise levels. Neighbours confirm that during the evening

of the Horror Camp Live event on 16 May 2015, no noise was heard at all. There was no music and not even a single scream. As such, residents object to the noise impact assessment as it was not made in an appropriate manner to represent the operation of the Scare Kingdom.

2. The report is also unclear as to the actual standards that have been employed to assess the noise impact.
3. Residents make reference to the various pieces of legislation available to local Councils to deal with the matter of noise nuisance.

## **Proposal**

In this particular case, it is considered appropriate to describe the application within the context of the recent planning history of Hawkshaw Farm.

Hawkshaw Farm is a 135 acre dairy farm that is owned and farmed by the applicant has his family. In addition to the farm at the home, there is an additional 250 acres of rented land which is farmed as part of the business. The business comprises 200 dairy cattle with all replacements being reared on the farm so that at any one time there are 350 head of cattle present on the holding.

A proportion of the milk produced at the farm is used to make ice cream, an enterprise that began in 2001 and has continued to grow on an annual basis to the current situation where the farm and ice cream making enterprise employs 7 full-time staff.

From the basis formed by the ice cream making enterprise, a visitor centre attraction has been developed at the farm over recent years. This is a family attraction and is the subject of planning application 3/2014/1094/P a report relating to which is also on this agenda.

Another diversified enterprise was the introduction of the maize maze in 2007. This enterprise was a success with many people visiting more than once. In more recent years the maze was opened at nights with a Halloween theme to extend the lifespan of the attraction. This represented the introduction of Halloween themed events that have become popular at Hawkshaw Farm. The Scare Kingdom events have also been a feature for several years with new staging and themes introduced each year. For 2014 one of the agricultural storage buildings (that had been granted prior approval as an agricultural building under reference 3/2013/0117/P) was fitted out as an old mansion house with many large fixtures and fittings to create the rooms. Initially the sets were removed from the agricultural building after Halloween but the most recent one was more intricate and detailed and took a large team of people many weeks to erect and decorate.

This retrospective application relates to those parts of Hawkshaw Farm to be used on a seasonal basis to operate the Scare Kingdom visitor attraction. The application seeks retrospective permission for a permanent change of use of the agricultural building to a small scale tourism use in order to enable the internal fixtures to be left in situ; and for the retention of a storage container also to be used as part of the Scare Kingdom attraction.

## **Site Location**

Hawkshaw Farm is located on the southeast side of Longsight Road (A59). Located around the existing farmhouse is a range of traditional and modern farm buildings providing cattle housing, silage clamps, general storage and manure storage. The existing agricultural storage building and storage container to which this application specifically relates, are located approximately 90m to the east of the existing farmhouse.

There is a group of residential properties at Birley Fold, off Saccary Lane, the nearest of which is approximately 250m to the south of the agricultural building to which the application relates.

## **Relevant History**

3/2006/0149/P – Farm shop and associated facilities including education rooms, parking and alterations to access. Approved with conditions.

3/2007/0313/P – Proposed bird of prey centre including reception, office, education centre and separate toilet block. Approved with conditions.

3/2008/0413/P – Amendments to approved scheme for bird of prey centre. Approved with conditions.

3/2013/0117/P – Agricultural determination application for a portal steel framed storage building. Planning permission not required.

3/2014/1093/P – Retrospective application for calving unit to be open to members of the public as part of the visitor attraction. Approved subject to conditions.

3/2014/1094/P – Retrospective application for a visitor centre, comprising a car park, 5 livestock shelters, 1 storage building, 1 polytunnel and 1 children's play area. Approved subject to conditions.

3/2015/0536/P – Storage building associated with the ice-cream making element of the business. Approved subject to conditions.

## **Relevant Policies**

### **Ribble Valley Core Strategy (Adopted Version)**

Key Statement DS2 – Presumption in Favour of Sustainable Development.

Key Statement EC3 – Visitor Economy.

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMG3 – Transport and Mobility.

Policy DME2 – Landscape and Townscape Protection.

Policy DMB1 – Supporting Business Growth and the Local Economy.

Policy DMB3 – Recreation and Tourism Development.

## **Environmental, AONB, Human Rights and Other Issues**

As can be seen from the recent history stated above, the Council has previously accepted the diversification of this farm through the planning permissions relating to the shop etc and the bird

of prey centre. Following the cessation of the bird of prey enterprise, a family orientated visitor centre attraction has evolved and is the subject of a separate report on this agenda. Although of a somewhat different nature, the Scare Kingdom is also a visitor experience that has also evolved over recent years from the initial Maize Maze experience. Scare Kingdom actually features as an “Alternative Tourism Experience” in the Ribble Valley Tourism Association Stars in Tourism Awards 2015.

As a visitor attraction, this planning application falls to be considered on its planning merits against the relevant policies of the Development Plan that now comprises the adopted Core Strategy.

It is appropriate to first consider whether the retention of this experience is acceptable in principle in town planning terms; and to then consider whether it has any seriously detrimental effects in relation to detailed considerations such as visual amenity, the amenities of nearby residents and highway safety.

In relation to the principle of the development, Key Statement EC3: Visitor Economy states that “proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged. Including the creation of new accommodation and tourism facilities through the conversion of existing buildings or associated with existing attractions; and that significant new attractions will be supported in circumstances where they would deliver overall improvements to the environment and benefits to local communities and employment opportunities”.

This is a new tourism facility that utilizes an existing building at an existing attraction, and it provides employment opportunities. It will also be of benefit to other businesses in the locality (and therefore to the rural economy) as visitors to the attraction are likely to also use local public houses and restaurants. Some visitors from further afield might also use local hotels and guest houses.

The detailed matters of effects upon the environment and the local community will be discussed later in this report. Overall, however, I consider that, in principle, the Scare Kingdom attraction is in keeping with the general intentions of Key Statement EC3.

Policy DMB1 states that “proposals that are intended to support business growth and the local economy will be supported in principle; and that the expansion of established firms on land outside settlements will be allowed provided it is essential to maintain the existing source of employment and can be assimilated within the local landscape”.

The detailed matter of assimilation into the local landscape will be discussed later in this report. Overall, however, I consider that, in principle, this attraction satisfies the general intentions of Policy DMB1.

Policy DMB3 states that “planning permission will be granted for development proposals that extend the range of tourism and visitor facilities in the borough subject to compliance with a number of criteria.

The first of those criteria is that the proposal must not conflict with other policies of the plan. As explained above, it is considered that the development complies with all the policies (or elements of the policies) that relate to the principle of the development. Compliance with policies (or elements of policies) that relate to detailed considerations will be examined later in this report.

The second of these criteria requires the development to be physically well related to an existing settlement or village or to an existing group of buildings, except where the proposed facilities are required in conjunction with a particular countryside attraction and there are no suitable existing buildings or development sites available. This attraction is within an existing building that is within the existing group of buildings at Hawkshaw Farm, including the farmhouse and agricultural buildings as well as the buildings and structures associated with the visitor centre attraction. I therefore consider that the proposal satisfies this criterion.

The third of the criteria requires the development to not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design. This application seeks retrospective permission for a change of use of an existing agricultural building. The building is located at a farm and has the scale, design and external materials of an agricultural building (as its originally intended use was agricultural storage). The change of use element of the application therefore satisfies this criterion. Permission is also sought for the retention of a storage container. This is not in an overly prominent location and does not appear as a visually discordant feature within the context of the farm buildings complex. In my opinion, the retention of the storage container also does not contravene this criteria.

The fourth and fifth of the criteria require the proposal to be well related to the existing highway network; to not generate additional traffic movements of a scale or type likely to cause undue problems of disturbance; where possible the proposal is to be well related to public transport networks and the site to be large enough to accommodate the necessary car parking, service areas and appropriate landscaped areas. The attraction is well related to the existing highway network as the farm is located off the A59, the principal road in the borough that is also on a number of bus routes. The other requirements of this criterion will be discussed below in relation to detailed considerations.

The sixth of the criteria requires the development to take into account the nature conservation impacts using suitable survey information and where possible seen to incorporate any important existing associations within the development, or, failing this, adequate mitigation will be sought. As this proposal relates to a use within a building and the retention of an existing storage container in its existing location, it does not have any significant impacts upon nature conservation.

Policy DMB1 is a general development management policy that requires all applications to be considered in relation to the matters of design, access, amenity, environment and infrastructure.

In relation to this application, that does not involve any new-build development, there are no considerations to be made in relation to the matter of design. It also does not have any implications with regards to the matter of infrastructure.

The matter of access is one of the objections made by nearby residents. As previously stated, however, the LCC Highway Engineer (County Surveyor) considers the existing access and parking provision to be acceptable and not detrimental to highway safety, especially as the proposal would operate outside the hours of operation of the other uses at the site. He did, however, require the removal of a number of advertisement signs from within the visibility splay. These signs have already been removed by the applicant.

In relation to the consideration of access/parking/highway safety, the proposal is therefore considered to be acceptable and in compliance with requirements of Policy DMB1.

In relation to the consideration of amenity, perhaps the main objection made by nearby residents concerns alleged nuisance caused by excessive noise. One of the Council's Environmental Health Officer has given careful consideration to this matter including a number of visits to the site, following which she made a number of comments as follows:

1. As there was a lack of evidence in the form of complaints of noise nuisance made to the Environmental Health Department prior to the submission of the application, any requirement for the installation of noise mitigation measures at the site could not be justified.
2. There is the possibility that the applicant could install a noise barrier in the form, eg of evergreen hedgerows that would act as an acoustic barrier.
3. A time restriction until 11pm would be beneficial.
4. No further external lighting should be installed without the agreement of the Council.
5. Comments (as stated in the introduction to this current report) that the main potential for noise nuisance to nearby residents is caused by visitors to the attraction when they are outside rather than when they are inside any of the buildings.

In a response to the neighbours' objections submitted by the applicant's agent, it is stated that "the managers of the Scare Kingdom attraction acknowledge that professional measurements of the noise need to be taken and addressed if necessary. If there is an issue with noise from within the building it would be possible to line the walls and roof with noise abating foam sheets or by using a spray foam product".

In view of the lack of evidence that such noise mitigation measures for the building are necessary (as confirmed by the Environmental Health Officer) I consider that it would be unjustified to require their installation through a condition at this stage. A condition could, however, be imposed to require appropriate noise monitoring and the installation of noise abatement measures, if this proves to be necessary.

Measures to mitigate against noise nuisance by visitors when outside the buildings will, however, be implemented in the events that planning permission is granted.

The application does however include the scheme of screen planting in the area between the Scare Kingdom building and Tottering Brook to the south. This would also be between the building and the dwellings to the south in Birley Fold. The scheme involves the planting of 125 trees with 3m spacings in a strip ranging in width from 10m to 15m. This would provide some noise mitigation to the nearby residents. The submitted scheme includes details of the maintenance regime for the planting.

In the event of retrospective planning permission being granted, a condition could be imposed to require the implementation and maintenance of the planting scheme.

The applicants have also provided a breakdown of the number of days in the year that the attraction would be open and the latest entry and departure times on the different days of the week. This is summarised as follows:

- The themed nights for Halloween (24 days) and around Christmas and Valentine's Day (3 days each) and Summer Solstice (2 days) equals **32 days**.

- Weekday entry from 6pm to 9.30pm with latest departure 11pm.
- Except weekdays during Halloween week when it would be last entry 10.30pm with latest departure 12 midnight.
- Friday/Saturdays last entry 10.30pm with latest departure 12 midnight.
- Except the weekend closest to Halloween when the last entry would be 11.30pm with latest departure 1am.
- Last entry on any Sunday 9.30pm with latest departure 11pm.
- Horror Camp Live – **9 days**.
- Total **41 days**.

Permission is therefore requested by the applicants for a maximum of 41 operating days. In the event of retrospective permission being granted, conditions would be imposed as follows:

1. Temporary period of 12 months.
2. To require appropriate noise monitoring and installation of noise abatement measures within the building if necessary.
3. Noise mitigation measures in respect of when visitors are outside any of the buildings.
4. Implementation and maintenance of the submitted planting scheme.
5. Restriction of the number of events per year and specification of the latest entry and departure times.
6. No external lighting to be installed at the site without the prior written permission of the Local Planning Authority.

Subject to the imposition of such conditions, I consider that the proposal would either not have any seriously detrimental effects upon the amenities of nearby residents, or any such detriment would be satisfactorily addressed.

In relation to the matter of the environment, the use of the existing building and retention of this storage container would have minimal impact. The proposed planting scheme, however, would add to biodiversity and would improve the visual amenities of the locality (in addition to its noise mitigation benefits).

Nearby residents also objected on the grounds of ex-rated content of the attraction, but this could not form the basis of a reason for refusal of a planning application.

Overall, subject to appropriate conditions, I consider that the requested retrospective permission would not contravene the requirements of the relevant policies of the adopted Core Strategy with regards to both the principle of the development and the more detailed considerations. I therefore recommend accordingly that permission be granted subject to the conditions in the recommendation below.

However, in the event that the operation of the events does cause harm to the amenities of nearby residents, the restriction of the permission to a temporary period of 12 months will allow a reassessment to be made at the end of that period.

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

1. This permission shall be for a temporary period expiring on 31 December 2016 and the use of the buildings and land in association with Scare Kingdom events shall cease on or before that date.

REASON: In order to allow the Local Planning Authority to monitor the events during the temporary period, particularly in respect of possible noise nuisance to nearby residents in order to comply with Policy DMG1 of the Ribble Valley Core Strategy Adopted Version; and to allow a reassessment to take place in the event that an application is submitted to renew the permission on a permanent basis.

2. This retrospective temporary permission relates to the use of the agricultural storage building, and the retention of a storage container and car park as shown on the submitted plans referenced as follows:

- Site Plan Drawing Number HF/SP/Scale 1:500.
- Change of Use of Agricultural Building – Scale 1:200.
- Retention of Storage Container – Scale 1:200.

REASON: For the avoidance of doubt and to define the development for which retrospective permission is hereby granted.

3. The Scare Kingdom attraction for which temporary permission is hereby granted shall be operated for a maximum of 41 days in any calendar year of which not more than 9 days shall be for the horror camp live event (involving persons camping at the site overnight).

With the exception of the horror camp live event, the first entry to the attraction shall be no sooner than 6pm.

The last entry and the latest departure times shall be as follows:

- Weekdays – last entry 9.30pm, latest departure 11pm.
- Weekdays during Halloween week – last entry 10.30pm, latest departure 12 midnight.
- Fridays and Saturdays – last entry 10.30pm, latest departure 12 midnight.
- Friday and Saturdays on the weekend closest to Halloween – last entry 11.30pm, latest departure – 1am.
- All Sundays last entry 9.30pm, latest departure 11pm.

The applicants shall keep a written record of all days upon which the attraction is open and this shall be made available for inspection by the Local Planning Authority upon request.

REASON: To comply with the terms of application and in the interests of the amenities of nearby residents and to comply with Policy DMG1 of the Ribble Valley Core Strategy Adopted Version.

4. Prior to the holding of the next Horror Camp Live event, a plan showing the location of the “campsite” shall be submitted to and approved in writing by the Local Planning Authority. Horror Camp Live events shall not include any outdoor scenes. All activities shall be carried out within the former agricultural storage building that is the venue for the Scare Kingdom

events (or in other existing buildings at the farm subject to the prior written agreement of the Local Planning Authority).

REASON: For the avoidance of any doubt about the nature of the Horror Camp Live events and in the interests of the amenities of nearby residents and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

5. Within 1 month of the date of this temporary planning permission, a management scheme, including noise mitigation measures, shall be submitted for the written approval of the Local Planning Authority. This shall include details of the following:
  1. Precise details of the location and height of fences and straw bale barriers.
  2. Precise details of the number, size, location and content of signs to be displayed around the outside areas of the site advising visitors of the need to remain quiet in order to respect the amenities of nearby residents.
  3. Details of arrangements for staff of Hawkshaw to constantly accompany groups of visitors whilst outside any of the buildings in order to ensure quiet in the interests of the amenities of nearby residents.

The required measures shall be put in place prior to the first event following the Council's written approval of the scheme, and shall be operated in accordance with the approved details at all subsequent events.

REASON: In the interests of the amenities of nearby residents and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

6. The scheme of landscape planting submitted with the application (involving the planting of 125 trees in a 10m – 15m wide belt between the Scare Kingdom building and Tottering Brook) shall be carried out in accordance with the submitted planting details in the next planting season (November 2015 to March 2016). The scheme shall thereafter be maintained for a period of 10 years as stated in the submitted details. This maintenance shall include the replacement of any tree that is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a tree of a similar size and species to that which was originally planted.

REASON: To comply with the terms of the application and the interests of visual amenity and the amenities of nearby residents and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

7. No external lighting shall be installed at the site without the prior written permission of the Local Planning Authority.

REASON: In the interests of the amenities of the area and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

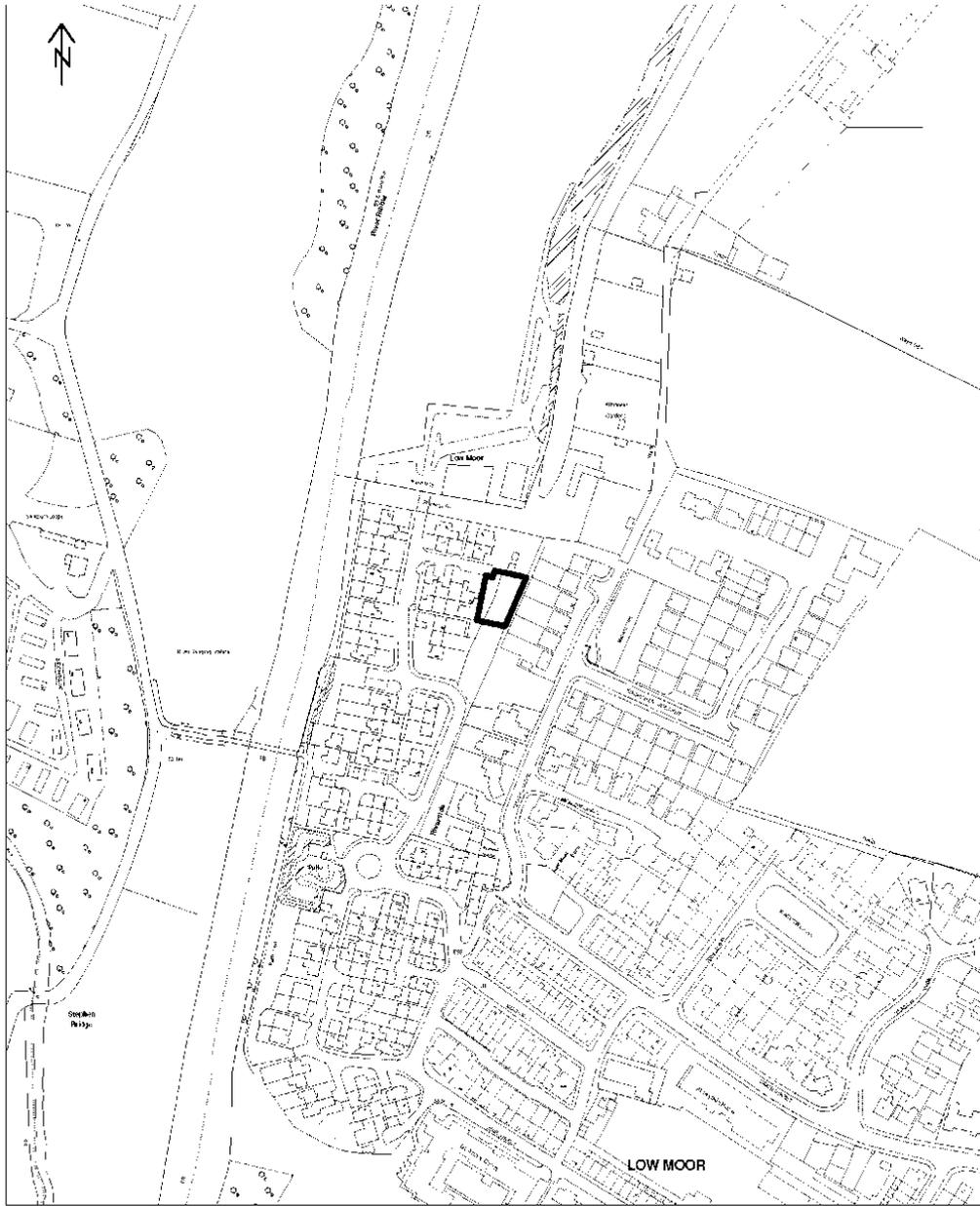
## BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2014%2F1092](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2014%2F1092)

APPLICATION NO: 3/2015/0183/P

(GRID REF: 372978 441995)

PROPOSED ERECTION OF 1NO PAIR OF SEMI-DETACHED TWO STOREY DWELLINGS WITH OFF STREET PARKING SHARED ACCESS AND PRIVATE GARDEN AREAS. LAND AT 78 RIVERSIDE, LOW MOOR, CLITHEROE, BB7 2NS



3/215/0183 78 Riverside, Low Moor, Clitheroe

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TOWN COUNCIL:	No objections
ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):	No objection subject to conditions relating to construction management.
ENVIRONMENT AGENCY:	No objections subject to conditions relating to floor levels and flood risk.
UNITED UTILITIES:	No objections
RVBC ENGINEERS	No objections subject to conditions relating to contaminated land.
ADDITIONAL REPRESENTATIONS:	<p>16 Letters of representation have been received objecting on the following grounds:</p> <ul style="list-style-type: none"> <li>• Issues of lands ownership and that the access is not under the control of the applicant.</li> <li>• The proposal will exacerbate existing parking problems.</li> <li>• It will compromise the stability of the adjacent retaining wall.</li> <li>• Loss of privacy.</li> <li>• Increased flood risk.</li> <li>• Loss of light.</li> <li>• Loss of trees.</li> <li>• Impact upon road safety.</li> <li>• Inadequate drainage.</li> <li>• The proposal is contrary to the Core Strategy for Clitheroe.</li> <li>• The proposal will result in the loss of important open space.</li> </ul>

### **Proposal**

Full consent is sought for the erection of a pair of semi-detached, two-storey, 2 bedroom dwellings and creation of associated parking, access and residential curtilage at land adjacent number 78 Riverside, Low Moor, Clitheroe.

The proposal is of a typical semi-detached form and scale with a ventral gable element to the front elevation that accommodates a WC and entry door at ground floor and bathroom at first floor. The primary habitable rooms benefit from a rearward (south) aspect which aids in negating any issues of overlooking in respect of neighbouring properties.

Each of the dwellings is afforded two dedicated parking spaces within their curtilage which also includes refuse storage areas.

It is proposed that the dwellings will be faced in painted render with stone window jambs, heads and cills, the applicant has further stated that the proposal will be roofed in natural slate with flush fitting roof lights that will serve the ground floor sitting and dining areas.

The dwellings will sit higher than the adjacent property (Number 78) by approximately 850mm at ridge level with the land level upon which the dwellings are to be sited also being approximately 500mm higher than the neighbouring property.

### **Site Location**

The proposal site is a small area of land adjacent number 78 Riverside, Low Moor, Clitheroe. The site is located at the end of a cul-de-sac in a predominantly residential area.

### **Relevant History**

There site has no recent planning history that is directly relevant to the determination of the application.

### **Relevant Policies**

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Sustainable Development  
Key Statement DMI2 – Transport Considerations  
Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport & Mobility

National Planning Policy Framework (NPPF)

### **Environmental, AONB, Human Rights and Other Issues**

#### **Principle of Development**

Given the site is located within the principal settlement of Clitheroe it is considered that it would be in broad accordance with the development strategy for the Borough and in principle, notwithstanding other material considerations, in accordance with Key Statement DS1 and Policy DMG2 of the adopted Core Strategy.

#### **Design & External Appearance**

The proposed dwellings are of a scale and appearance that is considered to be largely in keeping with the character and appearance of the existing adjacent dwellings. The simplistic architectural language, use of painted render and stone window surrounds aids in ensuring that the proposal responds positively to the surrounding context and would not be of detriment to the visual amenities of the area.

#### **Residential Amenity**

I am mindful of the concerns regarding loss of light and privacy by objectors but given the orientation of the proposal and separation distances between adjacent/neighbouring properties it is not considered that the proposal would have a detrimental impact upon the residential amenities of existing or future occupiers.

## Other Matters

A number of letters of representation have raised the issue of lands ownership and that the access point is not within the control of the applicant. As members will be aware, matters of land ownership/dispute are a private legal matter and are not material consideration in the determination of a planning application.

A small number of domestic specimen trees exist on site with a number of self-seeded trees adjacent the proposal site. It is not considered that the trees to be lost within the proposal site are or of any significant landscape visual amenity.

## Conclusion

The proposal has adequate separation distances between existing and proposed dwellings and taking account of the orientation of primary habitable room windows, I do not consider that the proposal would result in any significant detrimental impact upon existing or future residential amenity.

It is further considered that the proposal would not result in any significant detrimental impact upon residential amenities by virtue of an overbearing or over dominant impact.

I am mindful of the relationship of proposed development with that of the existing properties and the character and visual amenities of the area, and as submitted, do not consider that the proposal raises any material issues that would warrant the refusal to grant planning permission.

It is for the above reasons and having regard to all material considerations and matters raised that I recommend accordingly.

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

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

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

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

- 4311-01-02 Revision B

REASON: For the avoidance of doubt since the proposal was the subject of agreed design improvements/amendments and to clarify which plans are relevant to the consent.

3. Precise specifications or samples of all external surfaces, including surfacing materials of the development hereby approved shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

4. Notwithstanding the submitted details, prior to the commencement of the development, details at a scale of not less than 1:20 of the proposed refuse storage areas, boundary treatments/fencing and walling shall have been submitted to and approved by the Local Planning Authority.

The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

5. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. For the avoidance of doubt the statement should provide details of:
  1. Indicate the location of parking provision for vehicles of site operatives and visitors.
  2. Indicate the location for the loading and unloading of plant and materials.
  3. Indicate the location for the storage of plant and materials used in constructing the development.
  4. The erection and maintenance of security hoarding.
  5. The location of wheel washing facilities for the site.
  6. Measures to control the emission of dust and dirt during construction.
  7. Details of working hours and restricted hours of movement for HGV's.
  8. A programme for the road sweeping of the adjacent and affected immediate highway.

REASON: In the interests of protecting residential amenity from noise and disturbance and to satisfy the Local Planning Authority and Highway Authority that the development would not be of detriment to the safe operation of the immediate highway in the interests of highway safety and compliance with current highway legislation in accordance with Policies DMG1, DMG3 and DMI2 of the Ribble Valley Core Strategy.

6. The windows as indicated to be obscure glazed on the proposed plan (4311-01-02 Rev B shall be fitted with obscure glazing (which shall have an obscurity rating of not less than 4 on the Pilkington glass obscurity rating or equivalent scale) and shall be non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The windows shall remain in that manner in perpetuity at all times unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect nearby residential amenity in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

7. 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 EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy.

8. The development permitted by this planning permission shall be carried out in strict accordance with the approved Flood Risk Assessment (FRA) ref. 4311 and the following mitigation measures detailed within the FRA:
- Finished floor levels are set no lower than 52.54 m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To reduce the risk of flooding to the proposed development and future occupants.

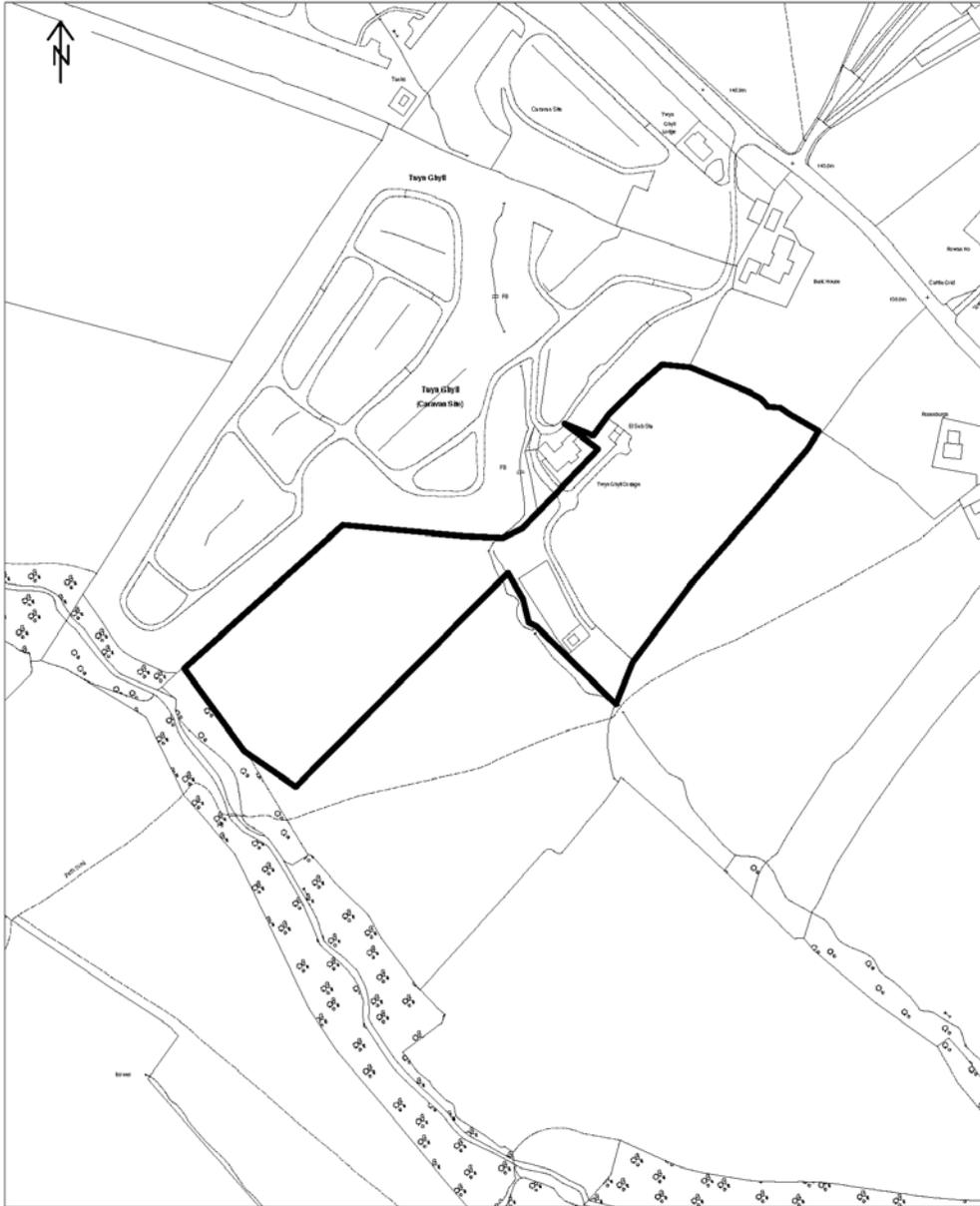
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, the dwelling hereby permitted shall not be altered or extended, no new windows shall be inserted, no alterations to the roof shall be undertaken and no buildings or structures shall be erected within the curtilage of the dwellings hereby approved unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the immediate area in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

## BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2015%2F0183](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0183)

APPLICATION NO: 3/2015/0567/P (GRID REF: SD382579 451917)  
CHANGE OF USE OF LAND FOR CREATION OF AN EXTENSION TO THE EXISTING  
CARAVAN SITE TO ACCOMMODATE 30 ADDITIONAL UNITS, INFORMAL RECREATION  
SPACE, LANDSCAPING AND ASSOCIATED ENGINEERING WORKS ON LAND ADJACENT  
TWIN GHYLL CARAVAN SITE, SETTLE LANE, PAYTHORNE



3/2015/0567 Twyn Ghyll Caravan Park

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PARISH COUNCIL:

Objects strongly to the application for reasons that are summarised as follows:

1. Condition number 3 of previous planning permission 3/2007/0010/P stated that 'the total number of static caravans on the site shall not exceed 295 and under no circumstances whatsoever shall the land edged red on the 'Landhouse Plan' annotated additional land accommodated sewage treatment plant received 6 June 2007 be used for the positioning of static caravans at any time'. The area edged red on that plan is the land now proposed in this current application to be developed into a further caravan site to accommodate 30 static caravans as well as a recreation area.
2. Condition 4 of the 2007 permission stated that the 75 caravans shown on a submitted plan "shall be used as holiday accommodation only and under no circumstances whatsoever shall they be occupied as a person's primary residence". There are people currently on the site who have sold their houses and who live on the site permanently. This has partly been made possible by the removal of condition number 3 on the 2007 planning permission granting a 12 month licence to this caravan park.
3. The existing site is visible in the winter from the hamlet. The proposed extension is closer to the hamlet and will therefore be even more visible.
4. Light pollution caused by illumination of the new internal site road.
5. Urbanisation of an otherwise rural landscape.
6. Highway safety problems as a result of increased traffic.
7. Problems caused by caravans being delivered to the site at peak times.
8. Damage to the bridge at the bottom of the village, a Scheduled Ancient Monument when caravans are delivered.
9. The demand for holiday caravans in the area is already satisfied by the numerous existing caravan sites in the locality such that there is no need to further extend Twyn Ghyll.
10. The proposal does not respect the character of the countryside.

11. Permission has recently been granted for 12 caravans/lodges on the opposite side of Settle Lane. A permission for this current application would bring the potential for 42 extra caravans/lodges in the hamlet.
12. Numerous signs in the locality advertising the caravan site are an eyesore on the countryside.
13. Existing problems of low water pressure in the hamlet will be exacerbated by the proposed extra 30 caravans.
14. Existing problems of slow broadband speed in the locality will be exacerbated by the proposed extra caravans.
15. The recreational amenities proposed in this application will be brought closer to the hamlet and could potentially increase the noise levels for residents of Paythorne. This will particularly affect dwellings close to the Buck Inn.
16. Existing problems of waste/litter and dog fouling in the hamlet will be exacerbated by the proposed increased number of caravans.
17. An increase in the number of visitors to the area will lead to an increased risk to the privacy and security of local residents.
18. If this development is allowed, how far will the caravan site be permitted to extend in the future. The existing 295 caravans already completely overwhelm the hamlet.

LCC (HIGHWAYS):

The County Highway Authority does not have any objections regarding the proposed additional 30 caravans and associated improvements and is of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

NORTH YORKSHIRE  
COUNTY COUNCIL  
HIGHWAYS:

Comment that they have received concerns from residents about increased traffic on the 'quiet lanes' in the area surrounding Twyn Ghyll in and around villages such as Rathmell, Wigglesworth and Halton West. However, having visited the area they confirm that NYCC have no objection to the proposal. They consider that, as there are already approximately 300 units on the site, an additional 30 is not a significant increase in traffic volume. They are also aware that the majority of traffic will access the site via the A682 at Paythorne and as such any impact on minor surrounding roads within North Yorkshire will be minimal.

ADDITIONAL  
REPRESENTATIONS:

Eight letters have been received from local residents. The letters are available on the planning file for viewing by Members

but the objections raised in the letters (that differ from objections made by the Parish Council) are summarised as follows:

1. This is a large scale tourism development that is disproportionate in size to the hamlet's existing residential and rural business community and the needs of its other equally important visitors. It would be development for the sake of development and would not be sympathetic to the area, its environment or its existing community.
2. The area where the caravans are proposed is currently used as a dog exercising area by both locals and people owning caravans on the site. To lose this area to development would potentially cause problems on public footpaths and surrounding farmland and roadside verges with dog owners seeking the nearest alternative places to exercise their dogs.
3. The application relates to another development by a private company who have no other connection to the area other than commercial gain.
4. Permission would not be granted for 30 houses in this area so how can permission be granted for 30 caravans.
5. Harm to local wildlife including hedgehogs and barn owls.

### **Proposal**

The application seeks full planning permission for an extension to the established caravan site utilising two fields that adjoin the south eastern boundary of the developed part of the site.

On the south western field, it is proposed to provide 30 additional caravan pitches with associated access roads and one parking space for each of the new pitches.

On the north eastern field, it is proposed to create a recreation area comprising a short mown playing field and an informal recreation area of meadow grass with wild flowers, cut grass paths, picnic tables and bench seats.

### **Site Location**

The existing caravan site is located on the south western side of Settle Lane in a rural location on the northern edge of the hamlet of Paythorne.

### **Relevant History**

There are a number of planning applications relating to the establishment and growth of a caravan site at this location dating from 1961. The more recent of those applications are as follows.

3/83/0624/P – Change of use from agricultural field to recreational area and touring caravan park for 40 caravans. Approved with conditions.

3/93/0335/P – Use of land for static holiday caravans. Approved with conditions.

3/2007/0010/P – Change of use from vacant agricultural land to accommodate an additional 75 static holiday caravan pitches and associated highway improvements and new sewage treatment plant. Approved with conditions.

3/2012/0920/P – Application to vary condition number 4 of planning permission 3/2007/0010/P to allow the entire caravan park to be used for 12 month holiday use. Approved with conditions.

### **Relevant Policies**

*Ribble Valley Core Strategy (Adopted Version)*

Key Statement DS2 – Presumption in favour of Sustainable Development.

Key Statement EN2 – Landscape.

Key Statement EN4 – Biodiversity and Geodiversity.

Key Statement EC1 – Business and Employment Development.

Key Statement EC3 – Visitor Economy.

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 DMB1 – Supporting Business Growth and the Local Economy.

Policy DMB3 – Recreation and Tourism Development.

National Planning Policy Framework (NPPF)

### **Environmental, AONB, Human Rights and Other Issues**

The matters for consideration in the determination of this application relate to the principle of the development and its potential impacts upon visual amenity, wildlife/ecology/biodiversity, the amenities of nearby residents and highway safety.

Before looking at those matters, however, I consider it appropriate to set the context of the proposal by reference to the two most recent applications relating to this caravan park; and to explain a matter relating to certain conditions on those permissions that has been raised by the Parish Council and a number of local residents.

In 2007 permission was sought for an additional 75 static pitches plus a new sewage treatment plant and associated off-site highway improvements (3/2007/0010/P). That application was considered in relation to the relevant policies of the former Local Plan and was found to be acceptable both in principle and in relation to all relevant detailed considerations. Permission was therefore granted subject to a number of conditions.

One of those conditions (number 3 on 3/2007/0010/P and later repeated as number 2 on 3/2012/0920/P) was as follows:

“The total number of static caravans on site shall not exceed 295 and under no circumstances whatsoever shall the area edged red on the ‘Landhouse Plan’ received 6 June 2007 be used for the positioning of static caravans at any time”.

The land to which that condition relates is the two fields that are the subject of this current application. The condition appears to have been interpreted by the Parish Council and some local residents as a prohibition of further caravans on this particular piece of land for all time. This is not the case as any planning condition only relates to the planning permission to which it is attached. The condition was really imposed for the avoidance of any doubt because all of this land was included in the red edged application site for 3/2007/0010/P but only the proposed new sewage treatment plant was approved on this particular part of the site. The area approved in that application for the additional 75 static caravan pitches was a larger field to the north west of the then existing developed area of the caravan site.

Condition number 4 of permission 3/2007/0010/P restricted the period of occupancy of the holiday caravans to 1 March to 6 January. Condition number 5 stated that the caravans were to be used as holiday accommodation only and under no circumstances whatsoever should they be occupied as a person’s primary residence.

Application 3/2012/0920/P sought permission for the variation of condition number 4 of planning permission 3/2007/0010/P to allow the entire caravan park to be used for 12 month holiday use. That application had to be considered in accordance with Government guidance as comprised in the Good Practice Guide on Planning for Tourism 2006 which recognised that the nature of holidays in this country has become increasingly diverse in location, in season, and in duration. It acknowledges that demand for accommodation may occur in areas where the provision of permanent housing would be contrary to policies that seek to restrict development in order to safeguard the countryside but states that the planning system can reconcile these two objectives through the use of occupancy conditions designed to ensure that holiday accommodation is used for its intended purpose. In Annex B to the Good Practice Guide there is a model condition that local planning authorities are advised to use in order to achieve this objective. Permission was therefore granted in respect of application 3/2012/0920/P subject to the imposition of the model condition as follows:

The terms of occupancy of the site should be as follows:

- (i) The caravans/cabins/chalets shall be occupied for holiday purposes only.
- (ii) The caravans/cabins/chalets shall not be occupied as a person’s sole or main place of residents.
- (iii) The owners/operators shall maintain an up to date register of the names of all owners/occupiers of individual caravans/cabins/chalets on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Therefore, as a result of previous decisions that were made in accordance with relevant planning policies and government guidance, Twyn Ghyll is a caravan site of up to 295 units with planning permission for year round occupation for holiday purposes.

This current application for the use of one field adjoining the existing site to accommodate a further 30 units, and the use of another adjoining field for recreation purposes, falls to be

determined against the requirements of NPPF and the relevant policies of the Council's now adopted Core Strategy.

With regards to the principle of the development, Section 3 of NPPF advises Local Planning Authorities to support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development including supporting sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. In the Core Strategy, Key Statements EC1 and EC3 and Policies DMB1 and DMB3 all express support in principle for tourism related developments in the rural parts of the borough in order to support the local rural economy. Overall, as an extension to an existing holiday caravan site, I consider the proposal to be acceptable in principle.

In order to satisfy all the relevant Core Strategy policies, however, the effects of the proposal upon visual amenity, wildlife/ecology/biodiversity, the amenities of nearby residents and highway safety all need to be assessed.

With regards to visual amenity, the external boundaries of the two fields to which the application relates, benefit from existing natural screening in the form of hedgerows and trees. These are all to be retained and managed for both screening value and biodiversity. The retention and appropriate future maintenance of existing boundary hedgerows and trees, with supplementary planting as necessary, would be ensured by conditions in the event that planning permission is granted.

The site is not within the AONB and it forms an existing feature in the local landscape. When viewed from outside the site, the proposed new caravans would be either screened from view by the existing developed site or would be viewed against the background of the existing site. It is not therefore considered that the proposal would create a discordant feature in the local landscape that would justify a refusal of the application. As previously stated, the development will also be screened by existing and proposed hedgerows and trees.

Overall, I consider the proposed development to be acceptable with regards to its effects upon the local landscape and visual amenities of the locality.

With regards to ecology/wildlife/biodiversity, a Preliminary Ecological Appraisal has been submitted with the application. The existing features of the site and potential impacts, mitigation and enhancement measures are summarised by the following points from the Appraisal:

- The site supports semi improved grassland, hedgerows, tall ruderal and scrub. A small watercourse flows adjacent to the southwestern boundary of one of the fields.
- No statutory or non-statutory nature conservation designations would be affected by the proposed development.
- The habitats on site are unlikely to support any protected species and the proposed development is unlikely to result in any adverse ecological impacts. No additional ecology surveys are required.
- The construction of the additional pitches will result in the loss of a small area of poor semi-improved grassland but the retention and management of wildflower grassland will compensate for this loss and no additional mitigation is required.

- Existing hedgerows will be retained and managed to maximise their function as both screening and wildlife habitat.
- Small areas of ruderal vegetation and scrub will be lost due to the proposed development but landscape planting of native species will compensate for this loss and no additional mitigation is required.
- The risks of impacts to the watercourses on and adjacent the site from pollution during construction works are assessed as being low due to the distance from the proposed construction but standard pollution prevention measures during construction would be sufficient to minimise the risks of pollution.
- No hedgerows or trees are proposed to be removed and the loss of grassland and small areas of scrub and ruderal vegetation would not affect any protected or priority species.
- The proposed development site layout has sought to retain the watercourse which will maintain its value as a wildlife corridor and the resource of for foraging and commuting bats.
- The creation of wildlife ponds is a beneficial measure to enhance biodiversity.
- A Management Plan would ensure that retained and created habitats within the site are managed to maximise their biodiversity value in the long term.

The Council's Countryside Officer has viewed the Appraisal and does not disagree with its findings, conclusions and recommendations. Subject, therefore, to appropriate conditions to ensure the implementation of the measures recommended within the Appraisal, the proposed development is considered to be acceptable in relation to its effects upon wildlife, ecology and biodiversity.

With regards to the effects upon the amenities of nearby residents, the field upon which the proposed new 30 caravans would be sited is approximately 230m away from the nearest residential property, from which it is separated by the field to be used for recreational purposes. It is not therefore considered that the proposed additional caravans would have any detrimental effects upon the amenities of that nearest dwelling or any other nearby residential properties.

The field to be used for recreational purposes is approximately 60m away from the same nearest dwelling. The submitted layout, however, shows the provision of the informal amenity area (meadow grass with wild flowers, trees and cut grass paths with picnic tables, bench seats and trim trail equipment) on the part of the field closest to that dwelling. The cut grass informal play area would be approximately 110m away from that property. The use of the recreation area would be a daytime activity that should not result in serious harm to the amenities of any nearby residents, but the layout has also been designed to put the 'quietest' part of the recreation area closest to the nearest dwelling.

Overall, I do not consider there to be a sustainable reason for refusal of the application relating to the effects of the proposed development upon the amenities of nearby residents.

With regards to highway safety, the Highway Authorities of both Lancashire and North Yorkshire have not expressed any objections to the proposal as they consider that it would not have any detrimental effects upon either highway safety or capacity on the local highway network. The proposed development is therefore considered to be acceptable in relation to this particular consideration.

In conclusion, both aspects of the proposed development are considered to be acceptable in principle and in relation to compliance with the detailed considerations as discussed in the report above. It is therefore considered that permission should be granted subject to the imposition of appropriate conditions.

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

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

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

2. Unless explicitly required by any condition within this planning permission, the development hereby permitted shall be carried out in accordance with the details shown on submitted drawing number H2/140902/3-Site Layout.

**REASON:** For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans.

3. The number of additional static caravans hereby approved shall not exceed 30 and the total number of static caravans on the whole site shall not exceed 325. No caravans shall at any time be sited on the field shown on drawing number H2/140902/3 as a proposed recreation/amenity area unless a further planning permission has first been granted in respect thereof.

**REASON:** To comply with the terms of this application and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version) as the siting of caravans on this particular field would require further consideration to be given in relation to the potential impact upon visual amenity and upon the amenities of nearby residents.

4. The terms of occupancy of the additional caravans hereby permitted shall be as follows:
  - i) The caravans shall be occupied for holiday purposes only.
  - ii) The caravans shall not be occupied as a person's sole or main place of residence.
  - iii) The owners/operators of the site shall maintain an up to date register of the names of all owners/occupiers of individual caravans on the site and of their main home address and shall make this information available at all reasonable times to the Local Planning Authority.

**REASON:** To ensure that the approved holiday accommodation is not used for unauthorised permanent residential accommodation in order to comply with Policies DMG1 and DMB3 of the Ribble Valley Core Strategy (Adopted Version).

5. The development hereby permitted shall be carried out in complete compliance with the mitigation and enhancement recommendations in the Preliminary Ecological Appraisal (Report Number 10036-R01-SH-LP dated 4 June 2015) that was submitted with the application. This shall include the submission for approval and subsequent implementation of a management plan to ensure that retained and created habitats within the site are managed to maximise their biodiversity value in the long term (as stated at paragraph 4.14 of the Appraisal).

REASON: In the interests of protecting local wildlife and ecology and including the implementation of measures to enhance biodiversity in order to comply with Policy DME3 of the Ribble Valley Core Strategy (Adopted Version).

6. Whilst the indicative details of boundary tree and hedge retention and additional landscaping and screen planting shown on drawing number H2/140902/3 are considered to be acceptable in principle, a more detailed scheme of landscaping/screen planting shall be submitted for the approval of the Local Planning Authority. This detailed scheme shall indicate the types and numbers of trees and shrubs, their location on the site, their size at planting and their spacings.

The approved detailed landscaping/screen planting scheme shall be implemented in the first planting season following either the siting of the first caravan on any of the approved new 30 static caravan pitches, or the use of the approved new recreation/amenity area. The planting shall be maintained thereafter for a period of not less than five years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of visual amenity and to comply with Policies DMG1 and DME2 of the Ribble Valley Core Strategy (Adopted Version).

7. Prior to the commencement of any ground preparation works, all existing trees that are shown for retention on the submitted plans and documents, and that are close to any of the areas affected by those ground works, shall be protected with a route protection area in accordance with BS5837 (trees in relation to construction) precise details of which shall first have been submitted to and approved in writing by the Local Planning Authority. Details of a tree protection monitoring schedule shall also be submitted to and agreed in writing by the Local Planning Authority before any ground works are commenced. The monitoring schedule shall then be implemented in accordance with the agreed details. The root protection area shall remain in place until all ground remodelling works have been completed and all excess materials have been removed from the site.

REASON: In order to ensure that all existing trees that are shown for retention, are afforded maximum physical protection from any possible adverse effects of ground works in order to comply with Policies DMG1, DME1 and DME 2 of the Ribble Valley Core Strategy (Adopted Version).

## NOTES

1. The site owner is advised that a risk assessment into the safety two proposed ponds on the site should be undertaken. The owners attention is drawn to the ROSPA guide on

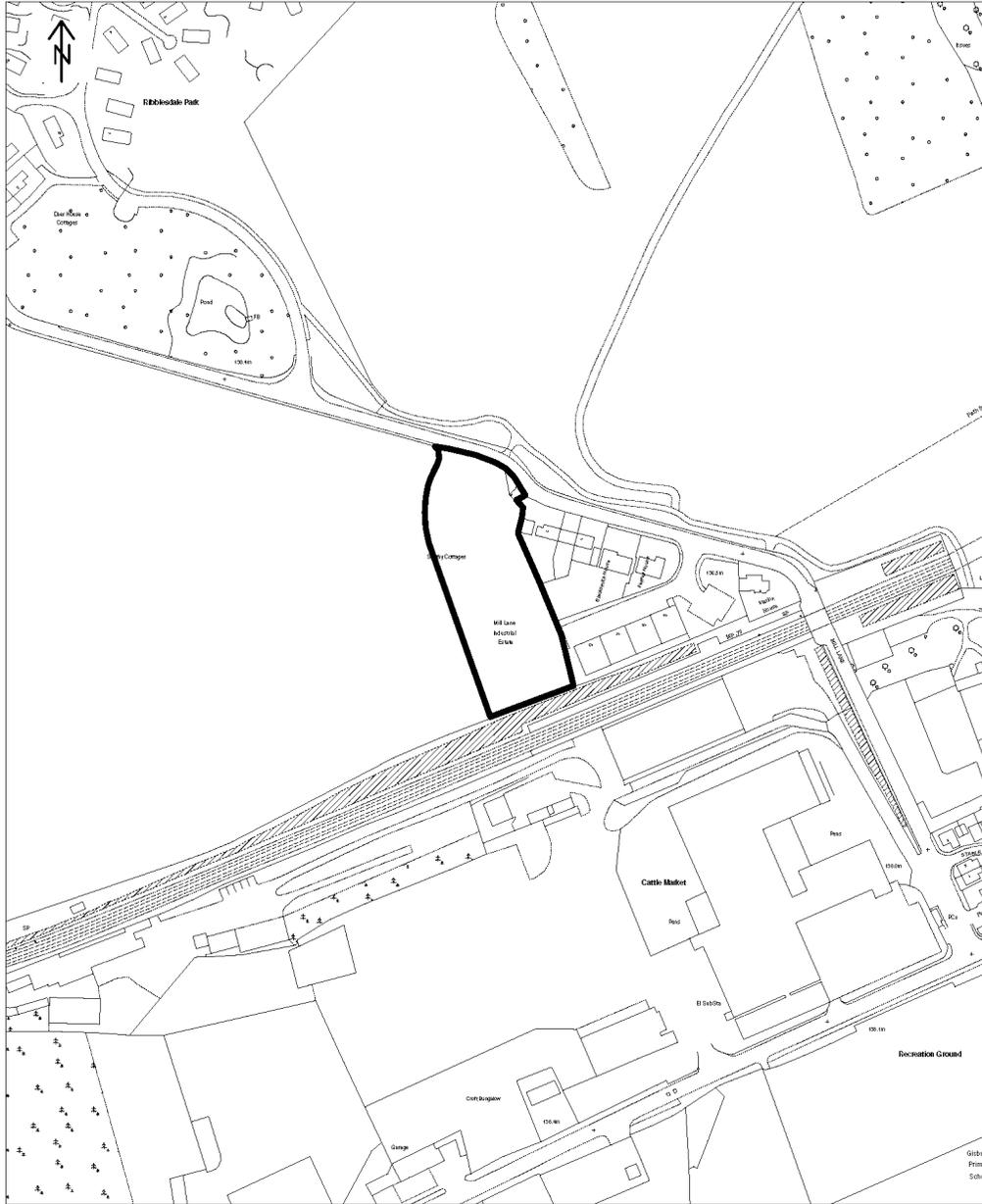
preventing drownings in features of this type. <http://www.rosipa.com/leisure-safety/water/advice/pond-garden-water/>

2. The developer/site owner is advised that the proposed development must comply with this Council's standard licence conditions for holiday caravan sites.

#### BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2015%2F0183](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0183)

APPLICATION NO: 3/2015/0759/P (GRID REF: SD 82476 8941)  
REVISIONS TO HOUSE SITING, DESIGN AND ACCESS ROAD UNDER APPROVAL  
3/2015/0167 FOR ERECTION OF 3 DETACHED DWELLINGS. LAND OFF MILL LANE,  
GISBURN BB7 4LN



3/2015/0759 land at Mill Lane, Gisburn	
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PARISH COUNCIL:	The Council object to the application. The changes to the intended layout of the development of three houses will result in an increased level of intrusiveness to the existing properties on Mill Lane which will border the development as well as increased noise levels for those same properties from the development's road and occupants. The Parish Council believe that the changes to the development proposed are to the detriment of the residents of the existing properties on Mill Lane and are not readily justifiable.
ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):	No objections.
UNITED UTILITIES	No response received however members will note that no objection was raised in respect of the previous application (Ref: 3/2015/0167).
LCC ARCHAEOLOGY	No objections.
ADDITIONAL REPRESENTATIONS:	<p>Letters of representation have been received from 12 households/addresses objecting on the following grounds:</p> <ul style="list-style-type: none"> <li>• The repositioning of the dwellings will result in an unacceptable impact upon residential amenity</li> <li>• It will lead to further applications on adjoining land</li> <li>• The previously approved scheme had a lesser impact</li> <li>• Noise from existing adjacent land uses</li> <li>• The proposed access inadequate</li> <li>• No provision of a pedestrian footway</li> <li>• The new internal estate road will be of detriment to existing neighbouring amenities</li> <li>• Increased light pollution</li> <li>• No infrastructure capacity in the village for further housing</li> <li>• Loss of privacy</li> <li>• The proposal is contrary to the Adopted Core Strategy</li> <li>• Impact upon the highway</li> <li>• Impact upon existing business uses in the area</li> <li>• Loss of wildlife</li> <li>• The submission is not a minor amendment</li> <li>• Devaluation of property</li> <li>• Loss of view</li> </ul>

**Proposal**

Consent is sought for the erection of three detached two-storey dwellings with associated garaging, landscaping and boundary treatments. The proposed dwellings will be faced in natural stone with natural slate roofs, the dwellings will be of a mock barn-conversion appearance employing cat-slide roof and dropped eaves arrangements.

The dwellings are served by a single point of access off Mill Lane with a dedicated shared drive continuing southward along the eastern extents of the site terminating in a turning head adjacent the drive to the southern-most plot.

The proposed dwellings are located to the west of the shared drive/access with vehicles being accommodated in dedicated detached garages. The majority of the plots benefit from a rearward western aspect over the defined open countryside with the primary elevations facing inward.

Curtilages will be delineated by post and rail fencing complimented by hedgerow planting, significant landscaping is proposed within the scheme with additional boundary landscaping to the western extents of the site to aid in minimising the visual impact of the development upon approach from the west. The application also details the creation of a new entry-point that will be delineated by the creation of a natural stone entrance feature wall with associated gating.

### **Site Location**

The application site directly to the south of Mill Lane located within the Defined open Countryside and located outside, but adjacent, the defined settlement limit for Gisburn.

The site also lies within close proximity to the boundary of the Forest of Bowland AONB directly to the west. Directly to the east are a number of semi-detached and detached residential properties in a typically linear arrangement fronting Mill Lane. The application site occupies the north east corner of a large parcel of land that is currently in agricultural use with the application site being approximately 0.54 Ha in area.

### **Relevant History**

#### **3/2014/0300:**

Outline application with some matters reserved for proposed construction of 28 no. residential properties (Refused)

#### **3/2014/0701:**

Outline application for the erection of three detached dwellings. (Refused)

#### **3/2015/0167:**

Proposed erection of 3 detached dwellings. (Approved with Conditions)

### **Relevant Policies**

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Sustainable Development  
Key Statement DMI2 – Transport Considerations  
Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport & Mobility  
Policy DMH3 – Dwellings in the Open Countryside  
Policy EN2 – Landscape & Townscape Protection  
Policy DME1 – Protecting Trees & Woodland  
Policy DME2 – Landscape & Townscape Protection  
National Planning Policy Framework (NPPF)

## **Environmental, AONB, Human Rights and Other Issues**

Members will note that the principle of development of the site for residential purposes has been established as being acceptable through the granting of a previous consent (3/2015/0167 Erection of three detached dwellings), with the consent still remaining extant. It is therefore established that development of the site, for residential purposes for up to three dwellings is in accordance with Key Statement DS1 and the Development Strategy for the Borough with Gisburn being classed as a Tier 1 settlement to which the majority of the development (including other Principal and Tier 1 settlements) will be focused towards.

The proposal site lies directly to the west of 3 Smithy Cottages and Mil Lane Industrial Estate. A number of the dwellings benefit from an easterly aspect with offset distances ranging from 20 – 23.5m to the boundary of the residential curtilage of number 3 which is considered acceptable and it is not considered that there would be a detrimental impact upon residential amenities as a result of proximity or overbearing impact.

The dwellings adopt a semi-rural architectural language with natural stone heads, cills and surrounds being proposed. The dwellings have coach-door openings on their primary elevations which works in concert with the cat-slide roof and dropped eaves arrangements to ensure a positive response to the landscape context. It is proposed that the dwellings will be faced in natural stone with timber windows and black aluminium rainwater goods. In terms of external appearance and scale it is considered that the proposed dwellings represent an appropriate form of development and therefore are in accordance with aims and objectives of Policies DMG1 and DMH3 of the adopted Core Strategy.

A number of representations have been received in respect of additional impacts from the development when compared to the previous approval in that the current proposal proposes an internal roadway in close proximity to the eastern boundary, whereas the previous approval proposed gardens in this area. I note the concerns raised by objectors but consider that the impact as a result of the changes would not be unduly harmful to residential amenities and consider the offset distances proposed to be in excess of that which would raise any fundamental concerns relating to detrimental impact upon residential amenity.

Representations have been received in respect of the proposal setting a future precedent for further development and encroachment into the open countryside. Members will note that each case is determined upon its own merits and in this case do not consider such a precedent would be set.

## **Conclusion**

Given the separation distances between existing and proposed dwellings and taking account of the orientation of primary habitable room windows I do not consider that the proposal would result in any significant detrimental impact upon existing or future residential amenity.

Whilst I am mindful that the current proposal represents a significant deviation to that of which has been previously approved, each application must be considered on its own merits. In this respect I do not consider that the application, as submitted, raises any material issues that would warrant the refusal to grant planning permission.

It is for the above reasons and having regard to all material considerations and matters raised that I recommend accordingly.

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

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

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

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:
  - Construction Section Detail (un-numbered)
  - Access Plan and Site Plan (Drawing 2591.1)
  - Proposed Elevations/Floorplans (Drawing: 2591.2)

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

3. Precise specifications or samples of all external surfaces, including surfacing materials of the development hereby approved shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies DMG1 and DMH3 of the Ribble Valley Core Strategy.

4. All new and replacement windows shall be constructed in timber, details of which shall be submitted to and agreed in writing by the Local Planning Authority prior to their use in the development. For the avoidance of doubt the submitted details shall include elevational and section profiles/detail. The development shall be carried out in strict accordance with the approved details and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality and responds appropriately to the character of the area in accordance with Policies DMG1 and DMH3 of the Ribble Valley Core Strategy.

5. Notwithstanding the submitted details, prior to the commencement of the development, details of the proposed roof mounted Photovoltaic Panels, including section details, shall have been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design and external appearance of the proposal is appropriate to the locality in accordance with Policies DMG1 and DMH3 of the Ribble Valley Core Strategy.

6. Notwithstanding the details shown upon the approved plans, the proposed roof lights shall be of the Conservation Type, recessed with a flush fitting, details of which shall be submitted to and approved by the Local Planning Authority prior to installation.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal does not undermine the character and appearance of the area in accordance with Policies DMG1 and DMH3 of the Ribble Valley Core Strategy.

7. Notwithstanding the submitted details, prior to the commencement of the development, details at a scale of not less than 1:20 of the proposed boundary treatments/fencing and walling shall have been submitted to and approved by the Local Planning Authority. For the avoidance of doubt the submitted details shall not include the provision of pier mounted '800 x 700 illuminated glass lanterns' (as indicated on drawing 2591.1). The development shall be carried out in strict accordance with the approved details.

REASON: To protect the character and visual amenities of the area from inappropriate additions and in order that the Local Planning Authority may ensure that the detailed design and external appearance of the proposal is appropriate to the locality and reflective of its residential use in accordance with Policies DMG1 and DMH3 of the Ribble Valley Core Strategy.

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

REASON: To ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Policies DMG1, DME1 and DME3 of the draft Ribble Valley Core Strategy.

9. Notwithstanding the submitted details, prior to the commencement of the development, including any site preparation works, details of measures to control the emission of dust and dirt during construction period of the development shall be submitted to and agreed by the Local Planning Authority. The approved details and Construction Method Statement shall be implemented, retained and adhered to throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

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

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, the dwelling hereby permitted shall not be altered or extended, no new windows shall be inserted, no alterations to the roof shall be undertaken and no buildings or structures shall be erected within the curtilage of the dwellings hereby approved unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the immediate area in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

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

REASON: To ensure to ensure that the development remains compatible with the character of the area that adequate parking provision is retained that limits the visual impact of the parked motor-vehicle upon the landscape in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

#### BACKGROUND PAPERS

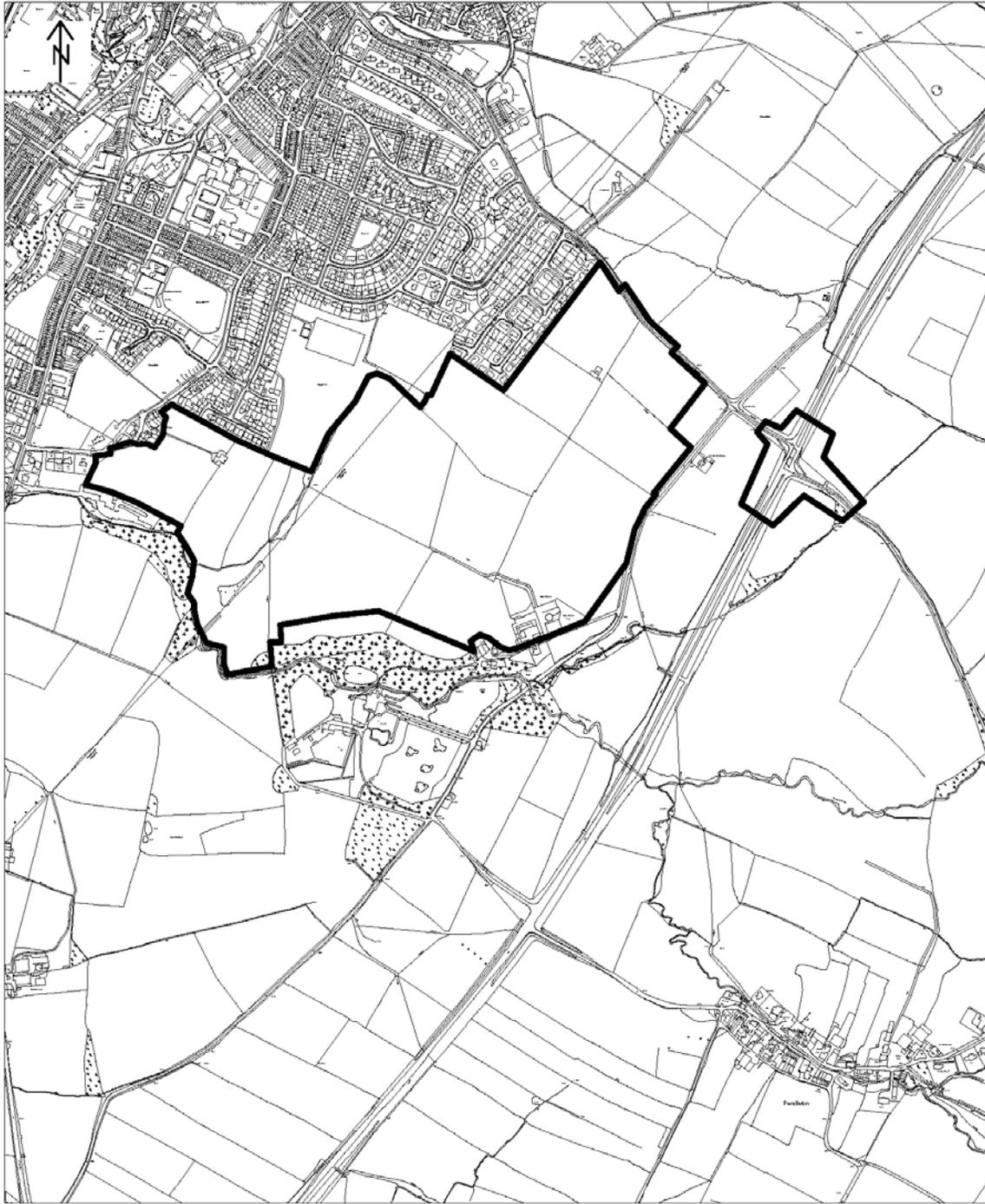
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2015%2F0567](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0567)

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

APPLICATION NO: 3/2015/0895/P

(GRID REF: SD 374918 440647)

APPLICATION TO VARY CONDITIONS 1 (DEVELOPMENT TO BE CARRIED OUT IN ACCORDANCE WITH APPROVED DETAILS), 2 (PLAN REFERENCE), 3 (PHASING), 4 (DESIGN CODE), 8 (PHASE 01 PARTICULARS), 12 (RESERVED MATTERS REQUIREMENTS), 21 (BUFFER ZONE), 40 (ENERGY/SUSTAINABILITY), 42 (ENERGY / SUSTAINABILITY BREEAM), 59 (PEDESTRIAN/CYCLE LINKAGES), 62 (EMPLOYMENT SITE), 63 (RETAIL CENTRE), 64 (ROUNDAABOUT /HIGHWAY IMPROVEMENTS) AND REMOVAL OF CONDITION 41 (CODE FOR SUSTAINABLE HOMES) OF PREVIOUSLY APPROVED OUTLINE PLANNING CONSENT 3/2012/0942 (ERECTION OF 1040 RESIDENTIAL DWELLINGS COMPRISING: 728 MARKET HOMES, 312 AFFORDABLE HOMES, 156 OF THE TOTAL (1040) WOULD BE FOR ELDERLY PEOPLE (IE OVER 55 YEARS OF AGE) OF WHICH 78 WOULD BE AFFORDABLE, 0.8HA TO BE RESERVED FOR RETIREMENT LIVING WITHIN THE TOTAL OF 1040 HOMES, 0.5HA FOR LOCAL RETAIL, SERVICE AND COMMUNITY FACILITIES (CLASSES A1 TO A4, B1 AND D1), 2.25 HA FOR EMPLOYMENT (CLASS B1) ACCOMMODATING UP TO A MAXIMUM GROSS FLOORSPACE OF 5,575M<sup>2</sup>, 2.1 HA OF LAND FOR A PRIMARY SCHOOL SITE, PUBLIC OPEN SPACE INCLUDING GREEN CORRIDORS AND AREAS FOR TREE PLANTING AND LANDSCAPING, AN IMPROVED (ROUNDAABOUT) JUNCTION BETWEEN PENDLE ROAD THE A59, NEW VEHICULAR, PEDESTRIAN AND CYCLE ACCESSES ONTO PENDLE ROAD AND LITTLEMOOR, NEW PEDESTRIAN AND CYCLE ACCESSES ONTO WORSTON OLD ROAD, NEW PEDESTRIAN AND CYCLE ACCESS FROM THE END OF SHAYS DRIVE, ROADS, SEWERS, FOOTPATHS, CYCLEWAYS, SERVICES AND INFRASTRUCTURE INCLUDING: A SUSTAINABLE URBAN DRAINAGE SYSTEM,; NEW SERVICES SUCH AS GAS, ELECTRICITY, WATER AND TELECOMMUNICATIONS) AT LAND AT HIGHER STANDEN FARM, CLITHEROE



3/2015/0895 land at Higher Standen Farm

Scale 1:10000

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CLITHEROE TOWN COUNCIL:	The town council has raised concerns in respect of the timing of the proposed roundabout on the A59.
PENDLETON PARISH COUNCIL:	The Parish council considered this application and wished to comment that the proposed roundabout onto the A59 should be completed prior to any development as the existing traffic is already at capacity at that junction before a large number of more households are added at this location.
ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):	The County Surveyor has stated that they remain committed to the delivery of the proposal and the delivery of the roundabout on the A59/Pendle Road. Negotiations are ongoing in relation to the detailed wording of the highways condition relating to the timing of the roundabout being brought forward which may include further off-site improvements to facilitate traffic movement.
NATURAL ENGLAND	<p>Having reviewed the application Natural England does not wish to comment on this development proposal.</p> <p>The development however, relates to the Forest of Bowland AONB. We therefore advise you to seek the advice of the AONB Partnership / AONB Conservation Board. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the AONB designation. They will also be able to advise whether the development accords with the aims and policies set out in the AONB management plan.</p>
ENVIRONMENT AGENCY:	<p>We have reviewed this application to vary conditions applied to 3/2012/0942, and have no comment on this application for the following reason:</p> <p>The Environment Agency requested conditions on the original Outline application that have been incorporated into the Conditions 66-73. Having reviewed the submitted Schedule of Planning Conditions to be Amended, there are no proposed amendments to these Conditions.</p>
LLFA	As the original conditions were set by the Environment Agency prior to LLFA becoming the statutory consultee observations should be provided by EA to ensure continuity.
RVBC ENGINEERS	No comments in respect of contaminated land.
HISTORIC ENGLAND	We have received amended proposals for the above scheme. We do not wish to comment in detail, but offer the following general observations.

The current application is to vary conditions on a previously approved scheme, which is situated in close proximity to the grade II\* listed Standen Hall. The applicant is seeking to vary a number of conditions linked to the earlier approval, however, we have limited our comments to condition 21, buffer zone and also made points which should be considered when reviewing condition 3, phasing.

Standen Hall is an 18th century Palladian mansion, built for John Aspinall. Its principle frontage is seven bays wide and three storeys in height, with a giant Doric columns supporting an entablature. The hall is set within landscaped grounds and approached along a tree lined avenue, which frames the principle elevation. The adjacent Standen Hall Farm is believed to originally be the home farm to the estate and is includes a number of grade II listed buildings.

Standen Hall is of interest as a fine example of an 18th century country house, set in a well-defined landscape. Its significance is further demonstrated in its designation as a grade II\* listed building, placing it in the top 8%of buildings in the country.

Having considered the submitted information, we have concluded that the alterations to the parameters plan set out in the current application do not result in any greater impact occurring to the setting of Standen Hall, when considered against the scheme previously approved.

The increased area of green space/buffer zone to the north of Standen Hall Farmhouse appears to be an improvement on the previously approved scheme and is therefore welcomed. We therefore do not raise any objections to the alterations.

In our comments on the previously approved scheme, we asked that the green buffer zone to Standen Hall was planted well advance of the development occurring in that area, this was to in order to allow the planting to mature and provide more immediate mitigation once the construction occurs in that area. This advice is still relevant and we ask it is taken into consideration when determining the current application.

**Recommendation**

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

UNITED UTILITIES

No response/comments received.

LCC CONTRIBUTIONS	Negotiations are on-going in relation to the variations to the S.106 Agreement.
LCC ARCHAEOLOGY	No response received. Previously stated no objections subject to technical requirements at outline stage
ENGLISH HERITAGE	No response received. Previously stated that more details be submitted to enable further consideration at outline planning stage.
SPAB	No response received.
VICTORIAN SOCIETY	No response received.
ANCIENT MONUMENTS SOCIETY	No response received.
GEORGIAN GROUP	No response received. Previously stated concerns regarding the potential impact upon Standen Hall at outline stage,
CPRE	No response received.
LANCS GARDEN TRUST	No response received. Previously raised concerns regarding impact upon key views to Clitheroe Castle and setting of Standen Hall at outline stage.
FOREST OF BOWLAND AONB	No objections to the application.
HCA	The HCA have stated their commitment to ensuring the delivery of the site and wider infrastructure during the pre-application stage and during the course of the application.
ADDITIONAL REPRESENTATIONS:	<p>5 letters of representation have been received raising the following observations and objecting on the following grounds:</p> <ul style="list-style-type: none"> <li>• Increased flood risk</li> <li>• Location of the pond is inappropriate</li> <li>• The roundabout should be delivered prior to any housing being built due to the potential impact upon the immediate highway.</li> <li>• The development should incorporate a green route adjacent the boundaries of existing properties that would facilitate maintenance of existing hedgerows.</li> <li>• Concerns that on-going cutbacks will preclude the ability for a public transport network to be provided within the development.</li> <li>• No part of the development should be three storeys in scale.</li> <li>• The height parameters proposed for the non-residential buildings are too high.</li> </ul>

- There is no justification to provide an additional public house/restaurant in the area.
- Concerns over inaccuracies within the submission documentation.
- The submitted Design Code does not provide sufficient guidance for phase 01.
- Failure to show adjacent properties/premises on the proposed parameters plan.
- Any future submission adjacent business premises should be accompanied by an appropriate noise survey.
- Additional green buffers/corridors should be provided on boundaries adjacent to neighbouring business premises.
- Concerns regarding the access arrangements for Littlemoor.
- The proposal will have an impact upon existing rights of way.

### **Proposal**

The application seeks consent to vary/remove conditions attached to previous outline consent (3/2012/0942) for the Higher Standen Farm Strategic Site, granted on the 17<sup>th</sup> of April 2014.

The application is made under Section 73 of the Town and Country Planning Act which allows applications to be made for permission to develop without complying with a condition(s) previously imposed on a planning permission or for applications to be made to vary the wording and content of previously imposed conditions. The local planning authority can grant such permission unconditionally or subject to different conditions, or they can refuse the application if they decide that the original condition(s) should be upheld.

Members will note that the original outline planning permission will continue to subsist whatever the outcome of the application under made under section 73. Planning Practice Guidance provides further clarity as follows:

*Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended.*

*A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged.*

*As a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission. If the original permission was subject to a planning obligation then this may need to be the subject of a deed of variation.*

S.73 of the TCP Act is explicit in that the nature of the application does not allow for the reassessment of the principle of the approved development stating that:

*73 Determination of applications to develop land without compliance with conditions previously attached.*

- (1) *This section applies, subject to subsection (4), to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.*
- (2) *On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and:-*
  - (a) *if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and*
  - (b) *if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.*
- (3) *Special provision may be made with respect to such applications:-*
  - (a) *by regulations under section 62 as regards the form and content of the application, and*
  - (b) *by a development order as regards the procedure to be followed in connection with the application.*
- (4) *This section does not apply if the previous planning permission was granted subject to a condition as to the time within which the development to which it related was to be begun and that time has expired without the development having been begun.*
- (5) *Planning permission must not be granted under this section to the extent that it has effect to change a condition subject to which a previous planning permission was granted by extending the time within which*
  - (a) *a development must be started;*
  - (b) *an application for approval of reserved matters (within the meaning of section 92) must be made.*

As the application seeks to vary the wording and requirements of a large number of conditions and for the purposes of clarity, a breakdown of the proposed variations, their reasoning and potential implications are detailed later within the assessment section of this report.

### **Site Location**

The application site is an area of approximately 50 hectare of agricultural land and farm buildings separated into a number of fields bounded by hedgerows to the eastern side of Clitheroe. A further 2.1 hectares of land, comprising four individual fields, are identified near the junction of Pendle Road, the A59 and Clitheroe Road for potential highway improvements.

To the north of the site are residential properties on Shays Drive, Pagefield Crescent and Gills Crescent, with the site extending to the west along the boundary with the playing fields of Ribblesdale School, Lingfield Avenue and Hillside Close around to the rear of properties on Littlemoor. The site boundary to the north east is formed by Pendle Road. It then follows a south westerly route bounded by Worston Old Road with the southern boundary following the edge of a wooded area and then the route of Pendleton Brook north westwards towards Dent

Plant Hire Depot of Whalley Road. Standen Hall and its grounds, (a Grade II\* listed building) and the Grade II The Old Bothy, lie to the south of the site with the Grade II listed buildings of numbers 1-9 (odd) and numbers 11-15 (odd) Littlemoor and Little Moor House set to the north/north western corner of the site. Two public rights of way cross the site (numbers 11 and 14) with the line of a Roman road traversing the site in a north east/south west direction.

The site, both its main body and area to be used for potential highway improvements, lie within land designated Open Countryside in the Districtwide Local Plan. Pendle Hill AONB lies to the opposite side of the A59 approximately 1100m distant from the site to be built upon and approximately 850m from the junction of Clitheroe Road with the A59.

## **Relevant History**

3/2012/0942

Outline application (All matters reserved) for proposed 1040 residential dwellings comprising: 728 market homes; 312 affordable homes; 156 of the total (1040) would be for elderly people (ie over 55 years of age) of which 78 would be affordable; 0.8 hectare to be reserved for retirement living within the total of 1040 homes; 0.5 hectare for local retail, service and community facilities (classes a1 – a4, b1 and d1); 2.25 hectare for employment (class b1) accommodating up to a maximum gross of floor space of 5,575m<sup>2</sup>; 2.1 hectare of land for a primary school; public open space including green corridors and areas for tree planting and landscaping; an improved (roundabout) junction between Pendle Road and the A59; new vehicular, pedestrian and cycle accesses onto Pendle Road and Littlemoor; new pedestrian and cycle accesses onto Worston Old Road; new pedestrian and cycle access from the end of Shays Drive; roads, sewers, footpaths, cycleways, services and infrastructure including a sustainable urban drainage system; new services such as gas, electricity, water and telecommunications at land at Higher Standen Farm and part Littlemoor Farm, Clitheroe. (Approved with conditions)

It is important the emphasise, when considering the consultation responses, that regard should be given to the fact that outline consent has been granted establishing the principle of the development of the site as being acceptable. It should further be noted that the original consent had regard to Statutory Consultee responses and that the previous views of the amenity groups/consultees have also been considered in the context of the current S.73 application.

## **Relevant Policies**

### **Ribble Valley Core Strategy**

Key Statement DS1 – Development Strategy.

Key Statement DS2 – Presumption in Favour of Sustainable Development.

Key Statement EN2 – Landscape.

Key Statement EN3 – Sustainable Development and Climate Change.

Key Statement EN4 – Biodiversity and Geodiversity.

Key Statement EN5 – Heritage Assets.

Key Statement H1 – Housing Provision.

Key Statement H2 – Housing Balance.

Key Statement H3 – Affordable Housing.

Key Statement EC1 – Business and Employment Development.

Key Statement 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 DME1 – Protecting Trees and Woodlands.

Policy DME2 – Landscape and Townscape Protection.

Policy DME3 – Site and Species Protection and Conservation.

Policy DME4 – Protecting Heritage Assets.

Policy DME5 – Renewable Energy.

Policy DME6 – Water Management.

Policy DMH1 – Affordable Housing Criteria.

Policy DMB1 – Supporting Business Growth and the Local Economy.

Policy DMB2 – The Conversion of Barns and Other Rural Buildings for Employment Uses.

Policy DMB4 – Open Space Provision.

Policy DMB5 – Footpaths and Bridleways.

**Historic Environment Planning Practice Guide**

**Planning Practice Guidance**

**National Planning Policy Framework**

**Technical Guidance to National Planning Policy Framework**

**Planning (Listed Buildings and Conservation Areas) Act.**

### **Environmental, AONB, Human Rights and Other Issues**

The application seeks to vary the wording of a number of the original planning conditions attached to 3/2012/0942 as follows:

#### **Details**

##### **Condition 01:**

It is proposed that condition 01 be varied to reference the updated Parameters Plan drawing number and Design and Access Statement Addendum to the overall masterplan approach being taken in respect of the development site.

The revised Parameters Plan provides further clarity in respect of the proposed development parcels and introduces 'reserved green space' which provides a general overview as to the network of open space that will be provided within the development. The submitted details also introduce a 5m buffer planting strip within the 15m standoff areas adjacent neighbouring residential properties. Given this 5m strip is likely to fall within private residential curtilage clarification has been sought in respect of how this will be protected and retained during the lifetime of the development.

The revised details also propose the relocation of the Employment uses, Retirement Living, Primary School, and ancillary retail and community uses. It is proposed that the school, retirement living and employment area will now be located in a cluster towards the central area of the site and directly adjacent to and south of Ribblesdale Playing Fields

Members will also note that the revised parameters Plan maintains an element of retail, service and community use along the Pendle Road frontage albeit it in a slightly different location, the supporting information has suggested that this may take the form of a Public House/ Restaurant

for use by future occupiers of the development and be made available for use by the wider community. An additional area for retail, service and community uses has been proposed in a central location within the development site in close proximity to the revised location of the remainder of the non-residential uses.

The applicant has submitted an addendum to the existing approved Design and Access Statement which provides context in relation to the revised approach to be taken to the site and its correlation to the previous consent. A small number of concerns have been raised in respect of its content and it is likely that these will be resolved prior to the Planning and Development Committee meeting.

Notwithstanding this concern, the originally approved Design & Access Statement remains a point of reference in the determination of any subsequent reserved matters applications and the Local planning Authority is confident that it will ensure the delivery of a number of the principles contained within the document.

#### Condition 02:

It is proposed that condition 02 be varied to reference the updated Parameters Plan drawing number to reflect amendments to the overall masterplan approach being taken in respect of the development of the site.

### **Phasing**

#### Condition 03:

It is proposed that condition 03 be varied to reference an updated and revised phasing plan which provides clear correlations between the revised phasing of the development and the delivery of the employment centre (and associated infrastructure) and the Local Retail Centre (and associated infrastructure) as required by conditions 62 and 63 of the original outline consent.

The revised Phasing Plan proposes 6 phases of residential development and large parcels of non-residential development that includes areas of reserved green space and all other uses, one of which fronts Pendle Road, further clarity has been sought in respect of the assumed quantum of development to be contained within each phase, whilst this is not essential to the determination of the application it would provide further insight into delivery rates on the site.

Members will note that this condition is to be considered in parallel with the proposed revisions to conditions 62 and 63 in respect of the trigger points and required timings for the delivery of the non-residential uses within the development.

### **Design Codes**

#### Condition 04:

It is proposed that condition 04 be amended as the Design Code for Phase 01 of the development has now been submitted as part of the Section 73 application. The amendments provide greater clarity on the requirement to provide detailed Design Codes for each phase (following phase 01) prior to the submission of the reserved matters application for the relevant phase.

It is also proposed that clauses (c) and (d) of the condition are amended to reflect the Written

Ministerial Statement made on 25th March 2015 and reflect a change in national planning policy which requires local planning authorities not to set any additional local technical standards relating to the construction, internal layout or performance of new dwellings.

Concerns have been raised by the LPA in respect of the submitted Design Code insofar that it is considered that takes a site wide approach which may not be considered explicit enough in relation the design approach that will be adopted in respect of Phase 01.

It has been suggested by the LPA that the condition be further reworded to ensure that the submission of the Phase 01 Reserved Matters details will be accompanied by shall be accompanied by a Design and Access Statement and Design Coding Document and that the submitted details shall demonstrate how the objectives of the approved Design and Access Statement will be met, demonstrate how the design development Phase 01 of the development has taken account of Clause (a) to (q) of the condition and how Phase 01 will integrate with any subsequent adjacent phases of development. At the time of the writing of this report, clarification is awaited in respect of the exact revised wording.

The remainder of the condition remains intact in that it requires that prior to the submission of the reserved matters applications for each subsequent phase, a detailed Design Code for that phase shall have been submitted to and approved in writing by the Local Planning Authority.

### **Reserved Matters and Implementation**

#### Condition 08:

It is proposed that Condition 08 be amended to omit the mention of uses in Phase 1 which Taylor Wimpey are not seeking consent for in the revised Parameters Plan. The amended condition removes reference to 'non-residential' uses within Phase 1.

#### Condition 12:

The proposed amendments to this condition seek to vary the condition so that reserved matters requirements contained in clause (b), (e), (h) and (l) become pre-commencement requirements and are detailed in condition 59 rather than condition 12.

### **Heritage and Archaeology**

#### Condition 21:

The proposed amendments to this condition update the drawing reference to the Parameters Plan to ensure it is relevant to the currently submitted revised drawing.

### **Energy/Sustainability**

#### Condition 40:

The proposed amendments to this condition provide greater flexibility as to how the achievement of at least 10% of the total energy requirements of the development to be generated on site can be achieved. The rewording will also now allow for other methods, such as 10% less energy consumption to be acceptable if adequately demonstrated.

#### Condition 42:

The proposed amendments to this condition provide greater flexibility to acknowledge any subsequent equivalent or replacement sustainability assessment method to BREEAM in respect of the building performance of non-residential buildings on site.

## **Transport and Highways**

### Condition 59:

The proposed amendments to this condition require that certain information in relation to technical highways specifications, fire hydrants, street furnishing and cycle/footpath details be submitted pre-commencement rather than as part of the reserved matters details as originally required by condition 12.

### Condition 62:

The proposed amendments to this condition specify that not more than 520 of the dwellings to be built shall be occupied until the employment site hereby permitted has been provided with vehicle, pedestrian and cycling accesses to adoptable standard and all three are available for public use. The previous wording related to 50% of the dwellings to be built being occupied, it has been revised to reflect the revisions to the proposed parameters plan and to provide further clarity in relating to the quantum of residential development that can be occupied prior to the employment site having been brought forward.

### Condition 63:

The proposed amendments to this condition specify that not more 520 dwellings shall be occupied until the local retail centre hereby permitted has been provided with vehicle, pedestrian and cycling accesses to adoptable standard and all three are available for public use. The previous wording related to 200 of the dwellings to be built being occupied.

The reworded condition reflects the revised Parameters Plan which identifies that the local retail centre will be provided as part of a later phase of development, not as part of Phase 1 as originally intended. A cap of 200 dwellings would prevent further phases of the site being brought forward prior to the local retail centre being provided.

### Condition 64:

The original wording of the condition required that no part of the development hereby permitted shall commence, including site preparation works, until the proposed roundabout at the junction of the A59 and Pendle Road has been constructed and is open for use as part of the public (adopted) highways.

It is proposed by the applicant that this condition be revised to allow for the commencement of development and that the proposed roundabout at the junction of the A59 and Pendle Road shall be constructed and open for use as part of the public (adopted) highways prior to the occupation of the fiftieth dwelling.

Detailed negotiations are currently being undertaken in respect of the precise wording of this condition. The on-going negotiations may result in a further revised wording of the condition that will allow for greater control that limits the extent any additional works that can be undertaken on site until the roundabout at the junction of the A59 and Pendle Road is constructed and open for use as part of the public (adopted) highways.

The outcome of these negotiations will be reported verbally should all outstanding matters be resolved.

### Condition 41 (Removal):

Members will also note that as part of the current application the applicant seeks to remove condition 41 which required the proposed dwellings to achieve a Level 3 rating in Code for

Sustainable Homes standards and that no dwelling be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

It is requested that the condition be removed to reflect the Written Ministerial Statement made on 25<sup>th</sup> March 2015 and a change to national planning policy which requires local planning authorities not to set any additional local technical standards relating to the construction, internal layout or performance of new dwellings.

It is proposed that this condition should be removed as it is no longer relevant as it is likely that the Code for Sustainable Homes will be terminated and subsequent standards in relation to building performance will be assessed under revisions to be made to the current Building Control Regulations.

### **Legal Agreement/Planning Obligations**

The applicant has submitted a revised S106 Agreement in respect of the development and for the purposes of clarity the revised Heads of Terms are summarised as follows:

- Transport contribution to be paid calculated and paid in relation to each phase. Proposed payment triggers within each phase are 50% of the total contribution for the relevant phase to be paid on Occupation of 50% of the residential units within that phase, and the remaining 50% to be paid on occupation of 85% of the residential units.
- Travel Plan Contribution to be paid in 6 equal instalments, each instalment due on Occupation of the first residential unit in each of the first six residential phases actually delivered.
- Sport and Leisure Contribution to be paid in 6 equal instalments of £133,333.33 each. Each instalment will become due on Occupation of 50% of the residential units in each residential phase.
- Affordable Housing Percentage:
  - Amend drafting to ensure that each phase delivers 30% affordable housing (50/50 affordable rented/shared ownership), so as to avoid the affordable housing being spread unevenly through the development.
  - Introduce obligation to submit details of size, location of affordable housing units to the Council for approval with the RMs
  - Remove reference to the fixed figure of '312' affordable housing units to reflect flexibility within permission to build up to 1040 residential units.
  - Lifetime Homes Design Standards (Affordable Housing) – delete fixed figure of 78 and replace with 25% of the affordable units in each phase (see reasoning above)
  - Lifetime Homes Design Guide (2011) – Market Dwellings – delete fixed figure of 78 and replace with 7.5% of the Market Dwellings (see reasoning above)

- Introduce affordable housing cascade mechanism to allow for situation where developer either receives no offers for the affordable housing units from a registered provider or is otherwise unable to dispose of affordable housing units to a registered provider at a reasonable commercial return (being a figure to be agreed with the Council before the relevant Phase commences). Under the cascade, the developer and council will use reasonable endeavours to agree an alternative mix or quantum of affordable housing to be marketed to registered providers for a minimum period and if such re-marketing is unsuccessful, the developer shall be allowed to dispose of the units on the open market free of restrictions. The Council will also be given an option to call for a transfer of the affordable units to itself.
- Mortgagee Protection Clauses – expand to meet current requirements of funders of affordable housing
- Marketing of Affordable Units by registered providers – change 6 month marketing requirement to a 3 month marketing requirement to reflect financial pressures of holding empty units
- Education Contribution: Primary and Secondary Education Contributions to be calculated in relation to each residential phase of the development (to reflect flexibility within the permission relating to housing numbers beneath the maximum cap of 1040)
- Calculation of the Education Contribution: introduce dispute resolution provision in the event of a dispute regarding the calculation of the contribution.
- Triggers: Amend triggers for payment of Primary and Secondary Education Contribution to operate on a phase-by-phase basis:
  - 50% of the contribution in any phase due before 50% of the residential units within that phase have been occupied;
  - Remaining 50% to be paid before occupation of more than 80% of the residential units in that phase.
- Add in Works in Kind provision to allow developer to notify the Council that it intends to deliver the primary school itself and off-set the costs of delivery (agreed with the Council) against any unpaid Primary Education Contributions/any contributions held by the Council which have not been spent.

In addition to the above it is proposed that the revisions will include:

- Add in drafting to cover a situation where the Government's Starter Homes initiative applies to all or part of the development. The aim of the drafting would be to ensure that the agreement is reviewed and varied to ensure that the planning benefits continue to be secured but that no party is in a financially worse position because of a requirement to deliver starter homes.
- Expand the dispute resolution clause. The current clause only allows arbitrators appointed by the Royal Institute of Chartered Surveyors. The clause should be amended to allow disputes relating to other areas of expertise to be referred to appropriately qualified experts, and for appropriate procedures to be followed and a reasoned decision to be issued.

Members will note that at the time of the writing of this report extensive negotiation and dialogue is currently being undertaken on these matters at a Local Level and by other external signatories that are party to the S.106 Agreement.

### **Assessment**

It is accepted that approval of the current application will allow for a higher quantum of housing to be brought forward prior to other non-residential elements of the proposal when compared to the original outline consent. I do not consider that this would fundamentally alter the nature of the proposal and its inherent components and consider that the revised timings of delivery are based on a more coherent and comprehensive approach being taken to the phasing of the development which will ensure its long-term viability and delivery.

### **SUMMARY OF REASONS FOR APPROVAL**

Subject to further work being undertaken on rewording of a number conditions, consider in principle, the variations proposed are not in direct conflict with the adopted Core Strategy and that the granting of this consent will ensure the delivery of the Standen Strategic Site in line with originally anticipated timescales.

It is for the above reasons and having regard to all material considerations and matters raised that I 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 and to allow for further work to be undertaken regarding the detailed wording of conditions within 3 months from the date of this decision and subject to the following conditions:

#### **Details**

1. The development hereby permitted shall not be carried out except in substantial accordance with the principles and parameters described and identified in the Design and Access Statement dated October 2012, as updated by the Addendum to Design and Access Statement, and Parameters Plan drawing number TW/PR/PP/01.

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

2. The following drawings are authorised by this planning permission:
  - Site Boundary Application Plan Drawing SP(90)15D
  - Parameters Plan Drawing TW/PR/PP/01.

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

#### **Phasing**

3. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in accordance with the approved Phasing Plan (Drawing TW/PR/CP/01)

REASON: To ensure the satisfactory phasing of the development and to ensure that the development, including affordable housing, open space, employment and community uses is delivered with supporting infrastructure in a co-ordinated, planned way.

## Design Codes

4. Unless otherwise agreed in writing by the Local Planning Authority, Phase 01 of the development hereby approved shall be carried out in accordance with the approved Residential Design Code. Thereafter, prior to the submission of the reserved matters applications for each subsequent phase, a detailed Design Code for that phase shall have been submitted to and approved in writing by the Local Planning Authority.

The detailed Design Code(s) shall demonstrate how the objectives of the approved Design and Access Statement will be met, including the Character Areas, Landscape Framework and Building in Context principles set out in Appendix 1 thereto, and shall take account of the drawings referred to in Condition 2. The development hereby permitted shall be carried out in accordance with the approved Design Code. The Design Code shall include the following:

- a) principles for determining quality, colour and texture of external materials and facing finishes for roofing and walls of buildings and structures including opportunities for using locally sourced and recycled construction materials;
- b) accessibility to buildings and public spaces for the disabled and physically impaired;
- c) sustainable design and construction measures that demonstrate how the development will maximise passive solar gain, natural ventilation and include the provision of water efficiency measures, the potential for home composting and food production and details of how the non-residential buildings hereby permitted shall achieve a BREEAM (or any subsequent equivalent or replacement sustainability assessment method as may be agreed in writing by the Local Planning Authority) “very good” rating or above.
- d) measures which show how energy efficiency is being addressed to reflect policy and climate change, and show the on-site measures to be taken to produce at least 10% of the total energy requirements of the development hereby permitted by means of renewable energy sources or measures as to how a reduction of at least 10% of the total energy requirements for the development will be achieved through alternative methods;
- e) built-form strategies to include architectural principles, lifetime homes standards, character areas, density and massing, street grain and permeability, street enclosure and active frontages, type and form of buildings including relationship to plot and landmarks and vistas;
- f) principles for hard and soft landscaping including the inclusion of important trees and hedgerows;
- g) structures (including street lighting, floodlighting and boundary treatments for commercial premises, street furniture and play equipment);
- h) design of the public realm, including layout and design of squares, areas of public open space, areas for play and boundary treatments;

- i) open space needs including sustainable urban drainage;
- j) conservation of flora and fauna interests;
- k) provision to be made for art;
- l) a strategy for a hierarchy of streets and spaces;
- m) alignment, width, and surface materials (quality, colour and texture) proposed for all footways, cycleways, bridleways, roads and vehicular accesses to and within the site (where relevant) and individual properties;
- n) on-street and off-street residential and commercial vehicular parking and/or loading areas;
- o) cycle parking and storage;
- p) means to discourage casual parking and to encourage parking only in designated spaces;
- q) integration of strategic utility requirements, landscaping and highway design.

REASON: In order that a high standard of design is secured for the details to be submitted as part of the reserved matters as the application was made for outline permission and to comply with Policy DMG1 of the Ribble Valley Core Strategy.

5. No more than 1040 dwellings shall be constructed on the site pursuant to this planning permission.

REASON: The development was supported by an Environmental Statement which took account of the particulars of the application.

#### Reserved Matters and Implementation

6. Approval of the details of the access, layout, scale, design and external appearance of any part of the residential development within each phase of the development hereby permitted and the landscaping associated with it ('the residential reserved matters') shall be obtained in writing from the Local Planning Authority before that part of the residential development is commenced within that phase. The development shall not be carried out otherwise than in accordance with the approved details.

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 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

7. Approval of the details of the access, layout, scale, design and external appearance of any part of the non-residential development within each phase of the development hereby permitted and the landscaping associated with it ('the non-residential reserved matters') shall be obtained in writing from the Local Planning Authority before that part of the non-residential development is commenced within that phase. The development shall not be carried out otherwise than in accordance with the approved details.

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 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

8. Application for approval of the residential reserved matters of Phase 1 of the development hereby permitted on the Pendle Road frontage shall be made to the Local Planning Authority before the expiration of 2 years from the date of this permission.

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 DMG1 of the Ribble Valley Core Strategy.

9. Phase 1 of the development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 1 year from the date of approval of the last of the residential reserved matters or the non-residential reserved matters (as the case may be) to be approved in respect of that phase, whichever is the later.

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 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

10. Application for approval of the residential reserved matters and non-residential reserved matters in respect of each subsequent phase of the development hereby permitted shall be made to the Local Planning Authority before the expiration of 8 years from the date of this permission.

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 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

11. Subsequent phases of the development hereby permitted shall be begun either before the expiration of 9 years from the date of this permission, or before the expiration of 1 year from the date of approval of the last of the residential reserved matters or the non-residential reserved matters (as the case may be) to be approved in respect of that phase, whichever is the later.

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 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

12. Plans and particulars submitted pursuant to Conditions 6 and 7 above shall include the following details:

- a) the existing and proposed ground levels on the development site and on neighbouring land, and the slab levels of neighbouring buildings and proposed buildings;
- b) any proposed access road(s) detailing the levels of the proposed roads;
- c) layout, specification (including drainage) to an adoptable standard and construction programme for (1) any internal roads not covered by (b) above, (2) footway and cycle way links to the existing built up area, footpaths and cycleways beyond the site, (3) vehicle parking, turning and loading/unloading areas within the site (including visibility splays), (4) secure and sheltered cycle facilities including cycle parking areas and storage facilities (5) access facilities for the disabled, (6) individual accesses, (7) car parking and (8) school drop off and pick up;
- d) the positions, design, materials and type of boundary treatment (including all fences, walls and other means of enclosure) to be provided;
- e) details for all hard landscaped areas, footpaths and similar areas, including details of finished ground levels and all surfacing materials;
- f) contours for all landscaping areas, together with planting plans and schedules of plants, noting species, sizes and numbers/densities, details of all trees, bushes and hedges which are to be retained and a written specification for the landscape works (including a programme for implementation, cultivation and other operations associated with plant and grass establishment);
- g) details of compliance with the principles set out in the Design Code as approved pursuant to Condition 4;
- h) provision for buses so that they can circulate through each completed part or phase of the development and ultimately between Pendle Road and Littlemoor when all phases have been completed;
- i) a Waste Minimisation Statement;
- j) full details of water butts to serve each dwelling; and
- k) public open space / play facilities
- l) a heritage impact assessment (where applicable).

REASON: To ensure that the development integrates with the locality and In order that the Local Planning Authority shall be satisfied as to the details because the application was made for outline permission and to comply with Policy DMG1 of the Ribble Valley Core Strategy.

#### Parameters

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order and subsequent re-enactments and amendments with regard to permitted development rights for dwellings, no buildings (other than those ancillary

outbuildings allowed by the above Order without an express consent) shall be erected within 15 metres of the boundaries of properties in the following streets: -

- Lingfield Avenue
- Hillside Close
- Shays Drive
- Brett Close
- Pagefield Crescent
- Gills Croft

REASON: To reduce the impact on existing properties in the interests of residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

14. No buildings above 6 metres in height (1.5 storeys) shall be located within 21 metres of the boundaries of properties in the following streets: -

- Lingfield Avenue
- Hillside Close
- Shays Drive
- Brett Close
- Pagefield Crescent
- Gills Croft

REASON: To reduce the impact on existing properties in the interests of residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

15. The school building(s) hereby permitted shall not exceed 9 metres in height and shall be located a minimum of 21 metres from the rear boundary to properties in:

- Lingfield Avenue
- Hillside Close
- Shays Drive
- Brett Close
- Pagefield Crescent
- Gills Croft

REASON: To reduce the impact on existing properties in the interests of residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

16. None of the other non-residential buildings on the site (ie those not affected by the above condition) shall exceed 9 metres in height in respect of the retail and community buildings or 12m in height for the employment buildings.

REASON: To reduce the impact on visual amenity and in the interests of residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1

of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

#### Commercial and Community Uses

17. The Ancillary Retail and Community buildings hereby permitted shall not exceed 1500m<sup>2</sup> gross floorspace in total.

REASON: The development was supported by an Environmental Statement, which took account of the particulars of the application

18. The Employment (Class B1) buildings hereby permitted shall not exceed 5575m<sup>2</sup> gross floorspace in total.

REASON: The development was supported by an Environmental Statement, which took account of the particulars of the application

19. The primary school hereby permitted shall not exceed 1285m<sup>2</sup> gross floorspace.

REASON: The development was supported by an Environmental Statement, which took account of the particulars of the application.

#### Heritage and Archaeology

20. A buffer of land shall be kept clear of any buildings or vehicular highways for a distance of 15 metres from the deer fence which marks the north boundary of the new woodland known as Jubilee Wood. For the avoidance of doubt, the surface water drainage system is not affected by this condition.

REASON: To reinforce the screening between the application site, Standen Hall, listed buildings in accordance with Policies G1 and ENV19 of the Ribble Valley Districtwide Local Plan, Key Statement EN5 and Policies DMG1 and DME4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

21. Notwithstanding the Green Buffer Zone to the east of 1 – 15 (odd) Littlemoor and to the north of The Old Bothy shown on the Parameters Plan Drawing [TW/PR/PP/01](#) submitted with the application, there shall be no buildings or vehicular highways for a distance of 10 metres and 20 metres respectively from the boundary of the application site which abuts those Buffer Zones. For the avoidance of doubt, the surface water drainage system is not affected by this condition.

REASON: To mitigate the impact of the development on the setting of no's 1 – 15 (odd) Littlemoor and The Old Bothy, a listed building in accordance with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

22. Notwithstanding conditions 4, 20 and 21 above or those under the heading 'Landscaping' below (conditions 27-30) for the whole site, no development shall commence until full details of the planting of the buffer in condition 20 and buffer zones in condition 21 have been submitted to and approved by the Local Planning Authority in writing.

The details shall include:

- planting details (including species, numbers, planting distances/densities and plant sizes);
- within the planting details - express identification of all supplementary and compensatory planting of native trees and hedgerows which shall be over a greater area than any trees or hedges to be lost (as a minimum of ratio of 3:1);
- boundary treatments;
- a programme for the implementation of the landscaping works including all boundary treatments.

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

The planting thereby approved shall be implemented within the first planting season after the start date of the first phase or any part of the development.

REASON: To reinforce the screening between the application site and Standen Hall, a listed building and to mitigate the impact of the development on the setting of The Old Bothy, a listed building in accordance with Policies G1 and ENV19 of the Ribble Valley Districtwide Local Plan, Key Statement EN5 and Policies DMG1 and DME4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

23. Any grassed areas, plants or trees forming part of the landscape works approved under Condition 22 above (for the avoidance of doubt, this includes retained trees and grassed areas) which with a period of 5 years from the completion of the approved landscaping scheme for that part of the site, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season. Replacement trees and plants shall be of a similar size and species to those lost, unless the LPA gives written approval of any variation.

REASON: To ensure the effectiveness of screening between the application site and Standen Hall and The Old Bothy, listed buildings in accordance with Policies G1 and ENV19 of the Ribble Valley Districtwide Local Plan, Key Statement EN5 and Policies DMG1 and DME4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

24. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological investigation. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To enable the appropriate archaeological recording, excavation and analysis of any surviving upstanding earthworks and buried below-ground archaeological remains of interest in accordance with Policies G1 and ENV14 of the Ribble Valley Districtwide Local Plan, Key Statement EN5 and Policy DME4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

25: No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To enable appropriate records to be made of the historic farm buildings at Higher Standen Farm in accordance with Policies G1 and ENV14 of the Ribble Valley Districtwide Local Plan, Key Statement EN5 and Policy DME4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

26. No part or phase of the development hereby permitted shall begin until a scheme for screening the site during construction relating to such part or phase has been submitted and approved by the LPA in writing

REASON: To minimise the impact on heritage assets in accordance with Policies G1 and ENV19 of the Ribble Valley Districtwide Local Plan, Key Statement EN5 and Policies DMG1 and DME4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

## Landscape and Open Space Strategy/Play Space

### Landscaping

27. Notwithstanding the provision of Condition 4 above no development shall take place on any part or phase of the development until full details of both hard and soft landscaping works relating to such part or phase have been submitted to and approved by the LPA in writing.

These details shall include:

- planting details (including species, numbers, planting distances/densities and plant sizes);
- within the planting details - express identification of all supplementary and compensatory planting of native trees and hedgerows which shall be over a greater area than any trees or hedges to be lost (as a minimum of ratio of 3:1);
- surfacing;
- street furniture;
- signage;
- boundary treatments;
- a programme for the implementation of the landscaping works including all boundary treatments.

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

REASON: To enhance the appearance of the development in the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

28. All landscaping schemes approved (pursuant to conditions 6 & 7 of this permission) for each phase of development (as approved under condition 3 of this permission) shall be fully implemented in the first complete planting and seeding season following the occupation of the dwellings, or non-residential uses within that phase or the completion of the phase to which they relate, whichever is the sooner.

Any grassed areas, trees or plants (for the avoidance of doubt, this includes retained trees and grassed areas) which, within a period of five years from completion of the relevant development phase die, are removed or become seriously damaged or diseased shall be replaced in the next planting season. Replacement trees and plants shall be of a similar size and species to those lost, unless the LPA gives written approval of any variation.

REASON: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft– Post Submission Version (including proposed main changes).

29. No more than one bridge shall cross the unnamed watercourse on the site.

REASON: To minimise the impact on local biodiversity to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

30. 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 also provide precise details of all play equipment in that phase and its maintenance and indicate a timescale when the play spaces shall be provided and made available for use within that phase. The Play Space Management Plan shall be carried out in accordance with the details so approved.

REASON: In the interests of providing an appropriate environment for the end users of the development and to comply with Policies G1 and RT8 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMB4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

#### Ecology and Biodiversity

31. No site clearance, site preparation or development work shall take place within a phase until a Long Term Landscape and Ecological Management Plan to include long term design objectives post completion management responsibilities and maintenance schedules for all landscaped/habitat areas (other than privately-owned domestic gardens) including any areas of public open space not covered by condition 30 and the buffer zones in conditions

20 and 21 such as grasslands, hedges, trees, swales, reed beds and other sustainable drainage features within that phase has been submitted to and approved in writing by the Local Planning Authority. The Long Term Landscape and Ecological Management Plan shall include (but not be limited to):

- monitoring of the establishment of all landscape planting and habitat planting;
- aftercare of all landscape planting and habitat enhancement in accordance with conservation and biodiversity objectives;
- monitoring and treatment of invasive species;
- monitoring of condition of and maintenance of footpaths to encourage use and avoid the creation of informal footpaths that may damage other habitats;
- monitoring and maintenance of bat and bird boxes;
- maintenance of SUDS; and
- appropriate timings of management works to ensure avoidance of bird nesting seasons etc.

The Long Term Landscape and Ecological Management Plan shall be informed by the details contained within Chapter 7 Volume 1 of the Environmental Statement (October 2012) lodged with the planning application prepared by Amec. The Long Term Landscape and Ecological Management Plan shall be carried out as approved.

REASON: To minimise the impact on ecology and the enhancement of ecology post development in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

32. No part or phase of the development shall begin until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- 1) A vegetated buffer zone no less than 8 metres wide between Pendleton Brook and any construction activities.
- 2) A vegetated zone no less than 5 metres wide between any other watercourse or ditch to be retained.

The width of the buffer zones shall be measured from the top of the banks of the watercourses and shall be kept free of structures, hard standings and fences and shall be planted with locally native plant species of UK generic provenance.

REASON: To protect local biodiversity to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

33. No part of the zones referred to in condition 32 shall contain the curtilages to any buildings.

REASON: To maintain the character of the watercourses and provide undisturbed refuges for wildlife using the corridors thereby protecting local biodiversity to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the

Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

34. No development shall commence on any part of a bridge over the unnamed watercourse on the site until full details have been submitted to and approved in writing by the Local Planning Authority. The crossing shall comprise a single clear span structure. The details shall demonstrate that the location of the structure would be sited as far away from Pendleton Brook as possible. In addition, the details shall demonstrate that the structure has been designed to be as narrow as possible.

REASON: To minimise the impact on local biodiversity to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

35. No development shall take place within a phase until details of the provisions to be made for bat roosts on suitable trees, plots and building elevations within that phase and details of artificial bird (species) nesting sites/boxes on suitable trees, plots and building elevations within that phase have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented before the development in that phase is first brought into use.

REASON: In the interests of enhancing local biodiversity to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

#### Construction Environmental Management Scheme

36. No part or phase of the development shall begin until a Construction Environmental Management Scheme relating to such part or phase has been submitted to and approved in writing by the Local Planning Authority.

Where relevant, the Construction Environmental Management Scheme for each Phase shall contain (but not be limited to): -

- i. Tree and hedgerow protection measures in accordance with BS5837:2012;
- ii. Measures to be applied to protect nesting birds during tree felling/ vegetation clearance works, or other works that may affect nesting birds (including buildings or other suitable breeding bird habitat which are to be removed as part of the proposals;
- iii. Watercourse and ditch protection measures including location and type of protective demarcation fencing along Pendleton Brook (and the calcareous grassland) and other important habitats identified in Volume 3 of the Environmental Statement (October 2012) lodged with the planning application such as Ditch 1;
- iv. A method statement for the protection of bats at the trees and buildings identified in Volume 3 of the Environmental Statement (October 2012) lodged with the planning application including licensing requirements;

- v. Construction lighting scheme;
- vi. A method statement for the protection of Brown Hare (particularly during the breeding season);
- vii. Pollution Prevention Guidelines (PPG) and protocol including surface water monitoring along the Ditches and Pendleton Brook; and
- viii. Eradication Management Plan for Japanese Knotweed

The Construction Environmental Management Scheme shall be carried out as approved.

REASON: To ensure that the environmental impact is minimised in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

#### Tree Protection

37. No part or phase of the development shall begin until an Arboricultural Method Statement, Tree Protection Plan and Tree Protection Monitoring Schedule relating to such part or phase has been submitted to and approved in writing by the Local Planning Authority before the site works are begun within that phase.

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

REASON: In order to ensure that any trees/hedgerow affected by the development considered as being of visual, amenity value are afforded maximum physical protection from the potential adverse effects of development in order to comply with policies G1 and ENV13 of the Districtwide Local Plan and Key Statement EN2 and Policies DMG1 and DME2 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

38. The particulars submitted pursuant to Condition 36(i) and 37 above shall include:
- a) a plan showing the location of, and allocating a reference number to, each existing tree on the site identifying which trees are to be retained and the crown spread of each retained tree;
  - b) details of the species, diameter, approximate height and an assessment of the health and stability of each retained tree;
  - c) details of any proposed topping or lopping of any retained tree;
  - d) details of any proposed alterations in existing ground levels and of the position of any proposed excavation within the crown spread of any retained tree;
  - e) The root protection zone for each tree which shall be agreed in writing by the Local Planning Authority before the development begins in that phase and the agreed tree protection measures shall remain in place until all the approved works have been

completed within that phase and all excess materials have been removed from the site including soil/spoil and rubble;

- f) 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;
- g) No tree as identified to be retained in (a) above shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work);
- h) If any tree identified to be retained at (h) is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

REASON: In order to ensure that any trees/hedgerow affected by the development considered as being of visual, amenity value are afforded maximum physical protection from the potential adverse effects of development in order to comply with policies G1 and ENV13 of the Districtwide Local Plan and Key Statement EN2 and Policies DMG1 and DME2 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

#### Construction Management

39. Before each phase of development hereby permitted is commenced a Construction Method Statement/Management Plan in respect of that phase shall have been submitted to and approved in writing by the Local Planning Authority. Construction of each phase of the development shall not be carried out otherwise than in accordance with each approved Construction Management Plan. Each Construction Management Plan shall include the following matters:
- a) the routing of construction and delivery vehicles using restricted routes thereby avoiding minor lanes/roads and the centre of Clitheroe;
  - b) programme of works (including measures for traffic management and operating hours) parking and turning for vehicles of site personnel, operatives and visitors;
  - c) loading and unloading of plant and materials;
  - d) storage of plant and materials used in constructing the development;
  - e) erection and maintenance of security hoarding and lighting;
  - f) wheel washing facilities and a programme for cleaning;
  - g) a Management Plan to control the emission of dust and dirt during construction identifying suitable mitigation measures;

- h) a scheme for recycling/disposing of waste resulting from construction works (there shall be no burning on site;)
- i) a Management Plan to control noise and vibration during the construction phase (in accordance with BS : 5228 : 2009 code of Practice titled 'Noise and Vibration Control on Construction and Open Sites') The Noise Management Plan for each part or phase of the development shall include details of acoustic heavy duty fencing and locations; location of site offices, compounds and storage and operation of the wheel wash;
- j) details of lighting to be used during the construction period which should be directional and screened wherever possible

REASON: In the interests of protecting the residential amenities of the locality and highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

#### Energy/Sustainability

40. Before development begins within a phase a scheme (including a timetable for implementation) to secure at least 10% of the energy supply of the development hereby permitted within that phase from renewable or low carbon energy sources or details as to how a reduction of at least 10% of the total energy requirements of the development will be achieved through alternative methods shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme/details shall be implemented as part of the development and retained as operational thereafter.

REASON: In order to encourage renewable energy and to comply with Key Statement EN3 and Policy DME5 of the Ribble Valley Core Strategy.

41. The non-residential buildings hereby permitted shall achieve a BREEAM (or any subsequent equivalent or replacement sustainability assessment method as may be agreed in writing by the Local Planning Authority) "very good" rating or above. No part of any non-residential building hereby permitted shall be occupied until a copy of a post-construction completion certificate, verifying that that building has achieved a "very good" rating, has been submitted to the Local Planning Authority.

REASON: In order to reduce carbon emissions and to comply with Key Statement EN3 and Policy DME5 of the Ribble Valley Core Strategy.

#### Noise

42. No part or phase of the development shall begin until a scheme to mitigate noise during construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that noise levels during periods of construction will not exceed 65dB LAeq.12hr at any properties beyond the site. The works shall thereafter be carried out in accordance with the details so approved.

REASON: To minimise the impact of noise during construction phases in the interests of residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley

Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

43. No part or phase of the development involving non-residential buildings hereby permitted shall begin until details of any fixed noise sources have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the details so approved and thereafter retained.

REASON: To minimise the impact of noise post construction in the interests of amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

44. No part or phase of the development shall begin until a suitable scheme of glazing/ventilation for buildings within that phase has been submitted to and approved in writing by the Local Planning Authority. The buildings shall be constructed in accordance with the details so approved with the glazing/ventilation thereafter retained.

REASON: In the interests of amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

45. Construction on any part or phase of the development shall be restricted to the following hours:

- Monday to Friday      0800 – 1800
- Saturday                0900 – 1300

For the avoidance of doubt, no construction shall take place on Sundays or public holidays.

REASON: In the interests of protecting residential amenity whilst construction works are in progress in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

46. No deliveries or vehicles involved in construction shall arrive or depart from the site other than between the hours set out in condition 46 above.

REASON: In the interests of protecting residential amenity whilst construction works are in progress in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

47. Construction on any part or phase of the development shall be undertaken in accordance with the mitigation measures as described in Section 10.5.1 of the Environmental Statement dated October 2012.

REASON: In the interest of environmental health to protect amenity whilst construction works are in progress in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley

Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

48. All parts or phases of the development shall achieve a noise rating level for fixed items of plant of no more than 5 dB below existing background noise levels as indicated in 10.8.1 of the Environmental Statement of October 2012.

REASON: In the interests of protecting residential amenity whilst construction works are in progress in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

## Highways and Parking

### Construction access

49. No development shall take place until full details of the access onto Pendle Road have been submitted to and approved in writing by the Local Planning Authority which is in accordance with the final junction layout (with development). Furthermore no construction activities shall take place until that access has been constructed to base course standard (to an adoptable standard and in accordance with the approved plans) for a distance of 30 metres beyond the current access point into the site or up to the first internal junction whichever is the greater.

REASON: In the interests of road safety to ensure that a proper site access has been created for construction traffic in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

### Transport and highways

50. No development shall be commenced until a scheme of off-site works of highway improvement has first been submitted to, agreed in writing by the Local Planning Authority and delivered in line with agreed trigger points. To include A59/Whalley Road roundabout, junctions around and served by either Waterloo Road and Pendle Road.

51. No part or phase of the development comprising the non-residential buildings hereby permitted shall begin until a Travel Plan Framework relating to such part or phase has been submitted to and approved in writing by the Local Planning Authority.

REASON: To promote sustainable travel patterns and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft– Post Submission Version (including proposed main changes).

52. Prior to the occupation of the first dwelling within a phase (as approved under Condition 3) a Travel Plan based upon the submitted Framework Travel Plan 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 initiatives to encourage sustainable travel patterns and a mechanism to ensure they can be fully delivered/funded;
- 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 3).

REASON: In the interests of sustainability and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft– Post Submission Version (including proposed main changes).

53. The new estate roads within a phase of the development hereby permitted shall be constructed in accordance with a detailed scheme (including a timetable for implementation) which shall be submitted to and approved in writing by the Local Planning Authority before development commences within that phase. The estate roads shall be constructed to adoptable standards in accordance with the Lancashire County Council Specification for Construction of Estate Roads and the scheme shall be implemented in accordance with the approved details and timetable.

REASON: In the interests of highway and pedestrian safety and sustainability and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

54. No part or phase of the development shall begin until full details of the footpath and cycle way accesses from beyond the site (including a timetable for implementation) relating to such part have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be implemented in accordance with the approved details and timetable.

REASON: To minimise the environmental impact of the development and integrate it with the existing built up area to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

55. Means of vehicular access shall be from Pendle Road and Littlemoor. In the case of Littlemoor the access shall only be used for buses and emergency vehicles.

REASON: To minimise the environmental impact of the development and integrate it with the existing built up area to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

56. No part or phase of the development shall begin until full details of the vehicular access from Pendle Road up to such part or phase have been submitted to and approved by the LPA in writing and the access and road has been constructed to base course standard.

REASON: In the interests of road safety and to ensure those roads to an acceptable standard are provided within the development in line with the construction of buildings and use of the site to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

57. No part or phase of the development to the south and west of the unnamed water course within the site shall begin until full details of the emergency and bus only vehicular access from Littlemoor relating to such part or phase have been submitted to and approved by the LPA in writing and the access and road has been constructed to base course standard.

REASON: To enhance permeability for buses, cyclists and pedestrians and enhance the sustainability of the development as a whole to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

58. No part or phase of the development shall be commenced until the following details, relating to such part or phase have been submitted to and approved in writing by the Local Planning Authority:

- a) any proposed access road(s) detailing the levels of the proposed roads including details of horizontal, vertical alignment and drainage (to an adoptable standard);
- b) a scheme for the provision of fire hydrants, to be served by mains water supply, and a timetable for their installation;
- c) details for all hard landscaped areas, footpaths and similar areas, including details of finished ground levels, all surfacing materials, and street furniture, signs, lighting, refuse storage units and other minor structures to be installed thereon;
- d) full details of all footpath and cycle linkages relating to such part of phase (including a timetable for implementation).

The development shall be carried out in strict accordance with the approved details and all works shall be implemented in accordance with the approved details and timetable(s) unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure that the development integrates with the local area in a sustainable manner to comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy

59. Development shall not be commenced for any part or phase until full details of the proposed bus stops have been submitted to and approved in writing by the Local Planning Authority.

REASON: To promote sustainable travel to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

60. No dwellings to be built in any part or phase of development shall be occupied until all of the bus stops shown on the plans to be submitted have been constructed are available for use within that phase.

REASON: To promote sustainable travel to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

61. Not more than 520 of the dwellings to be built shall be occupied until the employment site hereby permitted has been provided with vehicle, pedestrian and cycling accesses to adoptable standard and all three are available for public use.

REASON: To promote sustainable travel to comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

62. No more than 520 dwellings shall be occupied until the local retail centre hereby permitted has been provided with vehicle, pedestrian and cycling accesses to adoptable standard and all three are available for public use.

REASON: to promote sustainable travel to comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

63. Prior to the occupation of the fiftieth dwelling, the proposed roundabout at the junction of the A59 and Pendle Road shall be constructed and open for use as part of the public (adopted) highways.

REASON: To enhance accessibility between the site and the principal road network to Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

#### Lighting

64. Prior to commencement of development within a phase (approved pursuant to Condition 3) details of a scheme for artificial public street/road/footway lighting for that phase shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details to demonstrate how artificial illumination of important wildlife habitats (boundary vegetation of the site and bat commuting routes identified across the site) is minimised. The approved lighting scheme shall be implemented in accordance with the approved details.

REASON: In the interests of the amenities of nearby residents, ecology and to avoid light pollution to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

## Drainage and Flooding

### General

65. At the same time as the submission of the first Reserved Matters application for a phase or part of a phase of the development hereby permitted a Foul and Surface Water Drainage Strategy shall be submitted to the Local Planning Authority for approval in writing. Such strategy to include the following details as a minimum:

- i. the proposed foul connection points to existing public sewerage infrastructure for the entire site. This shall clearly show the points of connection for the foul flows into the existing public sewerage network from all phases of development defined under condition 3;
- ii. the details of any additional off-site drainage infrastructure required as a result of the entire development; and
- iii. any drainage infrastructure connections (foul and surface water) between the different phases of the development defined by condition 3. Where drainage infrastructure connects development from different phases, it will be necessary to show how much development will be served by the connecting drainage infrastructure.
- iv. The existing Greenfield surface water run-off rate for the entire site and details demonstrating how the combined phases of development discharging to Pendleton Brook and its tributary within the site will not exceed the existing Greenfield rate as identified.

At the same time as the submission of each subsequent Reserved Matters application for a phase or part of a phase, an updated Foul and Surface Water Drainage Strategy shall be submitted to the Local Planning Authority for approval. (Such Strategy to include as a minimum the details listed above.

Unless otherwise agreed in writing with the Local Planning Authority there shall be no foul and surface water connections between phases of development defined (and as may be amended from time to time) by condition 3 other than in accordance with the connections identified and approved under item (iii) above. The detailed drainage schemes for each phase of development required by conditions 67, 68 and 69 shall be submitted for approval in writing in accordance with the foul and surface water drainage details approved under this condition.

No development shall be commenced on any phase or part of any phase of the development hereby permitted unless and until the Foul and Surface Water Drainage Strategy submitted with the relevant Reserved Matters application has been approved in writing by the Local Planning Authority.

REASON: To ensure a holistic approach to the construction of the detailed drainage infrastructure for the site so that the drainage infrastructure which is constructed is able to cope with the foul and surface water discharges from the entire development site to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Key Statement DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

66. For the avoidance of doubt, surface water shall drain separately from the foul. Unless otherwise agreed in writing, no surface water shall discharge directly or indirectly into the public foul, combined or surface water sewerage systems in accordance with the Foul and Surface Water Drainage Strategy submitted and approved pursuant to condition 65 above and with the details contained in the submitted application form, Flood Risk Assessment prepared by Amec Environment and Infrastructure dated October 2012, and the Foul Water and Surface Water Management Strategies for the whole site produced by Amec in January 2013.

REASON: To reduce the risk of flooding & pollution to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

#### Foul Drainage

67. Prior to commencement of any phase or part of any phase of the development hereby permitted, full details of the foul drainage scheme for that phase including full details of any connections to the foul sewer network and any necessary infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details for each part or phase must be consistent with the Foul and Surface Water Drainage Strategy submitted and approved pursuant to condition 65 above and with the principles of the Flood Risk Assessment prepared by Amec Environment and Infrastructure dated October 2012 and the Foul Water and Surface Water Management Strategies for the whole site produced by Amec in January 2013. No housing or other development shall be occupied for that phase until the approved foul drainage scheme for that phase has been completed in accordance with the approved details and written notice of this fact has been sent to the Local Planning Authority.

REASON: To promote sustainable development, secure proper drainage and to reduce the risk of flooding & pollution to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

#### Surface Water Drainage

68. Prior to the commencement of each phase or part of the development hereby permitted, full details for a surface water regulation system and means of disposal for that phase or part phase, based wholly on sustainable drainage principles and evidence of an assessment of the hydrological and hydrogeological context of the development for that phase (inclusive of how the scheme shall be maintained and managed after completion and any necessary infrastructure) shall be submitted to and approved by the Local Planning Authority in writing. The drainage scheme shall demonstrate that 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 existing undeveloped site and following the corresponding rainfall event. The details for each phase must be consistent with the Foul and Surface Water Drainage Strategy submitted and approved pursuant to condition 65 above and with the principles of the Flood Risk Assessment prepared by Amec Environment and Infrastructure dated October 2012 and the Foul Water and Surface Water Management Strategies for the whole site produced by Amec

in January 2013. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To promote sustainable development, secure proper drainage and to reduce the risk of flooding & pollution to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft– Post Submission Version (including proposed main changes).

69. No part of phase of the development shall begin until full details of the method to delay and control surface water discharged from that part or phase of the development; and the measures taken to prevent pollution of the receiving ground waters have been submitted to and approved in writing by the Local Planning Authority.

REASON: To prevent pollution and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

70. Prior to the commencement of each phase or part phase of the development hereby permitted, a Sustainable Drainage, Construction, Maintenance and Management Plan (CMP) for the lifetime of that phase or part phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include arrangements for permanent adoption by a SuDs approving body (SAB), Statutory Authority or other relevant party of any sustainable drainage features including any outfalls into local water courses, structures, ponds and bridges. Each phase shall be completed maintained and managed in accordance with the approved details.

REASON: To prevent flooding and pollution to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

71. The discharge of surface water into Pendleton Brook and its tributary within the site shall not exceed the Greenfield run-off rate as identified in the Foul and Surface Water Drainage Strategy.

REASON: To prevent flooding and pollution to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft– Post Submission Version (including proposed main changes).

72. The development hereby permitted shall conform in its entirety to the Foul and Surface Water Drainage Strategy submitted and approved pursuant to condition 65 above and to the recommendations in the Flood Risk Assessment produced by Amec in October 2012 as updated by the Foul Water and Surface Water Management Strategies for the whole site produced by Amec in January 2013. More particularly where not referred to elsewhere in this decision notice:

In submitting the full details of the sustainable surface water drainage systems for each phase of the development they shall include some re-profiling of the site to remove local low

points and ensure that all run-off from the site enters the proposed SuDS drainage system and does not concentrate temporarily along overland flow paths.

All finished floor levels (FFLs) shall be at least 150mm above the local ground level at each development plot.

A 10 metre wide access corridor shall be kept clear at all times along the lower 800 metres of the unnamed on site water course from its confluence with Pendleton Brook.

All surface water run-offs from the entire development shall be managed and attenuated on site using a combination of underground surface water storage devices and sustainable urban drainage (SuDS) structures such as geocellular structures beneath roads, attenuation ponds, swales and filter drains.

REASON: To prevent flooding and pollution to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME6 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft – Post Submission Version (including proposed main changes).

## INFORMATIVES

1. This permission shall be read in conjunction with the accompanying legal agreement which for the avoidance of doubt covers matters associated with affordable housing (mechanisms for its delivery); education (contributions towards local education facilities; the provision of a new primary school on the site and provisions for adjusted contributions); sports and recreation (contributions towards the provision of facilities at Ribblesdale School, Clitheroe or otherwise as agreed); Jubilee Wood (management) and transport (contributions towards the provision of public transport and a Travel Plan)
2. Dwellings should achieve the water credits required to meet Code level 3 of the Code for Sustainable Homes.
3. For non-residential development where the development is being assessed against BREEAM the Environment Agency suggests that buildings should achieve the maximum number of water credits in accordance with the requirements of the relevant BREEAM scheme with the exceptions of credits awarded for grey water/rainwater systems. These systems should be installed where cost effective and the system is designed to ensure that energy user and carbon emissions are minimised.
4. Developers should consider:  
  
Water management in the development including dealing with grey water;  
Using sustainable forms of construction including the recycling of materials;  
Energy efficient buildings.
5. Any waste to be used on site requires an appropriate waste exemption or permit from the Agency.
6. The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable for any off-site movements of wastes. Developer as waste producers therefore have a duty of care to ensure that all materials removed go to an

appropriate permitted facility and all relevant documentation is completed and kept in line with regulations.

7. Developers are advised to contact the Environment Management Team in the Agency's Preston office; 01772 7614198  
[www.environment-agency.gov.uk/subject/waste](http://www.environment-agency.gov.uk/subject/waste)
8. Consideration should be given to opening up of any piped or culverted watercourses and the removal of weirs.
9. Flood Defence Consents (FDCs) will be required for the outfall structures draining any SuDS ponds into the local watercourses and for any bridges.
10. Only FDCs for necessary and appropriately designed structures will be approved.
11. Attention is drawn to the law with regard to the sensitivities of breeding birds.
12. A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999.
13. The applicant should contact United Utilities Service Enquiries on 0845 746 2200 regarding connection to the water mains/public sewers. The provision of a mains water supply could be expensive.
14. Water mains will need extending to serve any development on this site. The applicant, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 & 43 of the Water Industry Act 1991.
15. United Utilities offer a fully supported mapping service at a modest cost for our water mains and sewerage assets. This is a service, which is constantly updated by our Property Searches Team (Tel No: 0870 7510101). It is the applicant's responsibility to demonstrate the exact relationship between any assets that may cross the site and any proposed development. Please note, due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction, please contact a Building Control Body to discuss the matter further.
16. 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. Footpaths 11 and 14 in the parish of Clitheroe affects the site.
17. The Local Planning Authority has endeavoured to work proactively and positively to resolve issues and considered the imposition of appropriate conditions and amendments to the application to deliver a sustainable form of development.

## BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2015%2F0895](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0895)  
[https://www.ribblevalley.gov.uk/planx\\_downloads/12\\_0942\\_Officers\\_Report.pdf](https://www.ribblevalley.gov.uk/planx_downloads/12_0942_Officers_Report.pdf)

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>
3/2012/0978/P	Retrospective application for the change of use of a previously approved tractor store into additional stable facilities and permission sought for outdoor horse exercise arena and the erection of 4no 4 metre high poles with floodlights on, to the edge of the arena	Little Snodworth Farm Snodworth Road Langho
3/2014/0491/P	Discharge of condition 4 (Visibility Splay), Condition 5 (Construction Method Statement), Condition 6 (Highway Works for Construction Traffic), Condition 7 (Off-site Highway Works), Condition 10 (Drainage Details) and Condition 12 (Landscaping Details) of planning permission 3/2013/0851/P	The Whins Whins Lane Read
3/2014/0710/P	Retrospective consent for advertisement of signs (A, C, D) for self-storage units and office pods	27 Inglewhite Road Longridge
3/2014/0861/P	Change of use from B2 to Body Art Studio (Sui Generis). Refurbishment/restoration external elevations of outrigger	27 Inglewhite Road Longridge
3/2014/1085/P	Discharge of condition 3 of planning permission 3/2014/0326/P (Manure Management Plan)	Withgill Farm Withgill Fold Withgill
3/2015/0213/P	Erection of agricultural livestock building	Steelands Farm Grindleton
3/2015/0326/P	Change of use of property from dwelling (Class C3) to mixed use dwelling (Class C3) and bed and breakfast accommodation (Class C1) for a maximum of 6 guests	Sunnyfield House Hawthorne Place Clitheroe
3/2015/0376/P	New detached dwelling to replace existing house	9 Avenue Road Hurst Green
3/2015/0464/P	Change of use of one agricultural building to equestrian use to include 20 stables and 20 tack rooms; change of use of slurry/topsoil area into turnout pen and turnout area into horse ménage; and change of use of surrounding fields to mixed agricultural and equestrian use	Moreton Hall Farm Accrington Road Whalley

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2015/0472/P	Application for non material amendment to planning permission 3/2013/0964/P to relocate steel ducting for extraction system to rear elevation	35 Whalley Road Clitheroe
3/2015/0493/P	First floor extension over detached garage with external stone stepped access to form study	Parlick Barn Moss Lane, Chipping
3/2015/0505/P	Erection of replacement garage and carport	Koonah, Simonstone Lane Simonstone
3/2015/0551/P	Single storey extension to rear	4 Longridge Road Hurst Green
3/2015/0602/P	Two storey rear extension to form lounge and bedroom, first floor alterations with roof lights, side fire escape staircase, alteration to front door and window locations, renewal of roofing materials and external wall finishes	Brushwood Barker Lane Mellor
3/2015/0625/P	Proposed anaerobic digestion plant consisting of main digester tank, one combined heat and power container, pump room, feeder and ancillary hard standing	Westby Hall Farm Burnley Road Gisburn
3/2015/0663/P	Conversion of unoccupied former cottage to annex	The Rann, Saccary Lane Mellor
3/2015/0686/P	Proposed alteration to existing field access off Northcote Road	Northcote Stud Northcote Road, Langho
3/2015/0698/P	Demolition of existing outbuilding and replacement with single storey rear extension	The Old Smithy Little Bowland Road Leagram
3/2015/0700/P	Proposed dormer extension to provide 1 no. assisted living flats	High Brake House 129 Chatburn Road Clitheroe
3/2015/0701/P	Internal alterations, single storey rear extension, front and rear dormer constructions	14 Bank Cottages Whalley Road, Billington
3/2015/0705/P	Single storey extension to rear 5m long, 3.563m high (max) to ridge, 2.250m high to eaves	15 Ashburn Close Barrow
3/2015/0707/P	Non material amendment to planning permission 3/2015/0138 for the addition of 3No roof lights to the approved classroom extension	Alston Lane Catholic Primary School Preston Road Longridge
3/2015/0708/P	Discharge of condition(s) 3 (hedgerow screening) and 4 (arena surface material) on planning permission 3/2015/0244	Buckstalls Slaidburn Road Waddington
3/2015/0714/P	Discharge of conditions 1 (time limit), 2 (plan references), 3 (occupancy restriction), 4 (removal of PD rights), 5 (bat boxes), 6 (swallow nesting platforms) of planning permission 3/2015/0076/P	Angerham Barn Clitheroe Lane Withgill Great Mitton

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2015/0721/P	Front dormer extension	112 Hacking Drive Longridge
3/2015/0730/P	To replace existing conservatory (to be demolished) with a single storey lean to extension within permitted development dimensions (3.7 x 6.5m), eaves height 2.75m and ridge height 3.95m	The Coach House Lower Lane Longridge
3/2015/0735/P	Disabled adaptation consisting of demolition of existing garage and replacement with single storey extension to side and rear	145 Henthorn Road Clitheroe
3/2015/0742/P	First floor en suite bathroom. New soil vent pipe boxed into the internal corner of the dwelling with a glidevale slate vent outlet. The soil vent pipe is to connect with the existing drainage route for the ground floor bathroom	Newton House Slaidburn Road Newton
3/2015/0744/P	Extension to rear, at ground floor and first floor level. Alterations to fenestration at east gable end	Higher House Farm Clitheroe Road Mitton
3/2015/0763/P	Proposed 2 storey extension to existing dwelling house using materials and styling to match existing	22 Mayfield Avenue Clitheroe
3/2015/0774/P	Single storey rear extension	74 Fairfield Drive Clitheroe
3/2015/0778/P	Single storey extension to rear (PD removed)	6 Kay Fold Lodge Clayton le Dale
3/2015/0783/P	Change of use of premises from B1 to physiotherapy clinic D1	3B Inglewhite Road Longridge
3/2015/0800/P	Replacement single storey garage	121 Chatburn Road Clitheroe
3/2015/0801/P	Single storey rear and side extension	Chestnut Cottage Worston
3/2015/0810/P	Single storey extension to rear 3.8m long, 3.65m high (max), 2.19m high to the eaves	36 Knowsley Road Wilpshire
3/2015/0814/P	Demolish existing conservatory and build new single storey extension to side (fronting Regency Close)	2 Regency Close Whalley
3/2015/0817/P	Proposed conservatory to rear	1 Dovedale Gardens Longridge
3/2015/0826/P	Single storey rear extension to project 3.9m beyond the rear wall of the original dwelling, with a maximum height of 3.95m and 3.19m height to eaves.	The Lodge, Longsight Road Langho
3/2015/0827/P	Amendment to 3/2015/0485 to include additional rooflights and alterations to window details on the west elevation for a new dwelling	Land at Chapel Close Low Moor Clitheroe
3/2015/0831/P	Proposed conversion of existing garage into lounge with bay window	The Lodge Longsight Road, Langho

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2015/0832/P	Prior approval sought for the demolition of existing conservatory and kitchen extension to rear and erection of new kitchen extension, to extend 4.275m beyond the rear wall of the original dwelling, with a maximum height of 4m from the natural ground level and 2.66m height at eaves	16 Longsight Avenue Clitheroe
3/2015/0855/P	Proposed erection of a single storey lean-to side extension to create a utility room and W.C/cloakroom	12 The Sands Whalley
3/2015/0857/P	Discharge of condition 5 (vehicular turning space), 7 (returning access), 12 (Construction Method), 13 (CCTV Camera details), 14 (ancillary development), 15 (surfacing materials) and 16 (landscaping plan) of planning permission 3/2015/0459	Land off Coal Pit Lane Gisburn
3/2015/0864/P	Upgrade and associated works including replacement mast of 23m	Time Computers Time Technology Business Park, Read
3/2015/0865/P	Upgrade and associated works including replacement mast of 20m	Lawsonsteads Farm Brookes Lane, Whalley
3/2015/0869/P	Amendment to planning permission 3/2015/0017 to include confirmation of materials and alterations to existing windows and doors.	4 Hammond Drive Read
3/2015/0889/P	Amendment to planning permission 3/2015/0178/P to include a new entrance shutter, glazed door and feature canopy	Car Wash and Tyre Change Waterloo Road, Clitheroe
3/2015/0918/P	Retention of unauthorised change of use from agricultural to B1(a) and B1(b) office and laboratory and use of building for storage of private cars and workshop	Bluebell Farm, Higher Road Longridge
3/2015/0935/P	Application to discharge condition 2 (materials on planning permission 3/2008/0408)	Orchard Cottage Hollins Farm, Sabden

#### APPLICATIONS REFUSED

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>	<b><u>Reasons for Refusal</u></b>
3/2014/0710/P	Retrospective consent for advertisement of sign B for self-storage units and office pods	27 Inglewhite Road Longridge	Visual impact and detrimental to street scene contrary to Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version)
3/2014/1137/P Cont/	Proposed change of use from agricultural to equestrian arena	Till House Smalden Lane Grindleton	Detrimental to the appearance and character of the Forest of

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
Cont...			Bowland Area of Outstanding Natural Beauty contrary to Key Statement EN2 and Policies DMG1, DME2 and DMB3 of the Ribble Valley Core Strategy (Adopted Version).
3/2015/0672/P	Two storey extension	Moor Nook Farm Clitheroe Road Ribchester	Contrary to Policies DMG1, EN2, DME2 and DMH5 of the Ribble Valley Core Strategy
3/2015/0829/P	Application for retention of unauthorised works relating to the construction of a single storey flat roof extension to the rear, with a balcony above	10 Pendle Drive Whalley	Contrary to Policy DMG1 of the Ribble Valley Core Strategy

#### PRIOR DETERMINATION APPROVAL

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0836/P	Upgrade of Telecommunication mast	White Bull Treatment Works Preston Road, Longridge
3/2015/0862/P	Upgrade of Telecommunication mast	Ribblesdale Wanderers Cricket Club Brownlow Street, Clitheroe
3/2015/0863/P	Upgrade of Telecommunication mast	Edisford Road Clitheroe

#### OBSERVATIONS TO ANOTHER LOCAL AUTHORITY

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0811/P	Variation of conditions 2 and 10 of application 3/2014/0244 to allow the increase of a wind turbine height in relation to development at	Haslingden Wind Farm Haslingden Old Road Oswaldtwistle
3/2015/0905/P & 3/2015/0907/P	Erection of stables for private use to include sand paddock and storage building	Plots 1 & 2 and plots 4 & 5 Old Clay Lane Preston

#### REFUSAL OF CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE OR ACTIVITY IN BREACH OF PLANNING CONDITION

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0719/P Cont/	Application for a Certificate of Lawfulness for the existing occupation of a dwelling by	Harrison-De-Moss Moss Lane

Cont... persons not employed in agriculture in breach of condition no 3 of planning permission 3/1990/0182/P Chipping

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER PART 3, CLASS Q, PRIOR APPROVAL APPLICATION FOR CHANGE OF USE OF AGRICULTURAL BUILDING TO DWELLING-HOUSES**

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2015/0725/P	Prior approval for the change of use of an agricultural building from its current use to residential use	New Laithe Skipton Road Gisburn
3/2015/0729/P	Prior approval for conversion of an agricultural building to form one dwelling	Eastham House Farm Mitton

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

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2015/0802/P	Storage building for agricultural machinery	Wellhouse Farm Tosside, Skipton
3/2015/0837/P	Prior notification application for the erection of a lean-to structure adjacent to an existing mixed use building; the lean-to to be used for storage of agricultural plant and equipment and a welfare facility in connection with the agricultural business	Moorgate Farm Moorgate Lane Dinckley
3/2015/0712/P	Prior notification of formation of two livestock tracks	Little Mearley Hall Worston
3/2015/0727/P	Proposed covered area between cow shed and traditional barn by means of extending the existing cow shed	Little Mearley Hall Farm Worston

**APPLICATIONS WITHDRAWN**

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2014/0408/P	Change of use of stable/storage building to annex ancillary to main dwelling	Lambing Clough Barn Lambing Clough Lane Hurst Green
3/2014/0538/P	One 10kw wind turbine on an 18m tower. Turbine location E367129, N432117	Haggs Hall Farm Haggs Hall Field, Blackburn
3/2014/0766/P	Hotel, bar restaurant, 7 holiday cottages, hotel 2 and spa, wedding venue, kids club, cricket pavilion and pitch, 46 dwellings	Kirk Hill Chipping
3/2014/0767/P	Hotel, bar restaurant, 7 holiday cottages, hotel 2 and spa, wedding venue, kids club, cricket pavilion and pitch, 46 dwellings	Kirk Hill Chipping

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0876/P	Use of part of existing caravan park for siting of static caravans	Three Rivers Caravan Park Eaves Hall Lane West Bradford
3/2014/0939/P	Steel framed portal building 24m wide, 28m long, 5.9m to eaves and 7.5m to ridge for livestock within the existing farmyard	Hawkshaw Farm Longridge Road Clayton-le-Dale
3/2014/1101/P	Workshop structure for rehabilitation use	Kemple View Longsight Road, Langho
3/2015/0799/P	Extension to form bedroom with en-suite bathroom, extension to rear of kitchen to form kitchen diner, porch to front of house	19 Pagefield Crescent Clitheroe
3/2015/0813/P	Crown lift Sycamore T1 and Holly tree T2	Waddington Hall (Old) Clitheroe Road Waddington
3/2015/0839/P	Non-material amendment to planning permission 3/2013/0615 to change the gable end of the property to glass	Quakerfield House Lambing Clough Lane Hurst Green

#### SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2014/1018	Barnacre Road Longridge	20/8/15	33	With Applicants Solicitor for signature
3/2015/0266	Primrose Works Primrose Road, Clitheroe	20/8/15	18	With Applicants Agent & Housing
3/2015/0347	Land off Towneley Road Longridge	20/8/15	12	With Applicants Agent for signature

<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>
3/2014/0764	Land East of Chipping Lane, Longridge	2/7/15	17 weeks	363	Decision 29/10/15

#### APPEALS UPDATE

<u>Application No</u>	<u>Date Received</u>	<u>Applicant Proposal/Site</u>	<u>Type of Appeal</u>	<u>Date of Inquiry/Hearing</u>	<u>Progress</u>
3/2014/0438 R	16/01/15 but extension given until 6/02/15	Land east of Chipping Lane Longridge	Inquiry		Held in Abeyance – inquiry date cancelled
3/2015/0212 R	14/07/15	4 The Green Osbaldeston Lane Osbaldeston	WR		Appeal dismissed 11/11/15
3/2014/0697 R	29/06/15	Land adj Clitheroe Road West Bradford	WR		Awaiting decision

<u>Application No</u>	<u>Date Received</u>	<u>Applicant Proposal/Site</u>	<u>Type of Appeal</u>	<u>Date of Inquiry/Hearing</u>	<u>Progress</u>
3/2015/0272 R	22/07/15	Curtis House Longridge	WR		Awaiting decision
3/2014/0755 R	22/07/15	Mellor Lodge Gatehouse, Mellor	WR		Awaiting decision
3/2014/0846 R	12/08/15	Land at 23-25 Old Row Barrow	Hearing	18/11/15 20/01/16	Adjourned
3/2014/0961 R	30/07/15	Skirden Hall Fm Tosside	WR		Appeal allowed 10/11/15
3/2014/0183 R	13/08/15	Land at Malt Kiln Brow, Chipping	Hearing	Provisionally 15/03/16	Awaiting decision
3/2014/0226 R	13/08/15	Kirk Mill and Kirk House, Chipping	Hearing	Linked with 3/2014/0183	Awaiting decision
3/2015/0200 R	23/09/15	Land rear of Beech Cottage Lovely Hall Lane Copster Green	Hearing		Awaiting decision
3/2015/0565 R	24/09/15	Coach House Main Street Bolton by Bowland	WR		Awaiting decision
3/2015/0566 R	24/09/15	Coach House Main Street Bolton by Bowland	WR	Linked with 3/2015/0565	Awaiting decision
3/2015/0318 R	29/09/15	The Holly Wardsley Road Chipping	HH		Appeal dismissed 06/11/15
3/2015/0517	07/10/15	Wolfen Hall Fish House Lane Chipping	WR		Awaiting decision
3/2015/0518	07/10/15	Wolfen Hall Fish House Lane Chipping	WR	Linked with 3/2015/0517	Awaiting decision
3/2015/0016	29/10/15	Cowley Brook Farm Higher Road Longridge	WR		Statement due 03/12/15
3/2015/0333	30/10/15	2 Halstead Mews Rimington	HH		Awaiting decision
3/2015/0345	30/10/15	1 Halstead Mews Rimington	HH		Awaiting decision
3/2015/0685	05/11/15	6 Woodcrest Wilpshire	HH		Awaiting decision
3/2014/1025	18/11/15	Rattenclough Fm Wesley Street Sabden	WR		Statement due 23/12/15
3/2015/0711	16/11/15	19 Whalley Road Sabden	HH		Awaiting decision

<u>Application No</u>	<u>Date Received</u>	<u>Applicant Proposal/Site</u>	<u>Type of Appeal</u>	<u>Date of Inquiry/Hearing</u>	<u>Progress</u>	
3/2015/0578	24/11/15	Oakfield Longsight Rd Clayton-le-Dale	WR		Statement 29/12/15	due
3/2015/0453	Awaiting start date from PINS	Cherry Tree Fm Chipping Rd Chaigley				
3/2015/0211	30/11/15	Land between 52 and 54 Knowsley Road, Wilpshire	WR		Statement 04/01/15	due