

<b><u>INDEX OF APPLICATIONS BEING CONSIDERED</u></b>						
<b><u>MEETING DATE: 10 JANUARY 2019</u></b>						
	<b><u>Application No:</u></b>	<b><u>Page:</u></b>		<b><u>Officer:</u></b>	<b><u>Recommendation:</u></b>	<b><u>Site:</u></b>
<b>A</b>	<b>APPLICATIONS REFERRED BACK TO COMMITTEE FOR APPROPRIATE CONDITIONS:</b>					
					NONE	
<b>B</b>	<b>APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR APPROVAL:</b>					
	<a href="#">3/2018/0907</a>	1		RB	AC	Roundabout, Holm Road Barrow
<b>C</b>	<b>APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR REFUSAL:</b>					
					NONE	
<b>D</b>	<b>APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING BEING SATISFACTORILY COMPLETED</b>					
	<a href="#">3/2018/0750</a>	5		JM	DEFER	Twitter Bridge Farm Barn West Bradford
	<a href="#">3/2018/0844</a>	11		RM	DEFER	Land off Longsight Road Langho
	<a href="#">3/2018/0688</a>	33		RM	DEFER	Land off Henthorn Road Clitheroe
<b>E</b>	<b>APPLICATIONS IN 'OTHER' CATEGORIES:</b>					
					NONE	

**LEGEND**

AC Approved Conditionally  
R Refused  
M/A Minded to Approve

AB Adam Birkett  
AD Adrian Dowd  
HM Harriet McCartney  
JM John Macholc

RB Rebecca Bowers  
RM Robert Major  
SK Stephen Kilmartin

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No 5

meeting date: THURSDAY, 10 JANUARY 2019  
title: PLANNING APPLICATIONS  
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

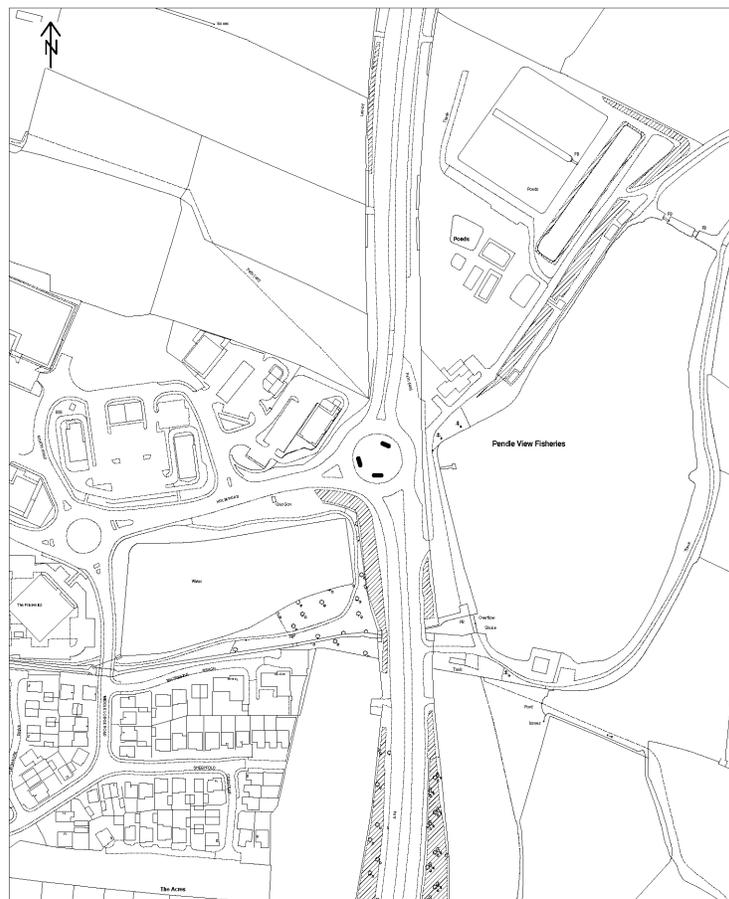
## B APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR APPROVAL:

**APPLICATION REF: 3/2018/0907**

GRID REF: SD 374147 438265

### **DEVELOPMENT DESCRIPTION:**

THREE NON-ILLUMINATED ADVERTISING SIGNS 0.6 METRE HIGH (MAX) FROM GROUND LEVEL, SIGN BOARD 0.5 X 1.5 METRE AT ROUNDABOUT, HOLM ROAD, BARROW



3/2018/0907 Roundabout on A59 adj Holm Road Barrow BB7 9WF

Scale 1:2500

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

### **TOWN COUNCIL:**

No observations received at time of preparing this report.

### **Lancashire County Council Highways :**

The proposal raises no highway concerns and I would therefore raise no objection to the proposal on highway grounds.

### **ADDITIONAL REPRESENTATIONS:**

13 Letters of representation received with the following objections

- Signage will have an unacceptable impact on highway safety as they will be a distraction to road users
- Signage location is overlooked by the AONB and the open countryside
- Barrow is being spoilt by over development
- Approved signages would contribute to more unofficial signage.

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

- 1.2 The proposed site relates to the A59 roundabout situated at the entrance to the Barrow Services around 0.2 miles east of the settlement of Barrow.

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

- 2.1 This application seeks advertisement consent for the erection of a three non-illuminated signs each measuring 1.5m x 0.5m in size, on the roundabout intersection on the A59 Barrow Service Station. They will be erected on two stainless steel posts and will be set back from the roundabout edge by approx. 1m.

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

3/2009/0602 - Pole mounted non-illuminated sponsorship acknowledgement sign.-  
Refused

#### **4. Relevant Policies**

National Planning Policy Framework (NPPF).  
Policy DMG1- General Considerations  
Policy DMG2- Strategic Considerations  
Policy DMI2- Transport Considerations  
Policy DMB1 Supporting Business Growth and the Local Economy  
Policy

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

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

- 5.1.1 The proposed development is part of an existing sponsorship scheme run by Lancashire County Council and proposes three individual advertisement signs that will provide an opportunity for businesses to advertise for a minimum of one year by sponsoring the roundabout and in doing so would advertise their own

business to the users of this intersection. Policy DMB1 of the Core Strategy states that proposals that are intended to support business growth and the local economy will be supported in principle. It is therefore considered that the proposed development is acceptable in principle.

## 5.2 Impact on Visual amenity

5.2.1 The roundabout in question is situated on the entrance to Barrow Services. The roundabout itself has existing official highway signs and chevrons and is void from any other official advertisement signage. The surrounding area, in particular the Barrow Service Station, is a commercial site with the majority of the businesses having some form of advertisement signage. The McDonalds Restaurant visible from the A59 has multiple advertisement signage and banners visible on entrance to the Barrow Services with a banner and a brick built structure with an 'M' situated on top is visible from the intersection. This roundabout is also prone to unofficial advertisement signage for housing developments and other commercial businesses.

5.2.2 It is considered that as the signs are modest in size and relatively low, their siting in relation to the larger official highway signage would not appear as a prominent addition. The site is positioned close to commercial development such as the nearby McDonalds and Petrol Station, and it therefore considered that the proposed signs would not be viewed in isolation as they would be seen in conjunction with other official highway signs and chevron panels on the roundabout, as well as other signage at nearby commercial uses.

5.2.3 In addition to the above it is not uncommon for adverts to be visible from public highways as the main purpose of an advertisement is to attract attention of passers-by. Furthermore such signs are relatively common features found on major junction roundabouts throughout the county.

## 5.3 Highways

5.3.1 The 13 letters of representation made objections relating to highway safety with the signs potentially causing a distraction to drivers. The LCC highways officer has assessed the proposed application and has considered that the signage does not raise any highway concerns and therefore has no objection to the application. The LPA are therefore satisfied that the proposed development would not have an unacceptable impact on highway safety.

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

6.1 It is considered that the proposed signage would share an acceptable relationship with the immediate commercial surroundings and would not have any undue impact upon highway safety. The quantity and scale of signage proposed is considered to be proportionate to the scale of the site and thus the proposed development is considered to be acceptable in accordance with the Ribble Valley Core Strategy.

RECOMMENDATION: That the Advertisement Consent be granted subject to the imposition of the following condition(s):

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

REASON: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Site location Plan: Dwg no RV6

Example Sponsorship Sign:RLB Dwg no 1

Landscape Roundabout Sponsorship Sign Templates: RLB Dwg no 2

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

- 3 The approval is for a period not exceeding five years from the date of this consent.

REASON: In the interests of visual amenity

4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

REASON: In the interests of visual amenity.

5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

REASON: In the interests of visual amenity.

6. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

REASON: In the interests of visual amenity.

7. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aids to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

REASON: In the interests of visual amenity.

## BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0907](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0907)

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

**APPLICATION REF:** 3/2018/0750

**GRID REF:** 372216 443262

**DEVELOPMENT DESCRIPTION:**

**CHANGE OF USE OF REDUNDANT BARN TO FORM ONE UNIT OF RESIDENTIAL ACCOMMODATION AT TWITTER BRIDGE FARM TWITTER LANE WADDINGTON BB7**



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

### **PARISH COUNCIL:**

Object to the development and consider the barn not to be redundant and is used for livestock purposes and would affect the existing farming business. The loss of the building and use of adjoining bridge as an access point would make it problematic for the existing farming enterprise and could lead to livestock along the highway to its detriment. Possible concerns of flooding and loss of habitat.

### **ENVIRONMENT AGENCY:**

Original objected due to lack of a Flood risk assessment. Following additional information further comments will be reported verbally.

### **LANCASHIRE COUNTY COUNCIL (LCC) HIGHWAYS:**

No objection on highway grounds.

### **LANCASHIRE COUNTY COUNCIL (AONB):**

Objects to the development on the basis the building is used for regular agricultural use and also the design changes would have an impact on the landscape character of the AONB.

### **ADDITIONAL REPRESENTATIONS:**

One additional representation has been received from members of the public and one from the River Ribble Trust

#### **Objection:**

- Inadequate information to assess the impact on flood risk and possible disturbance on habitat such as otters.
- Consider the description is wrong as the building is not redundant.
- Visual impact due to its isolated location and loss of an important landscape feature so contrary to DMH3.
- Impact on rural economy due to impact on existing farming business and as such contrary to DMH4
- Highway issues resulting from the development restricting practical access to the adjoin fields and the likely increase in vehicular movements on to the adjacent carriage way.

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

- 1.1 The application relates to a conversion of a detached barn located in the open countryside and within the Forest of Bowland Area of Outstanding Natural Beauty (AONB). Access to the site is from Twitter Lane and the building is located approximately 600m from the outskirts of Waddington. The surrounding land is predominantly agricultural land and devoid of buildings.

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

- 2.1 The application seeks detailed consent to convert the building into a 4 bedroom dwelling with garage space incorporated in the existing lean to building. The proposed curtilage is

contained within an existing yard area and land to the rear bordered by a stream. A new boundary wall partly encloses the proposed curtilage.

- 2.2 The scheme has been amended with a reduction in the number of new openings and the retention of the timber wagon door. To overcome concerns from the Environmental Agency the floor levels have been raised which has resulted in minor design changes to the original scheme.

3. **Relevant Planning History**

None

4. **Relevant Policies**

Ribble Valley Core Strategy:

Key Statement EN2 – Landscape

Key Statement EN4 – Biodiversity and Geodiversity

Key Statement EN5 – Heritage Assets

Key Statement EC1 – Business and Employment Development

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME3 – Site and Species Protection and Conservation

Policy DME4 – Protecting Heritage Assets

Policy DMB1 – Supporting Business Growth and Local Economy

Policy DMH3- Dwellings in Open countryside

Policy DMH4-Conversion of Barns and other buildings to dwellings

Policy DMH5- Residential and curtilage extensions

Policy DMG3 – Transport and Mobility

National Planning Policy Framework (NPPF) (July 2018)

National Planning Practice Guidance (NPPG)

Planning (Listed Building and Conservation Areas) Act 1990

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 In relation to the principle regard needs to be given to Policy DMH3 Dwellings in Open countryside and Policy DMH4-Conversion of Barns and other buildings to dwellings. Consideration needs to be given to its location and an assessment on whether or not the building is isolated or within a group of buildings.

5.1.2 In this respect the application site is not located within an existing main settlement or village, and is approximately 600 m from the edge of the Waddington Settlement Boundary and therefore it can be argued that the site is fairly isolated with the exception of the adjacent farmhouse. However it is closely related to the highway and there are other agricultural buildings in the vicinity.

5.1.3 It is the opinion that on balance the building could be suitable for in accordance with the relevant “principle” sections of Policies, therefore the proposal is

considered to be acceptable, subject to compliance with other policies of the Core Strategy.

## 5.2 Visual impact on the surrounding area:

- 5.2.1 It is acknowledged that the representations received raises objection to the proposal in relation to visual impact of the proposal, the impact upon the surrounding area.
- 5.2.2 Paragraph 172 of the NPPF considers the potential impact of development within an AONB and notes that “great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.
- 5.2.3 Key Statement EN2 (Landscape) states “The landscape and character of the Forrest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area. As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.”
- 5.2.4 Additionally, Policies DMG1, DMG2 and DMB3 of the Ribble Valley Core Strategy all seek to ensure development is in keeping with the character of the landscape and surrounding area by virtue of scale, siting, layout, design and materials.
- 5.2.5 The application site is surrounded by open fields and pasture land and also in close proximity to the adjoining dwelling. Although there is some visual impact due to new openings and external walling I do not consider this has a harmful impact on the visual quality.
- 5.2.6 Members must determine whether they consider there would be any significant adverse impact upon visual amenity, the character of the area or the ANOB in relation to the proposal. Officer advice is that the surrounding area displays the key landscape characteristics defined in the Forest of Bowland AONB Landscape Character Area Appraisal and these characteristics should be protected.

## 5.3 Impact Upon Residential Amenity:

- 5.3.1 The application site occupies open countryside within an isolated location, away from neighbouring residential properties.
- 5.3.2 It is important to consider whether the proposal is acceptable in terms of the impacts of the proposal upon residential amenity. The scheme has been designed to minimise any overlooking that would limit the impact upon the amenity of neighbouring land users. The proposal is considered to be acceptable and the proposal complies with Policy DMG1 of the Ribble Valley Core Strategy in relation impact upon residential amenity of neighbouring properties.

5.4 Highway Safety and Accessibility:

5.4.1 I note the concerns of the objector but it is evident that the highway authority does not object to the proposal.

5.5 Landscape/Ecology:

5.5.1 In relation to ecology concern has been expressed regarding the impact of local habitat. Notwithstanding the concerns expressed regarding otters it is considered that if required conditions could be imposed to mitigate any impact. It is considered that subject to the requested conditions in relation to bats and tree protection measures the proposal would not have significant adverse impact upon Landscape/Ecology. Therefore the proposal is considered to be in accordance with Policy DME3 of the Core Strategy.

5.6 Drainage and Flood Risk:

5.6.1 The consultation responses received from the LLFA and United Utilities raise no objection to the application subject to appropriate conditions being attached to any potential grant of planning permission.

5.6.2 Members must determine whether they consider there would be any significant impact upon drainage and flood risk in relation to the proposal. Officer advice is that subject to the requested condition, the proposal would not represent unacceptable risk of flooding or exacerbate flooding elsewhere therefore it would accord with Policy DME6 of the Ribble Valley Core Strategy.

5.7 Other Matters:

5.7.1 Concern has been expressed regarding the impact the proposal would have on the existing farming enterprise as a result of the loss of a facility for livestock storage and access to the fields. Redundancy is no longer regarded as a material consideration and although it is regretful this in itself is not sufficient to warrant a refusal. In relation to the inability to access the fields in the same way and although it may reduce the efficiency of the farming operation it is considered that the land can still be accessed.

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

6.1 Although I note the concerns expressed regarding the suggested impact on the existing agricultural enterprise as well as the observations of the AONB officer I consider that on balance the scheme is acceptable in locational terms and the visual impact is limited and that permission should be granted.

**RECOMMENDATION:** That the application be DEFERRED and DELEGATED to the Director of Economic and Regeneration and Planning Services for approval subject to the satisfactory comments from the Environment Agency and any additional conditions as well as the following conditions:

1. The works to which this application relates shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:

Proposed Plans and Elevations 415/2/5 Rev C received on 5/11/18 and letter dated 5/11/18.

Proposed layout and curtilage plan 415/2/3 Rev B received on 5/11/18.

Structural report and plan reference 415/2/6 Rev A.

REASON: To ensure that the development as carried out does not vary from the approved plans.

3. Precise specifications of proposed windows, rooflights and doors including elevations cross – sections, glazing type, opening mechanism and surface finish shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The approved windows shall be implemented within the development in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal safeguards the character of the building and in the interests of visual quality.

4. Precise specifications of proposed external boundary shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal safeguards the character of the building and in the interests of visual quality.

5. 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.

## BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0750](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0750)



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

### **PARISH COUNCIL:**

*Billington and Langho Parish Clerk:*

Object to the application on the following grounds:

- The development will exceed the residual figures for new housing within Langho;
- The large size of the houses does not reflect the need for retirement bungalows and first-time buyers;
- There are many houses for sale in the area;
- The submitted Transport Statement shows vehicles will only exit the site to the left onto the A59;
- Highway safety at the junction onto A59;
- Excessive amount of car parking on the site;
- The estimated number of vehicle movements to and from the site is a gross underestimation;
- The development is outside the settlement boundary;
- There will be an increase in number of people using the railway station, however there is no car park at the station and no disabled access from the site due to steps;
- Limited public transport;
- Impact on infrastructure – doctors, schools, sewage system;
- The siting of the play area is a concern;
- The area is known to flood and this is of concern – the Council should seek the advice of the LLFA in respect of the adequacy of the site.

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

No objection to this application subject to conditions.

### **LCC EDUCATION:**

No requirement for a financial contribution in respect of either primary or secondary education places.

### **UNITED UTILITIES:**

No objection subject to conditions.

### **LOCAL LEAD FLOOD OFFICER (LLFA):**

Unable to provide a substantive response as insufficient information has been provided with the application.

Additional information has been provided and the LLFA have been re-notified. Any additional comments received from the LLFA will be reported verbally to Members.

### **ADDITIONAL REPRESENTATIONS:**

Letters of representation have been received from 18 individual households/addresses, as well as a letter from the North West Police Benevolent Fund at St Michael's Lodge, objecting to the application on the following grounds:

- Increase in number of units on the site from 18 to 42;
- Highway safety at the access off the A59 close to roundabout;
- Impact on infrastructure – shops, doctors, school places etc...;
- Loss of privacy through overlooking;
- Capacity of sewage system;
- Contrary to Core Strategy as the Council has surpassed its housing figures for Langho;
- No need for additional dwellings, there are a large amount of unsold dwellings in the area;
- Previous applications for residential development of this site and for a burial ground nearby have been refused on highway safety grounds;
- Loss of green field;
- No economic benefits;
- If approved the applicant will potentially apply for more houses on this site;
- Increase in crime levels;
- The applicant's land management company has informed RVBC that they can provide 400 units across three fields (including this site);
- Lack of social cohesion between application site and village of Langho;
- Limited public transport;
- Impacts on biodiversity and ecology;
- Lead to future development on adjacent land;
- Poor access to village through underpass by the railway;
- Site is within the open countryside;
- Blocking/loss of views;
- Noise pollution from future residents and construction work;
- Invasion of privacy;
- Concern over location of public open space/play area in relation to St Michael's Lodge;
- Siting/location of affordable housing.

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

- 1.1 The application relates to an agricultural field measuring 5.4 hectares on the edge of Langho. The site has both outline (3/2015/0010) and reserved matters (3/2018/0392) consent for the erection of 18 dwellings and is located within the draft settlement boundary of Langho, specifically being allocated as a "Committed Housing Site" on the proposals map.
- 1.2 The southern boundary of the application site is adjoined by a railway line and beyond this is the settlement of Langho. There is a pedestrian underpass beneath the railway line at the south western corner of the site linking the site to the main centre of Langho to the south. There is also a public footpath running in a north westerly direction through the adjacent field, from the pedestrian underpass serving the railway station to the A59.
- 1.3 The northern boundary of the site is adjoined by Longsight Road (A59) and a residential property known as 'Langholme', with its associated gardens and woodland. On the opposite side of Longsight Road is Northcote Manor. To the west, the site is adjoined by other agricultural land; and the eastern boundary comprises a row of trees, a brook and the rear gardens of several residential properties fronting Northcote Road, as well as property known as St Michael's Lodge which is occupied by the North West Police Benevolent Fund.

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

- 2.1 This application seeks full planning permission for the erection of 42 dwellings on land directly to the south of Longsight Road, Langho. The proposed dwellings would be accessed via a new access point to be created directly off Longsight Road, at the northern end of the site, however this access point has already been approved under the previous outline consent for 18 dwellings on this site (3/2015/0010).
- 2.2 The proposed dwellings would be large in size and the following housing mix would be provided:
- 2 x 2-bed dwellings
  - 8 x 3-bed bungalows
  - 3 x 3-bed dwellings
  - 8 x 4-bed dwellings
  - 21 x 5-bed dwellings
- 2.3 A total of 13 of the 42 dwellings would be affordable (30%):
- 8 x 3-bed bungalows
  - 3 x 3-bed dwellings
  - 2 x 2-bed dwellings
- 2.4 In terms of affordable tenure mix the applicant has proposed all the units to be discounted sales, however discussions are currently taking place with the Council's Housing Officer to provide a mixture of discounted sales and shared ownership units, however the final affordable housing tenure mix would be secured by way of legal agreement. Additionally, 8 dwellings (19%) would be life-time home complaint bungalows, with 7 (15%) of these specifically reserved for persons over the age of 55's, again secured within the legal agreement.
- 2.5 The application includes a pedestrian footway running along the main access road through the development and this would provide pedestrian access from Longsight Road to the train station. The application includes a number of areas of informal public open space (green areas) throughout the site, including a play area at the southern end of the site, close to the settlement of Langho. The application includes a detailed landscaping scheme showing the existing trees to be retained both within and on the edge of the site, along with new tree/hedge planting throughout the site. A potential water pumping station would be sited at the front of the site, close to Longsight Road, and three attenuation swales would be provided to hold surface water before discharging in to the existing brook that runs to the east of the site.
- 2.6 The houses would be large relatively in size and will clearly appeal to the higher value end of the housing market as a result of their size and low density proposed by this development. The dwellings would be constructed/finished with a mixture of coursed stone and render with stone surrounds/mullions on window openings. In terms of design they would be traditional in appearance with the use of forward projecting pike features and bay windows.
- 2.7 The affordable units would be located at the southern end of the site, closest to the train station and the amenities within the settlement of Langho.

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

3/2018/0392 – Reserved matters - granted subject to conditions

3/2015/0010 - *Application for outline consent for 18 residential dwellings, including 5 affordable homes and associated access, landscaping and other necessary works* – granted subject to conditions

3/2014/0687/P – *Outline application for up to 132 residential dwellings and associated access, landscaping and other necessary works* - Refused.

### 4. **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 H1 – Housing Provision

Key Statement H2 – Housing Balance

Key Statement H3 – Affordable Housing

Key Statement DMI1 – Planning Obligations

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMH1 – Affordable Housing Criteria

Policy DMG3 – Transport and Mobility

Policy DME2 – Landscape and Townscape Protection

Policy DMB4 – Open Space Provision

Policy DME3 – Site and Species Protection and Conservation

Policy DME6 – Water Management

Policy DMB5 – Footpaths and Bridleways

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

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

5.1.1 This is a full planning application for the erection of 42 dwellings on a plot of land that currently has an extant permission for the erection of 18 dwellings, within the draft settlement boundary of Langho which was taken to the Examination In Public (EIP) of the Housing and Economic Development Development Plan Document and on a site that is identified as a committed housing site on the Core Strategy Proposals Map.

5.1.2 Core Strategy Key Statement DS1 states that as a part of the overall apportionment of future housing development in the Borough, Langho is regarded as a Tier 1 Settlement. Both Key Statement DS1 and DMG2 of the Core Strategy, when taken together, permit development proposals in the Tier 1

Settlements, including Langho, which accord with the development strategy and consolidate, expand or round-off development so that it is closely related to the main built up area.

- 5.1.3 Being located within the draft Settlement Boundary this site is therefore considered to be a sustainable location and the broad principle of residential development on this site has already been established and is considered to be acceptable.
- 5.1.4 In respect of housing numbers, it is accepted that the residual figure for Langho has been met by the existing consent for 18 dwellings on this site, and at the most recent published position (Sept 2018) the Council can currently demonstrate 6.1 years housing land supply. As such the main consideration in determining the principle of this development is whether the addition of 24 units on this site, proposed by this application, would result in harm to the development strategy. In respect of this Key Statement DS1 of the Core Strategy stresses that *'in general the scale of planned housing growth will be managed to reflect existing population size, the availability of, or the opportunity to provide facilities to serve the development and the extent to which development can be accommodated within the local area'*.
- 5.1.5 The strategic harm is therefore measured against these factors. The resultant scale of growth generated from this level of development is considered to be modest overall, and the Core Strategy requirement and residual figures are expressed as a minimum and not a target. Members will be aware that the Core Strategy requirement is a minimum and not a target, this does not imply that unrestricted development will be approved within the Borough. Each proposed development has to be determined on a case by case basis.
- 5.1.6 In this particular case, the key consideration in the determination of the principle of this development is as to whether the net increase in housing supply would result in substantial harm to the development strategy for the borough, and whether the increase in population above what has previously been approved at this site, would have a significant impact upon local services and facilities.
- 5.1.7 In respect of this issue the Highway Officer has raised no objection to the application. The proposed access point onto Longsight Road has been established by the previous approval for residential development and it is not considered that the additional vehicles movements associated with the additional 24 dwellings would have any significant impact upon the highway capacity of the A59 (Longsight Road). A number of objectors have commented on a lack of public transport facilities however the application site is located adjacent to Langho train station and bus routes on both Longsight Road and from the main road through Langho. As such the application site is considered to be a sustainable location in respect of access to public transport.
- 5.1.8 Objections have been received in respect of the extra demand for school places and health facilities as a result of this development, as well as the lack of shops and services within Langho. With regard to school places, LCC Education have not objected on the grounds of school places and have commented that there are sufficient primary and secondary school spaces within the catchment area of this site and thus a financial contribution for school places is not required in this instance. It is relatively uncommon for LCC Education to not request a financial

contribution in respect of school places for new developments and thus this has been double checked by the LPA and LCC Education have confirmed that due to extensions taking place at nearby Schools they will not be at capacity for student number and thus there is no justification for a contribution in respect of this proposal.

5.1.9 With regard to health facilities, this is a common objection to planning applications for new housing, however no evidence has been provided by the NHS to suggest that additional health facilities are required in the borough. In respect of shops, it is considered that the existing facilities within Langho are sufficient to cater for the level of development proposed by this application.

5.1.10 In addition to the above, the application site measures 5.4 hectares and the previous approval of 18 dwellings on this site achieved a density of just 3.3 dwellings per hectare. Nationally, housing developments are encouraged to achieve a housing density of between 30 and 50 dwellings per hectare, and being a more rural borough Ribble Valley aims to achieve a density of around 25 – 30 dwellings per hectare on new sites. The previously approved 18 dwellings on this site (3.3 dwellings per hectare) is significantly below this figure and this is considered contrary Chapter 11 of the NPPF (Making Effective Use of Land) which specifically requires Council's to "Achieve appropriate densities" by optimising the use of land and avoid low density developments (paras 122 & 123). In view of this, the proposal to increase the density of housing on a committed housing site, within the draft settlement boundary of Langho accords with National Planning Guidance. It should be noted that this application for 42 dwellings would achieve a density of 8 dwellings per hectare which is still considered to be very low, however the applicant is seeking to appeal to the higher end of the housing market and is therefore satisfied with the proposed density.

5.1.11 The Council's Planning Policy department have raised no objection to this application, or in the increase in housing numbers, commented that the addition of 24 dwellings to the housing supply would not be significantly harmful to the sustainability of Langho or prejudice the overall development strategy for the Borough. However the Planning Policy section have commented that this does not imply, or should be read as a precedent for future development on the adjacent parcels of land which are located outside of the draft settlement boundaries.

5.1.12 In view of the above, it is considered that the addition of 42 dwellings (24 above what has previously been approved) in this location would not have a significant impact upon local services and facilities, and therefore represents sustainable development. The principle of this development is therefore considered to be acceptable.

## 5.2 Impact upon Residential Amenity:

5.2.1 All proposed dwellings within the application site meet the Council's recommended separation distances of 21m between principal elevations and 13m between principal and secondary elevations, and in the majority of cases the dwellings achieve far greater distances than these recommendations because of the low density of the proposed development. As such the future occupants would be provided with an acceptable level of residential amenity.

- 5.2.2 With regard to existing neighbouring residents, the nearest residential properties are the large detached dwelling at Langholme (to the north west) and the properties fronting Northcote Road to the east. With regard to Langholme, the nearest proposed dwellings would be approximately 60m from the main dwelling and at such a distance there is not considered to be any loss of residential amenity. It is noted that the property at Langholme has outbuildings situated closer to the shared boundary with the application site, including a swimming pool, and the rear elevations of proposed plots 17 and 18 would be approximately 13m from this swimming pool building. These outbuildings have are not considered to be habitable rooms and therefore are not afforded the same level of amenity as habitable rooms within the main dwelling. Notwithstanding this, the fact that these outbuildings have been located close to the shared boundary should not prejudice development on neighbouring land. Furthermore the proposed rear garden levels for plots 17 and 18 measure 13m and this is considered to be acceptable (normally the Council seek to achieve 10.5m rear garden lengths). In addition, there is substantial tree planting along the boundary shared with Langholme which provides screening.
- 5.2.3 With regard to the properties on Northcote Road to the east, these are located on the opposite side of a ditch and the rears of these properties would face towards the rear of the proposed dwellings to be erected along the eastern boundary of the site. At the nearest points a separation distance of 30m would be achieved between the existing and proposed properties and this comfortably complies with Council requirements (normally 21m). Additionally, there are existing trees along the boundary of the site and these would again provide additional screening.
- 5.2.4 To the south of the site runs the railway line and the dwellings on the opposite side of this railway line would be more than 50m from the nearest dwelling on the application site. With regard to the relationship between the future residents of the proposed dwellings and the railway line, at the nearest point the dwellings would be 27m from this railway line and at such a distance it is not considered that noise from the railway would unduly impact upon residential amenity, particularly given that existing dwellings on Whalley Road are sited within 8m of this railway line. Nevertheless, a noise assessment has been undertaken and this has made recommendations/mitigation measures to be carried out to ensure that future residents are not unduly affected by noise from the railway line. The noise assessment has also made a number of recommendations in respect of the proposed dwellings to be sited closest to Longsight Road. These mitigation measures have been secured by condition.
- 5.2.5 An objector has raised a concern in respect of noise and disturbance during the construction process, however this is not a valid reason to refuse planning permission. Nevertheless a condition has been attached restricting the hours of operation on site in line with other residential developments throughout the borough.
- 5.2.6 To the south east is the commercial property at St Michael's Lodge, which is a rest/care/rehabilitation centre for police officers. This property has been extended at the rear and comes to within approximately 12m of the boundary of the application site. The nearest properties on the development site would be plots 39 and 40 which are bungalows, with the rear elevations of these properties being 29m from the building at St Michael's Lodge and more than 20m from St

Michael's outdoor areas. The owners of St Michael's lodge have raised concerns in respect of a loss of privacy at the rear of their property and also noise from children using the areas of open space, particularly the play area, having an impact on the work they do at this facility which requires peace and tranquillity for users.

- 5.2.7 Both the LPA and the applicant respect the work that is undertaken at St Michael's Lodge and have both (separately) visited staff at this facility to discuss the proposal. After these meetings the applicant has amended the scheme to move the bungalows (plots 39 & 40) further from the boundary and removed an area of public open space directly to the rear of St Michael's Lodge and replaced this with tree planting to provide a larger buffer and better screening. This area will not be accessible to the public but will have gated access for the management company to maintain the trees within this area.
- 5.2.8 The revised plan has been sent to St Michael's Lodge, however their objection remains that the proposed development would have a detrimental impact upon the work they carry out at this facility, as well as raising concerns in respect of affordable properties being located adjacent to their property. Nevertheless, the Benevolent Fund have made enquired with regard to purchasing two of the "affordable bungalows" to be used in conjunction with their use of St Michael's Lodge.
- 5.2.9 With regard to the concern raised that it is the affordable units that will be sited close to the boundary, it is considered that the occupiers of St Michael's Lodge would not be any more impacted by residents of affordable units than by residents of open market units and therefore this is not a valid reason to refuse the application. Furthermore, the siting of the affordable units at this end of the site provides better access to facilities in Langho (public transport). In respect of St Michael's Lodge seeking to purchase two of the affordable units/bungalows, this has been discussed with the Housing Officer and it is considered that the Benevolent Fund would not meet the required criteria to purchase two of the affordable units and thus is not supportive of this suggestion.
- 5.2.10 In terms of the revised layout, which involved moving the bungalows further from the shared boundary and the provision of the landscape buffer in place are an area of public open space, whilst St Michael's Lodge have maintained their objection, it is the Officer's view that this revised proposal has improved the situation and would prevent any issues of overlooking from the development site, as well as removing the area of public open space that would have been situated between these bungalows and the rear garden area of St Michael's Lodge.
- 5.2.11 With regard to the children's play area, this would be sited more than 35m from the boundary of St Michael's Lodge and the Benevolent Fund remain concerned that noise from this facility will have an impact upon their property/use. In response to this, whilst the LPA are sympathetic to this issue, it is not considered to be a justifiable reason for refusal as the noise level from the children's play area is not considered to be excessive or detrimental, particularly now that additional planting has been proposed along the boundary which will provide a noise screen.
- 5.2.12 As mentioned above the applicant has met with staff at St Michael's Lodge and the applicant has informally told the LPA that whilst they would like to retain the

play area (as this would be an attraction for future residents) should the Council be concerned with this it could be removed from the proposal. It is the LPA's opinion that the public benefits this proposed play area would provide to both future residents of this development, and existing residents of Langho that would have access to this facility, outweigh the perceived harm to St Michael's Lodge. Nevertheless, should Members share the concerns of St Michael's Lodge and consider this to be a serious issue, as mentioned above the applicant would be willing to remove the play area from the proposal.

5.2.13 With regard to relocating the play area, this would require a full re-plan of the layout and this in turn could affect the viability of the scheme as a whole, and it is considered unreasonable for the LPA to insist on this when it considers that the relationship would be acceptable. Furthermore, to relocate the play area to an alternative location, more centrally, within the site would make it appear as though it is a facility specifically for the residents of this development, rather than for existing residents of Langho. The advantage of its proposed siting from a community point of view is that it is closest to the village of Langho and could be used by families whilst waiting for trains at Langho train station. Furthermore, the principle of residential development of this site, with residential properties set close to the boundary shared with St Michael's Lodge, and areas of public open space (including a play area) at the southern end of the site closest to the village of Langho, has been established and approved as part of previous applications for housing on this site.

5.2.14 In view of all of the above it is considered that the proposal as amended shares an acceptable relationship with neighbouring land uses in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

### 5.3 Density/Visual Amenity/External Appearance:

#### Layout

5.3.1 The proposed residential estate would be served via one road directly off the A59, with this internal road then splitting into two within the site to provide access to all 42 dwellings. Pedestrian links are also provided throughout the site to ensure that the future residents have good access to facilities within the settlement of Langho to the south.

5.3.2 The proposed dwellings would be aligned so as to front onto the main highways within the site and would be set back more than 20m from the A59 so as to provide a visual buffer, with this intervening land landscaped. The application proposes nine different house types including 29 large detached open market dwellings, two semi-detached dwellings, a row of three terrace properties and eight semi-detached bungalows.

5.3.3 In terms of density, as mentioned earlier the application proposed 42 units on 5.4 hectares of land, providing a housing density of 8 dwellings per hectare. This is a much lower density than the surrounding area, however the development has clearly been designed for the higher end of the housing market with large dwellings with substantial residential curtilages.

5.3.4 The application also includes various areas of green space designated as public open space, and play area would be provided at the southern end of the site

close to the village of Langho. This play area would not be reserved for residents of the development and could be used by existing residents within Langho. A condition is attached which requires details of the equipment and furniture to be used on proposed play area and areas of open space to be submitted for the written approval of the LPA, and these to be provided prior to the 20<sup>th</sup> dwelling being occupied. .

#### Scale

5.3.5 The scale of the development proposed is largely two storey, with the exception of the eight bungalows. The surrounding area is characterised by two storey housing and the scale and size of the dwellings proposed would reflect the existing characteristics of the vicinity.

#### Appearance:

5.3.6 As detailed above the proposed development consists of nine different house types/designs across the site and each design is considered to be acceptable and in keeping with the surrounding area. The properties would be finished using a mixture of stone and render to provide a traditional design that is in keeping with the semi-rural nature of the surrounding area.

#### Landscaping:

5.3.7 The submitted application includes detailed landscape proposals for the whole of the site, including all trees to be retained both on the edge of and within the application site. Concerns have been raised by an objector in relation to the potential loss of trees however the submitted plans show that all existing trees will be retained. The Council's Countryside Officer has reviewed the submission and visited the site, and is satisfied that the proposed development can take place without negatively impacting upon existing trees. A condition has been attached requiring protective fencing to be erected around the root protection areas of all trees shown to be retained on the approved plans.

5.3.8 At the access point (onto the A59 – Longsight Road), the application does involve the removal of a substantial section (approx. 80m in length) of the existing hedgerow fronting the A59. This amount of hedgerow needs to be removed to provide the access point and the necessary visibility splays in order to preserve highway safety at this new junction and thus the removal of this section of hedgerow is unavoidable. To compensate for this loss a new native hedgerow will be planted, however it would be set back from the highway to provide the above mentioned visibility splays. Additionally, a new footway would be created at this entrance point.

5.3.9 In addition to the above mentioned replacement hedgerow, the application includes vast amounts of new tree and hedge planting throughout. It is considered that the level of planting will result in a net increase in biodiversity on the site in comparison to the existing use as an agricultural field.

5.3.10 As detailed elsewhere in this report the application includes vast areas of public open space and children's play area. Conditions have been attached requiring the applicant to provide precise details of the proposed play area and furniture, a timetable for implementation of the proposed play area and planting works, in

order ensure that the proposed landscaped areas are carried out within an acceptable period of time, and a . Landscape Management Strategy detailing how existing and proposed landscape features (including the play area) will be maintained.

### 5.3 Highway Safety and Accessibility:

- 5.4.1 A number of objections have been received in respect of the impact this proposal would have upon the surrounding highway network, particularly the access onto Longsight Road. As mentioned earlier the access point onto Longsight Road has already been established as part of the previous approval for residential development of this site and the Highway Officer has no objection to the addition of 24 dwellings utilising this access.
- 5.4.2 A number of objectors, including the Parish Council, have commented on a drawing included within the Transport Assessment which shows a vehicle turning left out of the access and assume this means that the access will be “left-turn only” when existing. This however is an incorrect assumption and vehicles will be able to turn both left or right onto Longsight Road out of this site (the drawing referred to was simply showing how refuse vehicles would leave the site).
- 5.4.3 The Highway Officer has made a number of observations in respect of the footways to be provided, commenting that ideally these should be provided on both sides of the carriageway. However the Highways Officer has stated that these are not objections and would be discussed with the developer as part of the highway adoption (S38), should the applicant want the internal layout to be adopted. Notwithstanding this the applicant has confirmed that they will not be seeking any adoption from LCC in respect of the internal layout/roads.
- 5.4.4 With regard to car parking it is considered that there is sufficient parking within the site and the highway officer has raised no objection on highway grounds, subject to the imposition of conditions.
- 5.4.5 The previous approval on this site did require the applicant to make a financial contribution in respect of improvements at the nearby railway station, however LCC Highways have made no such request on the current proposal. The LPA have contacted LCC Highways in respect of this issue but at the time of writing the report no further comments have been provided. With regard to the footpath, the submitted plans show that the proposed pedestrian access will be provided and this will connect to the existing footpath by the train station. A condition has been added requiring all pedestrian footpaths shown on the approved plans to be provided prior to occupation of the 20<sup>th</sup> dwelling on site.

### 5.5 Landscape/Ecology/Trees:

- 5.5.1 The submission includes an Arboricultural Impact Assessment which shows that all existing trees will be retained on site and protected during the construction process (secured by condition). As detailed elsewhere in this report the proposal includes significant levels of new planting throughout the site and the Countryside Officer is satisfied with these details, subject to a condition requiring the applicant to provide a timetable for the proposed planting works.

5.5.2 The application is also accompanied by an Ecology Report which has been reviewed by the Council's Countryside Officer has reviewed the submitted information and raised no objection subject to the imposition of conditions. These conditions include the development to be carried out in accordance with the mitigation measures detailed within the submitted Ecology Report, the removal of any hedgerows or vegetation outside bird breeding season (unless a further bird nesting survey is carried prior to its removal), the removal of invasive species from the site and details of bat/bird boxes to be installed on the proposed dwellings at a ratio of one per new dwelling.

5.5.3 Other measures that will improve biodiversity at the site include the use of habitat connectivity fencing (with gaps at the base), the introduction of water swales for attenuation, the introduction of new tree planting along the boundary with St Michael's Lodge to create a continuous row of vegetation along this boundary and a management plan for the areas of public open space.

#### 5.6 Flood Risk and Drainage:

5.6.1 The application site is located within Floodzone 1 (least vulnerable). Nevertheless, being a "major" development the application is accompanied by a Flood Risk Assessment and Foul Drainage Assessment. United Utilities (UU) and Lead Local Flood Authority (LLFA) have been consulted on the application

5.6.2 United Utilities have raised no objection to this proposal subject to conditions, however the Lead Local Flood Authority have asked for additional information in respect of the proposed drainage scheme. Additional information has been provided and passed onto the LLFA. At the time of writing this report further comments have not yet been provided by the LLFA and any comments received will be reported verbally to Members at Committee.

#### 5.7 Developer Contributions:

5.7.1 In addition to the on-site areas of public open space and play area, the applicant will also be required to make financial contributions in respect of leisure facilities within the borough as a result of the increased demand these new dwellings would create. This contribution is calculated using the number of bedrooms within the proposed development and consequently the contribution for this proposal would be £28,066. The applicant, subject to approval of this application, will enter into a Section 106 Agreement to secure this contribution, as well as any potential highway contribution.

5.7.2 As detailed earlier LCC Education do not require any contribution in respect of school places as a result of this development.

#### 5.8 Affordable Housing

5.8.1 In accordance with Policy DMH1, a development of this size would require 30% of the dwellings to be affordable (13 dwellings) and 15% of the units would specifically be for over 55s (7 units). The submitted application shows that these requirements will be met and these will be secured within the legal agreement (Section 106).

## 5.9 Other issues

- 5.9.1 The Parish Council have raised a concern that the proposal would not provide housing for the elderly or first-time buyers. In response to this comment, the application will provide eight affordable bungalows that will be Life Time Home Complaint (seven of which will be reserved specifically for persons over-55), as well as a total of five (two and three bedroom) affordable dwellings. The existing permission on this site for 18 dwellings provides only five affordable units, including three bungalows and two (two and three bedroom) dwellings. Furthermore, eight of the open market dwellings have a double bedroom and ground floor level which could also appeal to over 55's that do not meet the affordable housing criteria. As such the proposed development would provide a wide range of house types and a greater level of houses for the demographic highlighted by the Parish Council in comparison to the extant consent.
- 5.9.2 Concerns have been raised in respect of approval of this application setting a precedent for further development on adjacent fields. In response to this each application is judged on its on merits and this application should not be refused on the grounds of what may or may not happen on adjacent land, Nevertheless, this site is significantly different to the adjacent fields in that it is located within the draft settlement boundary for Langho and is identified as a committed housing site on the proposals map.

## 6. Conclusion

- 6.1 The application site is considered to be sustainable location, within the Draft Settlement Boundary of Langho and the principle of residential development on this site has already been accepted, hence the site be allocated as a committed housing site on the draft proposals map. It is not considered that the uplift in housing numbers (additional 24 dwellings) would cause significant harm to the development strategy and conforms with national policies which seek to make effective use of land for housing.
- 6.2 The proposal will contribute towards the supply of housing within the borough, and in particular contribute towards the provision of over 55s accommodation (by way of eight bungalows) and affordable housing. Statutory consultees have raised no objection to this application and it is considered that the layout/design would share an acceptable relationship with surrounding land uses.
- 6.3 As such, in accordance with paragraph 11 of the NPPF, which states that planning permission should be granted unless the adverse impacts of this proposal would significantly and demonstrably outweigh the benefits, the application for residential development on this allocated housing site is considered to be acceptable.

**RECOMMENDATION:** That the application be DEFERRED and DELEGATED to the Director of Economic Development for approval subject to no objection being received from the LLFA and the satisfactory completion of a Legal Agreement, within 3 months from the date of this Committee meeting or delegated to the Director of Community Services in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions:

## CONDITIONS

### *Details*

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

REASON: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004

### *Plans*

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:

18/082/L01

18/082/P01 Rev B (amended plan received 28/11/18)

18/082/P02 Rev A (amended plan received 28/11/18)

18/082/P03 Rev B (amended plan received 11/12/18)

18/082/P04 Rev A (amended plan received 28/11/18)

18/082/P05 Rev A (amended plan received 28/11/18)

18/082/P06 Rev A (amended plan received 11/12/18)

101 Rev E (amended plan received 11/12/18)

201 Rev C (amended plan received 11/12/18)

202 Rev C (amended plan received 11/12/18)

203 Rev C (amended plan received 11/12/18)

### ***House Types:***

18/082/H01 Rev A (amended plan received 28/11/18)

18/082/H02

18/082/H03

18/082/H04

18/082/H05

18/082/H06

18/082/H07

18/082/H08

18/082/H09

18/082/H10

18/082/H11

18/082/H12

18/082/H13

18/082/H14

18/082/H15

18/082/H16

18/082/H17

18/082/H18

18/082/G01

18/082/G02

18/082/G03

18/082/G04

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

### *Materials*

3. Notwithstanding the submitted details and the requirements of condition 2 of this approval, precise specifications or samples of all external surfaces including, door/window surrounds and framing materials, fascia/barge boards and roofing/ridge materials including their colour and texture 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. Prior to any above ground works taking place, details of the design and position of the external meter boxes shall have be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the details shall indicate that no meter boxes will be located on the primary elevations of the proposed dwellings or on locations that that are afforded a high level of visibility upon the streetscene. The development shall be carried out in strict accordance with the approved details 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 results in acceptable standard of appearance in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

### *Residential Amenity*

5. Unless otherwise agreed in writing by the Local Planning Authority, no building or engineering operations within the site or deliveries to and from the site shall take place other than between 07:30 hours and 18:00 hours Monday to Friday and between 08:30 hours and 14:00 hours on Saturdays, and not at all on Sundays or Bank Holidays.

REASON: In order to protect the amenities of existing residents and land uses in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

6. Notwithstanding the requirements of condition 2 of this approval, the following windows shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed:

- All first floor windows in the side elevations of the Haworth, Grantley, Farnley and Cavendish House Type;

The duly installed window shall be retained as such thereafter.

REASON: To ensure satisfactory levels of amenity for future residents of the proposed development in accordance with the requirements of Policy DMG1 of the Ribble Valley Core Strategy.

7. The development hereby approved shall adhere to the mitigation measures detailed within Section 5 of the submitted "Noise Assessment" (Ref: MCP2122 – August 2018).

REASON: To ensure satisfactory levels of amenity for future residents of the proposed development in accordance with the requirements of Policy DMG1 of the Ribble Valley Core Strategy.

### *Highways*

8. Prior to the commencement of the development a scheme for the construction of the site access and the off-site works of highway improvement shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the site access and off site highway works shall be completed in accordance with the approved details prior to the occupation of the first dwelling on the site.

REASON: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.

REASON FOR PRE-COMMENCEMENT: The site access needs to be provided and agreed before works can commence on site.

9. No development shall take place, including any works of demolition, 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. It shall provide details in respect of:

- Timing of delivery of all off site highway works
- The parking of vehicles of site operatives and visitors
- The loading and unloading of plant and materials
- The storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding
- Details of working hours
- Contact details for the site manager
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Routes to be used by vehicles carrying plant and materials to and from the site
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

REASON: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings and to ensure the development would not be of detriment to the safe operation of the immediate highway during the construction of the development

REASON FOR PRE-COMMENCEMENT: This information needs to be provided and agreed before any workman or machinery enter the site to ensure the safety of surrounding road users.

10. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

REASON: To prevent stones and mud being carried onto the public highway to the detriment of road safety in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

11. Each residential property hereby approved shall include the facility to charge an electric vehicle within its residential curtilage. The electric vehicle charging point to serve each individual dwelling shall be provided prior that dwelling being first occupied.

REASON: To ensure that the development provides adequate and appropriate sustainable transport options and in the interest of lowering emissions resultant from vehicular movements associated with the development.

12. Within each dwelling where no garage is being provided, cycle storage facilities shall be provided in accordance with a scheme that has first been approved by the Local Planning Authority. The cycle storage facilities shall be provided in accordance with the approved details before each unit hereby permitted becomes operative and shall be retained as such thereafter.

REASON: To ensure that provision is made for cycles and to support sustainable methods of travel in accordance with Key Statement DMI2 and Policy DMG3 of the Core Strategy.

13. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 2015 and the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2015, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and/or turning facilities to serve the dwelling in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

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

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

15. Within three months of commencement of development on site, details of proposed arrangements of future management and maintenance of the proposed streets within the development shall have been submitted for the written approval of the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

REASON: In to ensure safe access for residents of the estate and to comply with Policy DMG1 of the Ribble Valley Core Strategy.

## *Ecology and trees*

16. The development hereby approved shall be carried out in complete accordance with the recommendations and ecological enhancement measures detailed within the submitted Ecological Survey and Assessment (Ref: 2018-272 September 2018).

REASON: In the interests of biodiversity and to enhance opportunities for species of conservation concern and reduce the impact of development in accordance with Policies DMG1 and EN4 of the Ribble Valley Core Strategy.

17. Notwithstanding the submitted details and requirements of condition 16, no above ground level works shall commence or be undertaken on site until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority.

For the avoidance of doubt the details shall be submitted on a dwelling/building dependent bird/bat species site plan and include details of plot numbers and the numbers (there shall be at least 1 nest brick/bat tile per dwelling) of artificial bird nesting boxes and artificial bat roosting site per individual dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into those individual dwellings during construction and be made available for use before each such dwelling is occupied and thereafter retained. The development shall be carried out in strict accordance with the approved details.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and protected species in accordance with Section 9 of the NPPF, and Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

18. Notwithstanding the submitted details or the requirements of condition 16, no development, including any site preparation, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site place until a detailed method statement for the removal or long-term management/eradication of Indian Balsam and Montbretia on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Indian Balsam and Montbretia during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/ root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall thereafter proceed in strict accordance with the duly approved method statement.

REASON: Indian Balsam and Montbretia are invasive plants, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment.

REASON FOR PRE-COMMENCEMENT CONDITIONS: The removal of invasive species from the site needs to take place prior to work commencing on site.

19. All trees identified to be retained within the approved plans and in the tree survey schedule for the arboricultural impact appraisal (dated 20<sup>th</sup> July 2018) shall be enclosed with temporary protective fencing in accordance with BS5837:2012 [Trees in Relation to Demolition, Design & Construction]. The fencing shall be retained during the period of construction and no work, excavation, tipping, or stacking/storage of materials shall take place within such protective fencing during the construction period.

REASON: To ensure that existing trees are adequately protected during construction in the interests of the visual amenity of the area in accordance with Policy DME1 of the Ribble Valley Core Strategy.

20. No clearance of any vegetation in preparation for or during the course of development shall take place during the bird breeding season (March - August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird breeding season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

REASON: To ensure that there are no adverse effects on the favourable conservation status of birds and to protect the bird population from damaging activities and reduce or remove the impact of development in accordance with Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

21. Notwithstanding the submitted details or the requirements of condition 16, no building works shall commence on site until details of a scheme for any external building or ground mounted lighting/illumination, shall have been submitted to and approved in writing by the local planning authority.

For the avoidance of doubt the submitted details shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated.

The lighting schemes(s) be implemented in accordance with the approved details and retained as approved unless agreed in writing by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could prove materially harmful the character and visual amenities of the immediate area and to minimise/mitigate the potential impacts upon protected species resultant from the development in accordance with Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

22. Notwithstanding the submitted details or the requirements of condition 2, prior to any dwelling being occupied, details at a scale of not less than 1:20 of the proposed boundary walling, gates and fencing shall have been submitted to and approved by the Local Planning Authority and these details shall identify the measures to be taken to encourage habitat connectivity throughout the site. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality and to enhance biodiversity in accordance with Policies DMG1, DME3 and DMH3 of the Ribble Valley Core Strategy.

23. Within three months of commencement of development on site, a scheme of phasing for the approved landscaping areas shall have been submitted for the written approval of the Local Planning Authority. The development shall be carried out in strict accordance with the duly approved timings and phasing's and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within three years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

REASON: To ensure the proposed landscaped areas are provided on a phase by phase basis in accordance with Policy DME1 of the Ribble Valley Core Strategy.

24. Prior to occupation of the first dwelling, a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas referred to in condition 23 (other than within curtilages of buildings), shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the proper long-term management and maintenance of the landscaped areas in the interests of visual amenity and biodiversity enhancement, in accordance with Key Policy DMG1 and DME3 of the Ribble Valley Core Strategy.

#### *Play area and footpaths*

25. Prior to occupation of any dwelling hereby approved, full details of the location and design of all street furniture and play equipment, including public benches, tables and details of the equipment for the proposed play area, 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 and all play equipment and street furniture shall be erected on site as agreed prior to occupation of the 20<sup>th</sup> dwelling, or within two years of the first dwelling on site being occupied, whichever is sooner.

REASON: To provide adequate and usable areas of public open space in accordance with Policy DMB4 of the Ribble Valley Core Strategy.

26. Unless otherwise agreed in writing with the Local Planning Authority, the proposed new internal footpaths and areas of public open space throughout the site shall be provided in strict accordance with the details shown on the approved plans prior to occupation of the 20<sup>th</sup> dwelling, or within two years of the first dwelling on site being occupied, whichever is sooner.

REASON: To provide adequate and usable areas of public open space and to ensure adequate permeability and connectivity with adjacent development and the existing highway/pedestrian network in accordance with Key Statement DMI2 and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy

#### *Drainage*

27. Foul and surface water shall be drained on separate systems.

REASON: In order to reduce the risk of flooding in accordance with Policy DME6 of the Ribble Valley Core Strategy and the National Planning Policy Framework.

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

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

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

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy DME6 of the Ribble Valley Core Strategy and the National Planning Policy Framework.

#### BACKGROUND PAPERS

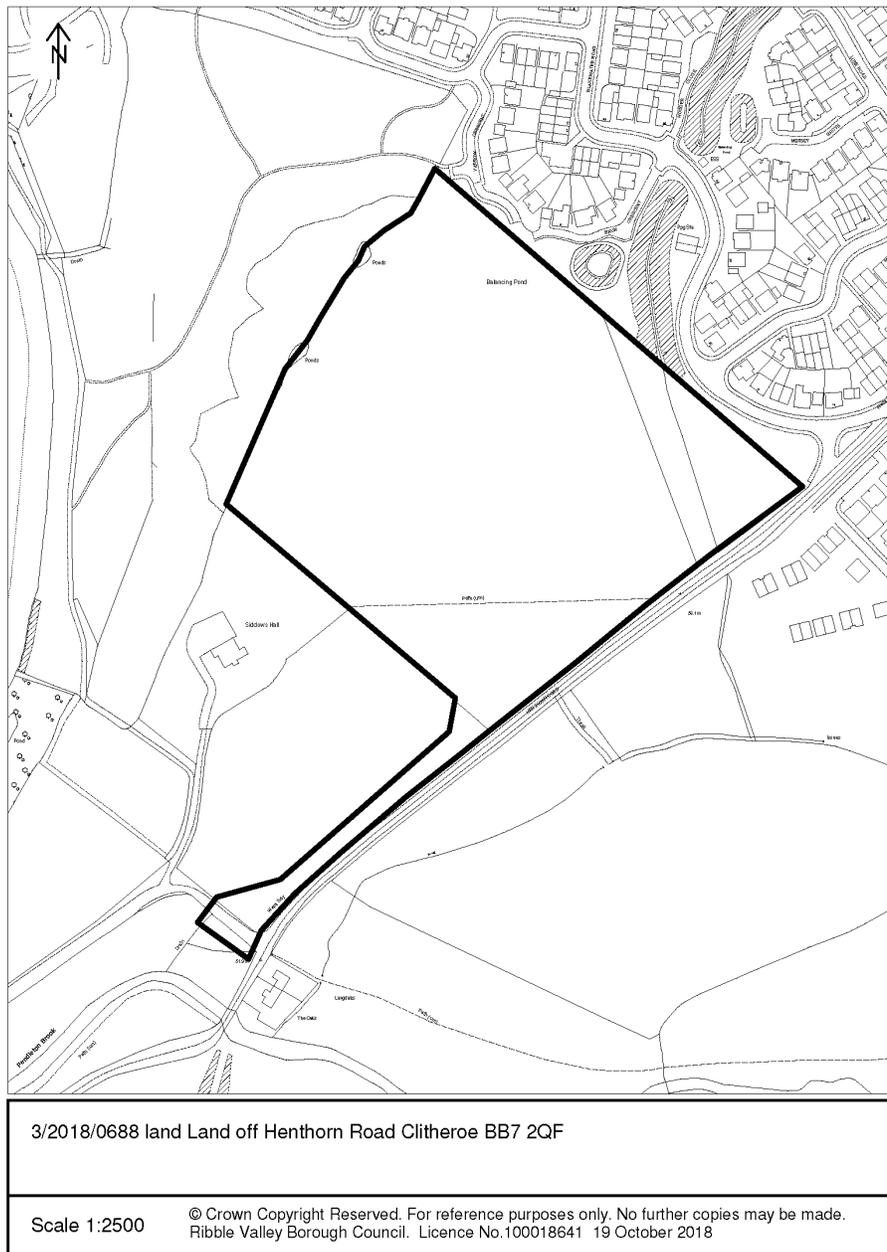
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0844](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0844)

**APPLICATION REF: 3/2018/0688**

GRID REF: SD 372823 440546

**DEVELOPMENT DESCRIPTION:**

OUTLINE PLANNING APPLICATION FOR THE ERECTION OF UP TO 110 DWELLINGS WITH PUBLIC OPEN SPACE, LANDSCAPING AND SUSTAINABLE DRAINAGE SYSTEM (SUDS) AND VEHICULAR ACCESS POINT FROM HENTHORN ROAD. ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS. LAND OFF HENTHORN ROAD, CLITHEROE



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

### **PARISH COUNCIL:**

*Clitheroe Town Council:*

Object to the application on the following grounds:

- The application site is located outside the settlement boundary of Clitheroe;
- The applicant claims that the Council does not have a five-year supply however the latest figures published by the Council states that it can demonstrate a 5.3 year supply;
- Highway congestion from additional dwellings which will be to the detriment of residential amenity;
- Highway safety concerns in relation to traffic speeds.

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

The proposed access point is accessible subject to its detailed design under a Section 278 agreement.

The proposed development is on the edge of the residential area and following recent housing development along Henthorn Road the perceived traffic levels have increased. However, the modelling shown within the submitted application has not shown that the impact of the existing and predicted traffic flows are such that it could be construed as being “severe” in respect of para 109 of the NPPF. As such the Highway Officer is satisfied that the development will not have a detrimental effect on the functioning of the highway network. Notwithstanding this, it is noted that there are existing areas where minor delays do occur but these are locally managed by highway users on a courtesy basis, and there are no mitigation that can be employed to minimise these delays without having a detrimental impact upon residential amenity.

The proposed development site lies at the extreme of acceptable walking distances for pedestrian to local amenities and in recognition of this the Highway Officer has requested a Section 106 contribution of £40,000 per annum (for five years) to sustain and promote local public transport.

Provided that the applicant agrees to the financial contribution the Highway Officer raises no objection to this application subject to conditions.

### **ENVIRONMENT DIRECTORATE (PUBLIC RIGHTS OF WAY):**

No comments received

### **LCC EDUCATION:**

On the indicative information provided there would be a requirement for the applicant to provide a contribution towards the provision of 19 primary and nine secondary school places at a total cost of £512,948.41 to be secured by way of a legal agreement. It must be noted that this figure is based on the information provided and may change depending on the housing mix submitted at reserved matters stage.

**LCC ARCHAEOLOGY:**

No objection subject to condition requiring archaeological programme be implemented prior to commencement of development.

**ENVIRONMENT AGENCY:**

No comments received

**UNITED UTILITIES:**

No objection subject to attachment of a condition that the development is carried out in accordance with the principles set out the submitted Flood risk Assessment.

**LOCAL LEAD FLOOD OFFICER:**

No objection to the application subject to conditions.

**ADDITIONAL REPRESENTATIONS:**

Letters of representation have been received from 12 individual households/addresses, as well as a letter from Ribble Meadows Residents Association who represent the residents of the recently built houses adjacent to the development site, objecting to the application on the following grounds:

- Outside the settlement boundary of Clitheroe and therefore conflicts with the Ribble Valley Development Plan as the Council can demonstrate a five-year housing land supply;
- Future housing sites should be allocated/achieved via properly planned, strategic plan making, not via the determination of individual applications for unplanned development;
- Developers are manipulating the Council's five year supply;
- The approval of this will allow further building to the south to continue indefinitely;
- The Council already has an oversupply of houses for the plan period (until 2028);
- Highway safety concerns as the network is unable to take additional vehicle movements from already approved development in this area, notwithstanding the additional traffic that would be created by this application;
- Despite other applications for housing no highway improvements have been made in this area;
- LCC Highways have raised highway concerns in relation to previous applications for housing in this area and the network capacity;
- Wear and tear on roads from additional vehicles and construction vehicles;
- A bridge should be built over the railway line from these new housing estates;
- Lack of public transport and car parking facilities in Clitheroe;
- Visual impact – the proposal would not “round-off” the settlement and would create an imbalance on the landscape;
- The site is not appropriate for affordable houses given the distance from the town centre;
- This land is green belt and development would destroy it;
- Impact on wildlife and ecology;
- Removal of trees and hedgerow;
- Only affordable homes should be built on this site;
- Impact on infrastructure and amenities - shortage of school places and health facilities, impact upon policing;

- The plans show that the proposed residents will have access to the communal areas and community facilities on Ribble Meadows. These facilities have been developed for the residents of Ribble Meadows and are paid for by existing residents through management fees – it should not be taken as given that Gladman can incorporate these into their plans;
- The applicant (Gladman) have not done a full consultation;
- Lack of notices and consultation from LPA;

## **UPDATE**

This application was discussed by Members of the Planning and Development Committee on 29<sup>th</sup> November 2018. At this meeting Members were minded to refuse the application on highway grounds and the sustainability of the application site. The potential reasons for refusal have been included at the end of this report for Members to consider.

Since the previous Committee meeting the Head of Planning has contacted highway consultants in order to establish whether they would be willing to represent the Council at an subsequent appeal. The responses from these consultants will be reported verbally to Members.

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

- 1.1 The application relates to an agricultural field measuring 5.2 hectares off Henthorn Road in Clitheroe. The site located on the edge of, but outside, the settlement boundary of Clitheroe and is situated adjacent to a residential development for 270 dwellings on land to the north of Henthorn Road (approved under permission 3/2013/0035) which is nearing completion. On the opposite side of the road a further 130 dwellings are being constructed by Story Homes Ltd (planning ref: 3/2015/0446).
- 1.2 The boundaries of the application site are clearly defined by field hedging and some mature trees with two small ponds located along the north western boundary, however upon inspection during the late summertime site visit these ponds were completely dry. Two sets of overhead powerlines currently run through a section of the site and along the eastern side the land levels drop down to a ditch which passes through a small portion of the site. The land adjacent to this ditch is overgrown and contains a number of shrubs/bushes and it would appear that this part of the site is not currently farmed. The remainder of the site is however clear from vegetation, with the exception of the boundary hedging and trees. There is an existing field gate access from Henthorn Road into the application site.
- 1.3 As detailed above the application site is located outside of the settlement boundary of Clitheroe and is by definition identified as open countryside in accordance with the Ribble Valley Core Strategy. To the north east and south east of the site are the aforementioned residential development for 270 and 130 dwellings respectively. To the south west the boundary is shared with a detached residential property known as Siddows Hall, located within substantial grounds, and a field. To the north west, is a field and a community park associated with adjoining development and beyond this is the River Ribble. The river and part of this adjoining field are designated as a Biological Heritage Site (BHS), but the BHS does not directly adjoin any part of application site.

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

- 2.1 The application seeks outline consent, with all matters reserved except for access, for the erection of 110 dwellings on this plot of land. Access would be obtained via the existing field gate, however this access would need to be widened in order to meet the required standard. The submitted access arrangement plan shows that a 5.5m wide road would be provided at the access point/junction with Henthorn Road, with 2m wide footways either side. One of these proposed footways would continue onto Henthorn Road up to the recently formed junction some 120m to the north east. The submitted plan also details how a 100m section of Henthorn Road, between the site access and the above mentioned junction, would be widened to provide a 5.5m carriageway.
- 2.2 Whilst in outline form the application is accompanied by a “Framework Plan” which shows the broad location of where the dwellings would be sited within the site, with a landscape buffer provided along the boundaries. This plan also shows the potential location of an on-site play area, an attenuation pond and a proposed footpath/cycleway that would run around the edges of the site and provide pedestrian access to the neighbouring development and community park to the north. It must be reiterated however that this plan is purely indicative and matters relating to layout and landscaping would be considered at reserved matters stage.
- 2.3 In accordance with the Council’s requirements the submitted application states that 30% would be affordable units and 15% would be housing specifically for over 55’s. The tenure mix and type of housing would be matters to be considered at reserved matters and secured through a Section 106 Agreement.

## 3. **Relevant Planning History**

None on application site but on adjacent land as per below:

*3/2010/0719 – Proposed development of up to 270 residential dwellings, doctors surgery, landscape, open space, highways and associated works – refused but allowed at appeal*

*3/2013/0035 – Reserved Matters application for up to 270 residential dwellings, a doctor’s surgery, landscape, open space, highways and associated works – approved with conditions*

*3/2013/0711 – Outline application for residential development of up to 140 units with primary access off Henthorn Road with all other matters reserved – approved with conditions*

*3/2015/0446 – Reserved matters for residential development of 130 dwellings, including associated infrastructure, open space provision and landscaping - approved with conditions*

*3/2017/0433 - Application for outline planning permission for up to 24 new dwellings and associated infrastructure on land behind 115 Kemple View, Clitheroe including access via Henthorn Road –approved with conditions*

#### 4. **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 H1 – Housing Provision  
Key Statement H2 – Housing Balance  
Key Statement H3 – Affordable Housing  
Key Statement DMI1 – Planning Obligations  
Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMH1 – Affordable Housing Criteria  
Policy DMG3 – Transport and Mobility  
Policy DME2 – Landscape and Townscape Protection  
Policy DMB4 – Open Space Provision  
Policy DME3 – Site and Species Protection and Conservation  
Policy DME6 – Water Management  
Policy DMB5 – Footpaths and Bridleways

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

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

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

5.1.1 This is an outline application with all detailed matters reserved for subsequent consideration at reserved matter application stage, except for the access which is considered later in the “Highways” section of this report. The main consideration in the determination of this application is therefore the principle of the development in this location. Other matters in relation to ecological interest, affordable housing, public open space and both visual and residential amenity, however, do have to be given some consideration (as per later in this report).

5.1.2 In respect of housing requirement for the borough, and the five year land supply, the latest publicised position (as of 30<sup>th</sup> September 2018) shows that the Council is currently able to demonstrate a five year supply of housing and therefore in line with the NPPF Council Policies in respect of housing are considered to be up-to-date.

5.1.3 Core Strategy Key Statement DS1 states that as a part of the overall apportionment of future housing development in the Borough, Clitheroe is regarded as a principal settlement. Both Key Statement DS1 and DMG2 of the Core Strategy, when taken together, permit development proposals in the principal settlements, including Clitheroe, which accord with the development strategy and consolidate, expand or round-off development so that it is closely related to the main built up area.

- 5.1.4 The application site is located directly to the south-west of a committed housing site which is almost complete and just outside of, but adjoining, the settlement boundary of Clitheroe as outlined on the proposal map for the Borough, which will be taken to the Examination In Public (EIP) of the Housing and Economic Development Plan Document. Furthermore to the south east, on the opposite side of the road is a separate committed housing site for 130 dwellings which is under construction. As such the site is adjoined on two sides by built form/residential development.
- 5.1.5 The housing requirement set out in Key Statement H1 of the Core Strategy indicates that land for residential development will be made available to deliver 5,600 dwellings, estimated at an average annual completion target of at least 280 dwellings per year over the plan period. The supporting text to Key Statement DS1 at paragraph 4.11 and Appendix 2 of the Core Strategy include tables which identify the number of houses required for each settlement by 2028 to meet the housing requirement.
- 5.1.6 The LPA are mindful that a significant number of housing developments have been permitted within or adjacent to the settlement of Clitheroe within the last few years which have all contributed to the housing supply within this locality. Policy DS1 of the Core Strategy stresses that *'in general the scale of planned housing growth will be managed to reflect existing population size, the availability of, or the opportunity to provide facilities to serve the development and the extent to which development can be accommodated within the local area'*.
- 5.1.7 The strategic harm is therefore measured against these factors. The resultant scale of growth generated from this level of development is considered to be modest overall, but does form part of the overall cumulative effect. Furthermore, the Core Strategy requirement is expressed as a minimum and not a target. Nevertheless, the LPA would like to make it clear that in confirming that the Core Strategy requirement is a minimum and not a target, this does not imply that unrestricted development will be approved within the Borough. Each proposed development has to be determined on a case by case basis.
- 5.1.8 In this particular case, the applied occupancy rate (as outlined on page 174 of the Core Strategy) estimates that the net addition of the 110 dwellings proposed by this application would result in a net population increase of 265 individuals. As such the key consideration in the determination of the principle of this development is as to whether the net increase in housing supply would result in substantial harm to the development strategy for the borough, and whether this projected increase in population (265 individuals) would have a significant impact upon local services and facilities.
- 5.1.9 In respect of this issue the Highway Officer has commented that the application site is on the extremity in terms of what is considered sustainable for walking distances to nearby services (schools, shops etc...) and has therefore raised no objection to the sustainability of the location, subject to a financial contribution of £200,000 (£40,000 per annum for five years) in respect of sustaining and promoting local public transport in this area. The applicant has agreed to this financial contribution. Objections have been received in respect of the extra demand for school places and health facilities as a result of this development and LCC Education have not objected on the grounds of school places, however would require a financial contributions for new school places.

- 5.1.10 With regard to health facilities, the LPA do not normally consult with the NHS on individual planning applications, however as a result of the concerns raised by objectors in this particular case, the LPA wrote to the Practice Manager at the Clitheroe Health Centre informing them of the application and inviting them to make comments in respect of patient capacity in this area. The LPA did not receive a response to this letter.
- 5.1.11 Furthermore, no objections have been received from the LLFA or United Utilities with regard to sewerage or drainage capacity relating to this proposal.
- 5.1.12 In view of the above it is considered that the addition of 110 dwellings in this location would not have a significant impact upon local services and facilities, and therefore represents sustainable development. The principle of residential development is therefore considered to be acceptable in this location.
- 5.1.13 In order to demonstrate a willingness to deliver housing on this site in an efficient timescale, and to ensure that the development of the site contributes to the Council's five year supply, the applicant has agreed to reduce the timeframe for submission of the Reserved Matters application to 18 months, and commencement of the development on site to 18 months following the approval of reserved matters.

## 5.2 Impact upon Residential Amenity:

- 5.2.1 Precise details of the layout will be considered at reserved matters application stage, however the indicative framework provided with the application shows that the proposed dwellings would be centrally located within the site with a landscape buffer provided along the outer edges.
- 5.2.2 On the indicative information provided it is considered that any future reserved matters application could achieve an acceptable relationship with existing neighbouring properties/uses in accordance with the relevant sections of Core Strategy Policy DMG1.

## 5.3 Density/Visual Amenity/External Appearance:

- 5.3.1 The site as a whole measures 5.2 hectares and in terms of density a standard approach to outline consents recommends a ratio of 30 dwellings per hectare. As such it is considered that 110 dwellings could be accommodated on this site whilst respecting the surrounding density of the area and providing sufficient green space and landscape buffers.
- 5.3.2 In respect of the visual impact, as with any development of a greenfield site the proposal will introduce changes to the area and result in an urbanising affect. The application is therefore accompanied by a Landscape Visual Impact Assessment (LVIA) which has assessed the landscape character and visual amenity of the area, and the resulting impact of the proposed development.
- 5.3.3 The LVIA states that the site is well related to the settlement edge and is contained within the local landscape context which comprises a Community Park to the north west, the neighbouring residential developments, trees and hedges. The wider landscape comprises undulating fields with good hedgerow

boundaries, trees and woodlands which provide good screening from longer views.

- 5.3.4 The application proposes to retain existing landscape features, such as the ponds, hedging and trees, with the exception of the removal of some short sections of hedgerow to facilitate the widening of the existing access point and also to provide pedestrian access to the neighbouring site and Community Park, and the proposal includes the implementation of new Green Infrastructure within the landscape buffers along the edges of the site.
- 5.3.5 The LVIA concludes that the site's landscape character has the ability to absorb the proposed development and the proposal would not give rise to any unacceptable landscape and visual harm.
- 5.3.6 As detailed above the application site is adjoined to the north east by a recent residential development and houses are being constructed to the south, on the opposite side of Henthorn Road. As such the site is not visually isolated in the landscape and it is accepted that the residential development of this site can take place without any serious detriment to visual amenity in this area.
- 5.3.7 With regard to the final layout, scale and design/appearance of the proposed dwellings, these would be considered at reserved matters stage.

#### 5.4 Highway Safety and Accessibility:

- 5.4.1 A number of objections have been received in respect of the impact this proposal would have upon the surrounding highway network, particularly given the amount of residential development that has taken place in the vicinity.
- 5.4.2 The application is accompanied by a Transport Assessment (TA) which has been reviewed by the Highway Officer, and the Highway Officer has also visited the site at peak times in the morning and evening to observe traffic patterns in order to fully assess the potential impacts of the proposal. The Highway Officer accepts that certain elements of the surrounding road network experience localised issues (notably the junctions at Eshton Terrace/Henthorn Road and Whalley Road/Greenacre Street) however the Highway Officer comments that these were effectively managed by the courteous nature of drivers which allowed traffic flows to be maintained through these junctions. The Highway Officer does accept that when closed the level crossing (Thorn Street/Eshton Terrace) causes queues, however the impact is not considered to be severe and clears quickly once the crossing is re-opened.
- 5.4.3 In summary, the Highway Officer did not consider that the proposed development would have a "severe" impact upon the surrounding highway network and thus offers no highway objection on these grounds.
- 5.4.4 The application was first deferred at the 1st November Committee, in order to allow the LPA to seek further advice from LCC Highways in respect of highway concerns that were raised by both Members and objections.
- 5.4.5 In response to this request the Highway Officer has commented that the most recent planning history for housing development off Henthorn Road is based on three planning applications (from 2010, 2013 and 2017), and of these only the 2013 (outline application 3/2013/0711) and 2017 (outline application

3/2017/0433) applications were submitted and determined following the publication of the NPPF in March 2012 which introduced the concept of only refusing applications on highway grounds where there is a “severe residual impact”.

- 5.4.6 The Highway Officer has confirmed that at the time of considering the 13/0711 application, it was acknowledged that in the 2021 forecast the theoretical capacity of the Eshton Terrace/Henthorn Road junction would be exceeded, however for all other junctions the forecast showed that capacity would not be exceeded. In the Highway response to the 2013 application it was acknowledged that the increase in delays was excessive, however in line with the NPPF it was not considered that the delays would result in a “severe cumulative impact”, and consequently “no objection” was raised on highway grounds.
- 5.4.7 In respect of the smaller development for an additional 24 dwellings (17/0433) the highway authority raised no objection to the proposal, however did warn that future development “may” precipitate capacity issues. However in considering the capacity analysis submitted with the present application, there is no suggestion that the current traffic is at a level where there is likely to be a concern at the junctions analysed. The predicted traffic flows for both 2023 and 2028 showed a similar pattern and clearly the results were not at a level that would be considered to be “severe”. As such LCC Highways raise no objection to this application on highway capacity grounds.
- 5.4.8 In response to other issues raised by Members, the Highway Officer has confirmed that no consideration has been given to an increase in rail traffic passing through the level crossing as they are not aware of any proposals to increase timetable frequency. Nevertheless, the impacts of the crossing on the highway network have been considered and whilst queues are inevitable when the crossing is down, there is no indication that these queues are problematic in terms of highway safety and they disperse quickly once the barrier is raised.
- 5.4.9 Members also requested that the Highway Officer could offer guidance as to “what may constitute serve in relation the NPPF”? In response the Highway Officer states that there is no definition of “severe residual impact” and therefore this is subject to interpretation. The Highway Officer has commenting that an interpretation of some appeal decisions in this respect does place some weight to highway capacity, including the availability of alternative route choices, queue lengths and junction blocking.
- 5.4.10 A query has been raised in respect of junction improvements that were required to be carried out under a Section 278 Agreement at the junction of Henthorn Road and Thorn Street as part of planning approval 3/2013/0711. A Lancashire County Council Highway Officer responsible for Section 278 Agreements has confirmed that when this was re-assessed on site, concerns were raised in respect of these proposed alterations resulting in a narrowing the carriageway in this location, thus potentially creating highway safety concerns. As such it was agreed by LCC Highways these previously specified junction works at Henthorn Road and Thorn Street were not required.
- 5.4.11 Since the application was heard at the 1st November Committee the applicant instructed an additional Highway Consultant (WYG) to independently review the submitted Transport Assessment and specifically comment on the Thorn

Street/Henthorn Road junction, as well as the sustainability of the site and bus service. This Highway Consultant has reached the same conclusions as the submitted Transport Assessment and LCC Highways.

5.4.12 With regard to sustainability, as detailed earlier in this report the Highway Officer has commented that the application site is on the extremity in terms of what is considered sustainable for walking distances to nearby services (schools, shops etc...) and has therefore raised no objection to the sustainability of the location, subject to a financial contribution of £200,000 (£40,000 per annum for five years) in respect of sustaining and promoting local public transport in this area. The Highway Officer has confirmed that once the 5 year funding period runs its course there is no guarantee that this level of service can or will be maintained, however the applicant has commented that at the end of the five year period it is expected that public transport habits would have been installed and established within the area.

5.4.13 Furthermore, when allowing the appeal for 270 dwellings on the site situated directly adjacent to the application site (planning ref 3/2010/0719 and appeal ref: 2161186) the Inspector considered that the adjacent site was located within a sustainable location, commented (para 27) "...In my view, the development of site immediately adjacent to the built up area of Clitheroe would in principle be 'sustainable' because that is where the predominance of services and facilities are to be found. That is in part because such a location would reduce reliance upon the private car."

5.4.12 In respect of the proposed access point onto Henthorn Road, the entrance would have a 5.5m wide carriageway with 2m footways either side and the proposed visibility splays at the site entrance would exceed those required by guidance. As such the access point into the site is considered to be acceptable. The proposal would involve localised carriageway widening between the proposed access to the site and the recently constructed junction approximately 100m to the east in order to provide a carriageway width of 5.5m and a 2m wide footway would also be provided along the northern side of this carriageway. The Highway Officer has no objection to these off-site highway works being undertaken, provided that full details of these works are submitted to and approved by the LPA prior to be undertaken on site.

5.4.13 In summary the Highway Officer continues to raise no objection to this application, subject to the applicant making a financial contribution in respect of sustaining and promoting local public transport in this area, and imposition of a number of highway related conditions attached to the recommendation.

#### 5.4 Landscape/Ecology/Trees:

5.4.1 The site itself is not locally or nationally designated as an important ecological site, however there is a Biological Heritage Site to the north west of the site. An Ecological Appraisal has been provided in support of the application.

5.4.2 The submitted survey draws attention to six records of pipistrelle bat species within the search area, with the closest being 430m south-east of the site. Two mature trees on site were considered to have potential to be used by roosting bats and these trees are to be retained as part of the outline consent within areas of public open space and thus it is not anticipated that these would be impacted.

Should the reserved matters application result in any impact on these trees then a detailed inspection of these trees should be carried out.

- 5.4.3 During transect surveys bat activity was recorded across this site, albeit a small number of bats, and this is not unexpected given the rural edge setting of the site. The survey concludes that the site is considered to provide suboptimal value for foraging bats and its loss is considered unlikely to have a negative impact upon the favourable Conservation Status of local bat populations. In order to minimise the potential impacts the proposal seeks to retain all areas of higher value habitat resources (trees and hedgerows), including a green buffer around the field boundaries. This will maintain connectivity for bats (and other wildlife). The application does involve the removal of some small sections of hedging for the widening of the access, and to provide pedestrian access the adjacent community park. The amount of hedgerow to be removed is a very small proportion of the hedgerow that would be retained on site and there is no objection to this. The submitted ecology appraisal also recommends the introduction of bat boxes within retained trees and proposed dwellings.
- 5.4.4 Other mitigation measures detailed within the submitted report that would retain/improve habitat connectivity include the production of an ecological management plan, gaps provided under fencing to permit wildlife access, the production of deadwood piles to be created in areas of open space for amphibians and small mammals and the use of the proposed attenuation pond to provide habitat potential.
- 5.4.5 The Council's Countryside Officer has reviewed the ecological appraisal and raises no objection to its findings and recommendations. A condition has been attached requiring any reserved matters application to include full details of the recommendation mitigation measures.
- 5.4.6 With regard to trees an arboricultural survey has provided and as detailed earlier in this report all trees are located along the boundaries of the site, or within a section of land at the eastern edge which contains the ditch and is not shown on the indicative plan to be developed. As such there appears to be no reason for any trees to be removed in order to facilitate this development and the proposed green buffer along the outer edges would ensure that development would not take place within the root protection zones of any trees. A condition has been attached requiring the reserved matters application to full details of the root protection areas of retained trees, and measures that will be put in place to ensure that works do not take place within these root protection areas.

## 5.5 Flood Risk and Drainage:

- 5.5.1 Whilst relatively close to the River Ribble, the application site is located within Floodzone 1 (least vulnerable). Nevertheless, being a "major" development the application is accompanied by a Flood Risk Assessment and Foul Drainage Assessment. United Utilities (UU), the Environment Agency and Lead Local Flood Authority (LLFA) have all been consulted on the application. The EA have not provided any comments, however not being within Floodzone 2 or 3, the EA would unlikely provide comments. Both the LLFA and UU have provided comments, neither of which object to this application subject to conditions and further information being submitted as part of the reserved matters application.

## 5.6 Developer Contributions:

- 5.6.1 As mentioned above the applicant will be required to make a financial contribution of £200,000 (£40,000 per annum for five years) in respect of sustaining and promoting local public transport in this area.
- 5.6.2 The applicant will also be required to make financial contributions in respect of leisure facilities within the borough as a result of the increased demand these new dwellings would create, and also a contribution in respect of education. Both these contributions are calculated using the number of bedrooms within the proposed development and consequently the figure for both education and leisure is unknown at outline planning stage. The applicant, subject to approval of this application, will enter into a Section 106 Agreement to secure these contributions, as well as the highway contribution detailed above.
- 5.6.3 In respect of Public Open Space, the application and indicative plan shows that on-site public open space, including a play area, would be provided and a condition has been attached requiring details of this to be included within the reserved matters application.

## 5.7 Affordable Housing

- 5.7.1 In accordance with Policy DMH1, a development of this size would require 30% of the dwellings to be affordable (33 dwellings) and 15% of the units would specifically be for over 55s (17 units). These will be secured within the legal agreement (Section 106) with specific details shown within the reserved matters application. The Council will likely seek that this is provided via bungalows on site, but this is subject to further discussion and negotiation with the applicant by way of the legal agreement and reserved matters application.

## 5.8 Other issues

- 5.8.1 A Phase 1 (desk study) Contaminated Land Study has been submitted and concludes that there is not considered to be a significant risk of contamination. The report (page 11) does however recommend that ground investigation works should be carried out and an appropriate condition has therefore been attached to the recommendation.
- 5.8.2 Lancashire County Council Archaeology Service have been consulted on this application and raised no objection subject to condition requiring an archaeological programme be implemented prior to commencement of development on site.
- 5.8.3 An objector has commented that the application site is within the green belt, however this is not the case. Additionally, concerns have been raised in respect of the level of public consultation undertaken by the applicant and the LPA. In respect of the applicant, there is no requirement for them to undertake any public consultation, however the LPA is aware that leaflets were sent out to some local residents notifying them of the application. In respect of the LPA, neighbour notification letters have been sent out, an advert taken out in the local press and three site notices have been erected along Henthorn Road. As such the LPA has gone beyond its statutory duty in publicising this application.

5.8.5 Ribble Meadow Residents Association have raised a concern in respect of proposed new residents of this development having access to the community woodland situated to the north. This community woodland is not for the sole use of the residents of Ribble Meadows and is there to serve the community as a whole, including both existing and future residents in this area.

## 6. Conclusion

6.1 The application site is considered to be a sustainable location, adjoining the Draft Settlement Boundary of Clitheroe, and the proposal will contribute towards the supply of housing within the borough, and in particular contribute towards the provision of over 55s accommodation and affordable housing. Statutory consultees have raised no objection to this application and therefore in accordance with paragraph 11 of the NPPF, which states that planning permission should be granted unless the adverse impacts of this proposal would significantly and demonstrably outweigh the benefits, the outline planning application for residential development, with all matters reserved except for access, is considered to be acceptable.

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

### **CONDITIONS**

#### *Time limit, plans and details*

1. Application for approval of all reserved matters must be made not later than the expiration of 18 months beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates.

(a) The expiration of three years from the date of this permission; or

(b) The expiration of 18 months from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. The approval of the Local Planning Authority shall be sought in respect of the following matters before the development is commenced:- appearance; landscaping; layout; and scale.

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

3. Unless explicitly required by condition within this consent, the vehicle access shall be constructed in general accordance with the detailed shown on drawings:

1616/13 rev B (proposed access arrangements)

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

4. The details in respect of the submission of any reserved matters shall be generally in accordance with the design principles and parameters as set out within the submitted Design and Access Statement (August 2016) and illustrative Framework Plan (ref: 8439-L-02 rev C).

REASON: To ensure the development accords with the agreed general principles in relation to design, green infrastructure and pedestrian, cycle and vehicular movement within the site.

5. The development hereby permitted shall be limited to no more than 110 dwellings and shall be carried out in accordance with the following plans and documents

<b>Title</b>	<b>Drawing Reference</b>	<b>Dated</b>
<b>Location Plan</b>	8439-L-04 rev A	<b>1<sup>st</sup> August 2018</b>

REASON: To define the permission and in the interests of the proper development of the site.

6. Any application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details.

REASON: To protect the appearance of the locality and in the interests of the amenities of local residents.

7. The first reserved matters application shall include full details of the proposed play area and a Play Space Management Plan including long term design objectives, timing of works, management responsibilities and maintenance schedules for the play area shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the Place Space Management Plan shall also provide precise details of all play equipment and its maintenance and indicate a timescale when the play area shall be provided and made available for use.

Prior to the marketing of the site full details of the marketing documentation/ publications as far as it relates to the status of the play area shall be submitted to and approved in writing by the Local Planning Authority. This part of the marketing information shall include full details of the approved play area including an annotated plan detailing the approved siting. Prior to the occupation of the dwellings sited within 25 metres of the play area the future occupants shall be provided with a copy of marketing documentation detailing the approved siting and specification of the play area. Thereafter the play area shall be constructed and completed in accordance with the approved plans (submitted as part of application) in accordance with the approved timing of works

REASON: To ensure that the application includes adequate areas on-site public open space provision

*Drainage and floodrisk:*

8. The first application for the approval of reserved matters shall be accompanied by full details of the proposed surface water attenuation pond. For the avoidance of doubt the submitted information shall include proposed sections through the pond including relevant existing and proposed land levels and details of all associated landscaping and boundary treatments where applicable. The development shall be carried out in strict accordance with the approved details.

REASON: To ensure a satisfactory form of development in the interests of visual and residential amenities and to ensure the Local planning Authority can make an accurate assessment of the details relating to matters of flood risk and sustainable drainage

9. As part of any reserved matters application the following details shall be submitted:
  - a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change – see EA advice <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>), discharge rates and volumes, temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;
  - b) The drainage scheme should demonstrate that the surface water run-off will not exceed the existing pre-development runoff rate for the corresponding return period. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
  - c) A plan showing any overland flow routes and flood water exceedance routes, both on and off site – flow routes must be directed away from property and infrastructure;
  - d) A timetable for implementation, including phasing where applicable;
  - e) Details of water quality controls, where applicable.
  - f) Details of an appropriate management and maintenance plan for the lifetime of the sustainable drainage system.

The scheme shall be implemented in accordance with the approved details and agreed timetable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

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

10. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Ref: SHF.1132.159.HY.R.001.A) and the following mitigation measures detailed within the FRA:

1. *Finished floor levels are set no lower than 150mm above external ground levels;*
2. *Limiting the built development (including surface water attenuation) outside the mapped extent of surface water flow pathways;*
3. *No below surface building (i.e. basements);*
4. *Providing a 4m easement free from development along either side of the watercourse;*

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, in consultation with the lead local flood authority.

REASON: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding by ensuring the satisfactory disposal of surface water from the site.

11. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment (Ref No. SHF.1132.159.HY.R.001.A, Dated July 2018 which was prepared by enzygo. No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

REASON: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

#### Archaeology

12. No development, site clearance/preparation, or demolition shall commence until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which shall be submitted to, and approved in writing by, the local planning authority. The programme of works shall include an initial phase of both geophysical survey and trial trenching, as well as the compilation of a report on the work undertaken and the results obtained. These works should aim to establish the presence or absence of buried archaeological remains and their nature, date, extent and significance. If remains are encountered then a subsequent phase of impact mitigation (which may include preservation in situ by the appropriate design or siting of new roads, structures and buildings, formal excavation of remains or other actions) and a phase of appropriate analysis, reporting and publication shall be developed and a further written scheme of investigation submitted to and agreed with the local planning authority before development commences. All archaeological works shall be undertaken by an appropriately qualified and experienced professional archaeological contractor and comply with the standards and guidance set out by the Chartered Institute for Archaeologists (CIfA). The development shall be carried out in accordance with the agreed details.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site and buildings.

## Contamination

13. Prior to the commencement of development, a ground investigation shall be carried out as recommended and described in Section 7 (Discussion and Recommendations) of the Phase I Geo-Environmental Report by enzygo (ref: SHF.1132.159.GE.R.001) that was submitted with the outline application; and a report of the findings of the investigation shall be submitted for the written approval of the Local Planning Authority. Any mitigation measures that are found to be necessary shall be carried out to the satisfaction of the Local Planning Authority prior to the commencement of development.

REASON: In the interests of providing an appropriate environment for the end users of the development..

## Ecology and trees

14. Each reserved matters application shall include an Arboricultural Impact Assessment and Tree Constraints Plan in respect of the existing trees situated within influencing distance of the development site and shall include details of all root protection measures to be undertaken during the construction process. The development shall be carried out in strict accordance with the approved details and the specified tree protection measures shall remain in place throughout the construction phase of the development.

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

15. Each reserved matters application shall include full details of proposed mitigation measures detailed/recommended within Section 5 of the submitted Ecological Appraisal (dated August 2018) and the development shall thereafter be carried out in accordance with the approved details.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and reduce the ecological impact of development

16. Notwithstanding the requirements of condition 16 of this approval, no site clearance, preparation or development work shall take place until a Landscape/Habitat Management Plan to include long-term design objectives, timings of the works, habitat creation, enhancement, management responsibilities and maintenance schedules for all landscaped areas (other than privately-owned domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall be informed by the submitted Ecological Appraisal (dated August 2018) and carried out as approved.

REASON: In the interests of biodiversity and to enhance opportunities for species of conservation concern and reduce the impact of development.

17. Each reserved matters application shall include details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites. The details shall be submitted on a dwelling/building dependent bird/bat species development site plan and include details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building/dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into those individual dwellings/buildings during the actual construction of those individual dwellings/buildings identified on the submitted plan before each such dwelling/building is first brought into use and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and reduce the impact of development

18. Each reserved matters application shall include details of a scheme for any external building or ground mounted lighting/illumination. For the avoidance of doubt the submitted details shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated.

The lighting schemes(s) shall be implemented in accordance with the approved details and retained as approved unless agreed in writing by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could prove materially harmful the character and visual amenities of the immediate area and to minimise/mitigate the potential impacts upon protected species resultant from the development.

19. Any removal of vegetation, including trees and hedges, should be undertaken outside the nesting bird season (March to August) unless an up-dated pre-clearance check has been carried out by a licensed ecologist on the day of removal and no nesting birds are present.

REASON: To ensure that there are no adverse effects on the favourable conservation status of birds and to protect the bird population from damaging activities and reduce or remove the impact.

## Highways

20. Each reserved matters application shall include details of a scheme of Electric Vehicle charging points for each residential property. All Electric Vehicle charging points shall be provided in accordance with the agreed details prior to the first occupation of each property.

REASON: To ensure that the development provides adequate and appropriate sustainable transport options and in the interest of lowering emissions resultant from vehicular movements associated with the development

21. The new estate road/access 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 on site. The estate road/access 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: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

22. Prior to the commencement of the development a scheme for the construction of the site access and the off-site works of highway improvement shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the site access and off site highway works shall be completed in accordance with the approved details prior to the occupation of the first dwelling on the site.

REASON: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site

23. Prior to any dwelling hereby approved being brought into use, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan shall be implemented within the timescale set out in the approved details and will be audited and updated at intervals not greater than 18 months to ensure that the approved Plan is carried out.

REASON: To promote and provide access to sustainable transport options.

24. No development shall take place, including any works of demolition, 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. It shall provide details in respect of:

- Timing of delivery of all off site highway works
- The parking of vehicles of site operatives and visitors
- The loading and unloading of plant and materials
- The storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding
- Details of working hours
- Contact details for the site manager
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Routes to be used by vehicles carrying plant and materials to and from the site
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

REASON: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings and to ensure the development would not be of detriment to the safe operation of the immediate highway during the construction of the development

25. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

REASON: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

## Informative:

- The LLFA encourages the applicant to maximise the use of sustainable drainage systems (SuDS) when designing the surface water drainage scheme for the development site. This is because sustainable drainage systems offer significant advantages over conventional piped drainage systems in reducing flood risk. Sustainable drainage systems can attenuate the rate and quantity of surface water runoff from a site, and they can also absorb diffuse pollutants and promote groundwater recharge. Ponds, reed beds and seasonally flooded grasslands are also particularly attractive features within public open space. The wide variety of available sustainable drainage techniques means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

Some SuDS features, for example rainwater harvesting and permeable paving used on roads and driveways, must not be included as part of the hydrological calculations for the site. This is because occupants may change or remove these features in the future and this could have the potential to increase surface water runoff from the site. Where SuDS features such as rainwater harvesting and permeable paving are included in the hydrological calculations, the local planning authority would be advised to consider the removal of permitted development rights.

- The LLFA notes from section 5.2 of the FRA that the applicant is considering constructing a bund feature along the right bank of the watercourse located in the north eastern corner of the site (referred to as drain 1). The purpose of the bund would be to prevent floodwater backing up and flooding into the site. As a LLFA, Lancashire County Council has the power to formally designate a structure or feature which it believes may have an effect on flood or coastal erosion risk. A designation acts as a form of legal protection for structures and features which have been identified as presenting a flood or coastal erosion risk. Schedule 1 of the FWMA, Paragraph 5(1) prohibits any person to: *'alter, remove or replace a designated structure or feature without the consent of the responsible authority.'* The LLFA will give further consideration to the proposed structure at Reserved Matters to determine whether formal designation would be required.
- The LLFA are the consenting body for works on Ordinary Watercourses. Under Section 23 of the Land Drainage Act 1991 (the "LDA") (as amended by paragraph 32 of Schedule 2 of the FWMA 2010) anyone who intends to carry out works which may obstruct or affect the flow of an ordinary watercourse needs written consent from Lancashire County Council.

It is important to note that Land Drainage Consent is a separate application process that lies outside the planning legislation. It should not be assumed therefore the grant of planning permission means that Land Drainage Consent will automatically be given. Parallel processing of Land Drainage Consent applications is advised, as any land drainage consenting issues could directly impact the suitability of the proposed site layout.

Land Drainage Consent applications can take up to eight weeks to process following receipt of all required information and payment (£50 per structure). Retrospective consent cannot be issued.

- Although the LLFA is satisfied at this stage that the proposed development could be allowed in principle, the applicant will still need to provide further information to ensure

that the proposed development can go ahead without posing an unacceptable flood risk on or off site. The applicant will therefore be expected to provide a detailed surface water drainage strategy as part of any reserved matters application and prior to the commencement of any development. This must comply with the requirements of the Planning Practice Guidance, National Planning Policy Framework and Standards 2, 4, 7, 8 and 9 of the non-statutory technical standards for sustainable drainage systems; March 2015. Suitable allowances should also be made for climate change and urban creep, and surface water should be managed as close to the surface as possible.

For the avoidance of any doubt, the LLFA is not able to assess or comment on the suitability of the proposed surface water runoff rates and volumes at this time. This is because the final rates and volumes are directly influenced by the amount of impermeable area within the proposed development site. Any agreement can therefore only be made once the final site layout has been agreed.

- This response does not cover highway drainage, matters pertaining to highway adoption (s38 Highways Act 1980) and/or off-site highway works (s278 Highways Act 1980). Should the applicant intend to install any sustainable drainage systems under or within close proximity to a public road network (existing or proposed), then they would need to separately discuss the use and suitability of those systems with the local highway authority.
- If there are any material changes to the submitted information which impact on surface water, the local planning authority is advised to consider re-consulting the LLFA. The LLFA also wishes to be formally consulted on all subsequent drainage strategies for this proposed development.
- The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Environment Directorate for further information by telephoning the Developer Support Section (Area South) on 0300 123 6780, or writing to Developer Support Section, Lancashire County Council, Environment Directorate, Cuerden Mill Depot, Cuerden Way, Cuerden, PR5 6BJ or email [lhscustomerservice@lancashire.gov.uk](mailto:lhscustomerservice@lancashire.gov.uk).
- The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer

### **Update following 29<sup>th</sup> November Planning and Development Meeting**

On the 29<sup>th</sup> November 2018 Committee were minded to refuse the application. Should this remain the wish of the Committee the following reasons for refusal is recommended:

1. The proposed development would result in an unsustainable form of development within the countryside. Due to the site's location, with a lack of cycling or suitable pedestrian access to the town centre, future residents will be wholly reliant on the car. As such the development is contrary to Key Statements DS2 and DMI2, as well as Policies DMG2 and DMG3, of the Ribble Valley Core Strategy and guidance contained within the National Planning Policy Framework.

2. The proposed development will introduce additional traffic onto the highway network immediately surrounding the site which will result in increased traffic congestion and risk to highway safety, in particular at the key traffic junctions of Henthorn Road, Woone Lane, Eshton Terrace and the railway crossing. The residual cumulative impacts on the road network would be severe and as such the development would be contrary to Key Statements DS2 and DMI2, as well as Policies DMG2 and DMG3, of the Ribble Valley Core Strategy and guidance contained within the National Planning Policy Framework.

#### BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0688](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0688)

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2018/0500	Land to East Clitheroe Road Barrow	1/11/18 4/10/18	10	With Planning
3/2018/0910	Sheepfold Crescent Barrow	29/11/18	26	With Agent

<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>
3/2017/0653	Land at Chatburn Road, Clitheroe	28/6/18	21 weeks	30	Decision 22/11/18

APPEALS UPDATE

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Date of Inquiry/Hearing if applicable</u>	<u>Progress</u>
3/2017/0961 R (Variation of S106 Ag)	Awaiting start date from PINS	Land at Chapel Hill Longridge	Hearing (to be confirmed by PINS)		
3/2017/0962 R	03/10/18	Land off Sheepfold Crescent, Barrow	Hearing	Wed 16/01/2018 Cttee Rm 1 booked	Awaiting Hearing
3/2018/0069 R	29/08/18	Land off Whalley Road Mellor Brook	WR		Appeal Dismissed 26/10/2018
3/2018/0263 R	20/08/18	Showley Brook Rest Home 10 Knowsley Road Wilpshire	WR		Appeal Dismissed 27/11/2018
3/2018/0303 R	28/09/18	Croftlands Chipping	WR There is a costs application		Appeal Dismissed 10/12/2018
3/2018/0537 R	28/09/18	Wiswell Brook Farm, Moorside Lane	WR		Appeal Dismissed 10/12/2018
3/2018/0079 R	23/07/18	New Ings Farm Hellifield Road Bolton by Bowland	WR		Awaiting Decision
3/2018/0480 R	12/11/18	The Tythe Barn Station Road Rimington	WR		Statement due 17/12/2018

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Date of Inquiry/Hearing if applicable</u>	<u>Progress</u>
3/2018/0474 R	Awaiting start date from PINS	Great Mitton Hall Mitton Road Mitton	HH appeal procedure Hearing requested (to be confirmed by PINS)		
3/2018/0468 R	Awaiting start date from PINS	Great Mitton Hall Mitton Road Mitton	LB Hearing (to be confirmed by PINS)		
3/2018/0447 R	27/11/2018	Eatoughs Barn Fleet Street Lane Ribchester	WR		Statement due 1/1/19
3/2018/0435 R	10/12/2018	32 Hall Street Clitheroe	WR		Statement due 14/01/18
3/2018/0816 R	Awaiting start date from PINS	39 Castle View Clitheroe	HH		

# RIBBLE VALLEY BOROUGH COUNCIL

## REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No 6

meeting date: 10 JANUARY 2019  
title: REVISED CAPITAL PROGRAMME 2018/19  
submitted by: DIRECTOR OF RESOURCES  
principal author: ANDREW COOK

### 1 PURPOSE

- 1.1 To approve the 2018/19 revised estimate for this Committee's capital programme.
- 1.2 Relevance to the Council's ambitions and priorities:
- Community Objectives – none identified.
  - Corporate Priorities – to continue to be a well-managed council, providing efficient services based on identified customer needs.
  - Other Considerations – none identified.

### 2 BACKGROUND

- 2.1 No new capital schemes were planned for this Committee in the 2018/19 capital programme.
- 2.2 The Introduction of Planning Portal Link to the Planning Application System and Planning System Update scheme, which was included in the 2017/18 capital programme, was not completed by 31 March 2018 and had unspent budget of £30,200 available at that date. This unspent budget, known as slippage, was transferred into the 2018/19 capital programme budget, after approval by this Committee in May 2018.
- 2.3 Consequently, the 2018/19 capital programme for this Committee is made up of one scheme with a total budget of £30,200.
- 2.4 Regular reports have been presented to this Committee on progress with the capital programme.

### 3 REVISING THE 2018/19 CAPITAL PROGRAMME

- 3.1 We have discussed scheme progress and spend to date with the Head of Planning Services and the ICT Manager.
- 3.2 At the end of November 2018 there had been no spend on the scheme.
- 3.3 The Head of Planning Services and ICT Manager have agreed to implement the Planning Portal integration into the current version of the system as soon as possible and to then look at migrating the whole system to Assure and completing the planning system update. Some expenditure is expected prior to the end of the financial year, but the scheme will not be completed within the 2018/19 financial year.
- 3.4 Given this, the revised estimate budget for the scheme will remain unchanged at £30,200, to facilitate any spend in-year, and then any unspent budget will be rolled forward at year-end as slippage to support spend in 2019/20.

3.5 The table below shows the budget and expenditure to date for the scheme.

Cost Centre	Scheme	Original Estimate 2018/19 £	Slippage from 2017/18 £	Total Approved Budget 2018/19 £	Revised Estimate 2018/19 £	Actual Expenditure including Commitments as at end of November 2018 £
PLANN	Introduction of Planning Portal Link to the Planning Application System and Planning System Update	0	30,200	30,200	30,200	0
<b>Total Planning and Development Committee</b>		<b>0</b>	<b>30,200</b>	<b>30,200</b>	<b>30,200</b>	<b>0</b>

#### 4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – Approval of the revised capital programme will see no change to the level of financing resources needed within the 2018/19 financial year.
- Technical, Environmental and Legal – None.
- Political – None.
- Reputation – Sound financial planning for known capital commitments safeguards the reputation of the Council.
- Equality and Diversity – Equality and Diversity issues are examined as part of the capital bid appraisal process.

#### 5 CONCLUSION

5.1 The revised estimate for this Committee's 2018/19 capital programme is £30,200.

5.2 Some expenditure is expected prior to the end of the financial year, on this Committee's one scheme, but the scheme will not be completed within the 2018/19 financial year.

#### 6 RECOMMENDED THAT COMMITTEE

6.1 Approve the 2018/19 revised estimate of £30,200 for this Committee's capital programme.

SENIOR ACCOUNTANT

DIRECTOR OF RESOURCES

PD1-19/AC/AC  
14 December 2018

For further background information please ask for Andrew Cook.  
BACKGROUND PAPERS – None

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

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Agenda Item No 7

meeting date: 10 JANUARY 2019  
title: REVISED REVENUE BUDGET 2018/19  
submitted by: DIRECTOR OF RESOURCES  
principal author: VALERIE TAYLOR

### 1 PURPOSE

- 1.1 To agree a revised revenue budget for 2018/19 for this committee.

### 2 BACKGROUND

- 2.1 The original estimate for this current financial year was set in March 2018.
- 2.2 As members will be aware, there can be numerous variations to the budget that come to our attention as the year progresses, particularly through the budget monitoring process.
- 2.3 At this time of year we revise the estimates for the current financial year in order to predict the likely outturn. In essence the Revised Estimate is the council's latest forecast for the outturn on the current financial year's budget. This also assists us in preparing the original estimate for the coming financial year.
- 2.4 At the time that the Original Estimate 2018/19 was set, the new Economic Development and Planning Department included only the new director's post, with all other departmental staff included under the previous departmental structure that was in place at that time.
- 2.5 Since then, the costs have been reallocated across the various departments, which are spread across the council's committee structure. This reallocation of costs across the new departmental structure was **cost neutral** and largely impacts the main departmental cost centres, but also impacts on individual services through the support service allocations.

### 3 REVISING THE ORIGINAL ESTIMATE

- 3.1 Since the budget was originally set we now have the benefit of information from the outturn position for 2017/18 and the variances that were experienced in that financial year. Furthermore, as we have been monitoring our budgets during the year we can also use this information to inform the revised budget process.
- 3.2 The original budget for 2018/19 initially allowed 2% for both pay and price increases.
- 3.3 After the detailed estimates had been prepared the national pay award was settled which increased the paybill nationally by 2.707% in 2018/19 and 2.802% in 2019/20 with substantial increases to the lower payscales.
- 3.4 This was obviously significantly higher than the 2% allowed for in the committee estimates and therefore we added a contingency to the budget of £75,000 in respect of the potential pay increases above 2%.

- 3.5 The general provision for price increases has proved reasonably accurate. The impact of the pay award for the Council is estimated to be approximately £45,000 over and above the 2% budgeted for. The balance on the contingency will be released to general fund balances.
- 3.6 Whilst our committee income and expenditure may increase or decrease at the revised estimate, items such as our budgeted core government funding and our council tax precept remain fixed. As a result, any compensating movement is within our earmarked reserves and general fund balances.
- 3.7 In addition to the use of data on past performance there have been detailed discussions with budget holders and heads of service on past service provision and future plans, playing an integral part in the budget setting process.
- 3.8 Furthermore, decisions and actions required as a result of committee meetings are incorporated in to the budget setting process, whilst financial implications would likely have already been identified as part of any committee decision.
- 3.9 As part of the setting of the revised estimate, this report is now presented to committee to seek comment and approval. Once approved by this committee, the revised estimate will be reported to Special Policy and Finance Committee.
- 3.10 The proposed revised estimate for this committee is now presented in the following section,
- 4 PROPOSED REVISED REVENUE BUDGET 2018/19
- 4.1 A comparison between the original and revised budgets for each cost centre is shown below, together with the associated movements in earmarked reserves.

<b>Cost Centre and Description</b>	<b>Original Estimate 2018/19</b>	<b>Movement in Expenditure</b>	<b>Movement in Income</b>	<b>Movement in Support Services</b>	<b>Movement in Capital Charges</b>	<b>Revised Estimate 2018/19</b>
AONBS: Area of Outstanding Natural Beauty	16,010	-240		-190		15,580
BCFEE: Building Control Fee Earning	-15,020	450	20,000	9,760		15,190
BCNON: Building Control Non Fee Earning	58,590	-500		11,110		69,200
BCSAP: Building Control SAP Fees	-120	-1,090	2,090	-1,290		-410
CINTR: Clitheroe Integrated Transport Scheme	7,250	-50		20		7,220
CONSV: Conservation Areas	9,140			-450		8,690
COUNT: Countryside Management	53,130	-11,280	8,910	2,440		53,200

Cost Centre and Description	Original Estimate 2018/19	Movement in Expenditure	Movement in Income	Movement in Support Services	Movement in Capital Charges	Revised Estimate 2018/19
ECDEV: Economic Development & Planning Dept Set Up	0	9,670				9,670
ECPLA: Economic Development and Planning Dept	0	-25,210		25,210		0
FPATH: Footpaths & Bridleways	5,850	-1,930	1,620	-5,540		0
LDEVE: Local Development Scheme	93,850	3,990		13,340		111,180
PENDU: Pendle Hill User Group	0	15,750	-190			15,560
PLANG: Planning Control & Enforcement	119,460	29,050	-82,800	-52,130	-7,140	6,440
PLANP: Planning Policy	105,520	10,300	-20,000	-2,470		93,350
PLSUB: Grants & Subscriptions - Planning	7,880					7,880
<b>Grand Total</b>	<b>461,540</b>	<b>28,910</b>	<b>-70,370</b>	<b>-190</b>	<b>-7,140</b>	<b>412,750</b>
<b>Associated Movements in Earmarked Reserves</b>						
PLBAL/H336: Planning Earmarked Reserve	-19,160	-26,520				-45,680
PLBAL/H284: Neighbourhood Planning Reserve			9,710			9,710
PLBAL/H234 Building Regulation Reserve	15,020	-10,210	-20,000			-15,190
PLBAL/H273: Pendle Hill User Reserve	0	-15,750	190			-15,560
FNBAL/H334: Restructuring Reserve		-9,670				-9,670
<b>Net After Movement in Earmarked Reserve</b>	<b>457,400</b>	<b>-33,240</b>	<b>-80,470</b>	<b>-190</b>	<b>-7,140</b>	<b>336,360</b>

- 4.2 The difference between the revised and original estimate is a decrease in net expenditure of £48,790 or a decrease in net expenditure of £121,040 after allowing for movement in earmarked reserves.

5 KEY MOVEMENTS FROM ORIGINAL ESTIMATE TO REVISED ESTIMATE

5.1 Within the proposed Revised Estimate there are a number of substantial movements, and these are summarised in the table below. A more detailed analysis of the movements is provided at Annex 1.

Description	Variance Original Estimate 2018/19 to DRAFT Revised Estimate 2018/19
<p><b><u>BCFEE: Building Control Fee Earning Account</u></b>                      Income to date is lower than estimated for 2018/19 due to a lower number of large commercial applications. The income estimate is based on actual income received at the date of review plus an estimate for the remainder of the year based on prior year brought forward.</p> <p>The service is forecast to make an overall net loss, which will be met from the Building Control earmarked reserve. Corporate Management Team will be looking further at the deficit position on the service over coming months.</p>	20,000
<p><b><u>PENDU: Pendle Hill User Group</u></b>                      The council holds an earmarked reserve on behalf of the AONB and Pendle Hill Landscape Partnership.</p> <p>A large invoice has been paid on their behalf in year, and funded from the earmarked reserve. There has also been a small contribution received in year.</p>	15,560
<p><b><u>PLANG: Planning Control &amp; Enforcement</u></b>                      Spend on consultants in respect of planning appeals year to date is higher than that estimated. This increase in expenditure over the original estimate will be funded from the planning earmarked reserve</p>	22,530
<p><b><u>PLANG: Planning Control &amp; Enforcement</u></b>                      The planning fee estimate has been increased for the year based on planning applications received to date. Pre-application fees have been increased following this committee's decision on 1st November 2018 to fund an increase in the hours worked of the Pre-Application Advice Officer from 22.5 hours to 37 hours per week.</p>	-82,150
<p><b><u>PLANP: Planning Policy</u></b>                      Following approval of the Longridge Neighbourhood Plan to proceed to referendum this financial year a grant of £20k will be available to the council (Plannning and Development Committee 29 November 2018). Any balance of unspent grant in year will be set aside in earmarked reserves to meet any future Neighbourhood Plan costs.</p>	-20,000

6 CONCLUSION

6.1 The difference between the revised and original estimate is a decrease in net expenditure of £116,010 after allowing for transfers to and from earmarked reserves.

7 RISK ASSESSMENT

7.1 The approval of this report may have the following implications

- Resources: approval of the revised estimate would see a decrease in net expenditure of £116,010 after allowing for transfers to and from earmarked reserves.
- Technical, Environmental and Legal: none identified
- Political: none identified
- Reputation: sound financial planning safeguards the reputation of the Council
- Equality and Diversity – Equality and diversity issues are considered in the provision of all Council services.

8 RECOMMENDED THAT COMMITTEE

8.1 Agree the revenue revised estimate for 2018/19.

TEMPORARY SENIOR ACCOUNTANT

DIRECTOR OF RESOURCES

PD2-19/VT/AC

For further background information please ask for Valerie Taylor

BACKGROUND PAPERS - None

**PLANNING AND DEVELOPMENT COMMITTEE  
VARIANCES FROM ORIGINAL ESTIMATE TO REVISED ESTIMATE 2018/19**

**ANNEX 1**

	MOVEMENT IN EXPENDITURE £	MOVEMENT IN INCOME £	MOVEMENT IN SUPPORT SERVICES £	MOVEMENT IN CAPITAL £	TOTAL MOVEMENT £
<b>AONBS: Area of Outstanding Natural Beauty</b>					
There has been a small adjustment to the budget for our contribution to the AONB Organisation, in order to match that which is requested annually. There has also been a small adjustment to support services.	-240		-190		
<b>Total Area of Outstanding Natural Beauty</b>					<b>-430</b>
<b>BCSAP: Building Control SAP Fees</b>					
A reduction in the number of surveys being carried out reduces employee related expenditure in this area	-1,090				
Support service costs are allocated based on staff time. A reduction to the number of surveys being undertaken reduces charges to this cost centre			-1,290		
Actual income for the year to date at the time of review is lower than budgeted for due to a reduction in the number of surveys being carried out		2,090			
<b>Total Building Control SAP Fees</b>					<b>-290</b>
<b>BCFEE: Building Control Fee Earning Account</b>					
Support service departmental recharges have been reviewed for the Revised Estimate 2018/19 following a review of staff time allocations and the departmental restructure increasing the recharge costs in this area			9,760		

**PLANNING AND DEVELOPMENT COMMITTEE  
VARIANCES FROM ORIGINAL ESTIMATE TO REVISED ESTIMATE 2018/19**

ANNEX 1

	MOVEMENT IN EXPENDITURE £	MOVEMENT IN INCOME £	MOVEMENT IN SUPPORT SERVICES £	MOVEMENT IN CAPITAL £	TOTAL MOVEMENT £
Income to date is lower than estimated for 2018/19 due to a lower number of large commercial applications. The income estimate is based on actual income received at the date of review plus an estimate for the remainder of the year based on prior year brought forward		20,000			
<b>Total Building Control Fee Earning A/c</b>					<b>29,760</b>
<b>BCNON: Building Control Non Fee Earning Account</b>					
Support service departmental recharges have been reviewed for the Revised Estimate 2018/19 following a review of staff time allocations and the departmental restructure increasing the recharge costs in this area			11,110		
<b>Total Building Control Non Fee Earning A/c</b>					<b>11,110</b>
<b>COUNT: Countryside Management</b>					
Emergency Tree Works were previously charged to this cost centre and then some of these costs were recharged out to other services. This budget has now been removed so that it sits on the service code that is having the work carried out - and the costs are being charged directly to that same code. The income from any recharges out for this work has also been netted off.	-11,280	8,910			
Support service departmental recharges have been reviewed for the Revised Estimate 2018/19 following a review of staff time allocations and the departmental restructure increasing the recharge costs in this area			2,440		
<b>Total Countryside Management</b>					<b>70</b>

**PLANNING AND DEVELOPMENT COMMITTEE  
VARIANCES FROM ORIGINAL ESTIMATE TO REVISED ESTIMATE 2018/19**

ANNEX 1

	MOVEMENT IN EXPENDITURE £	MOVEMENT IN INCOME £	MOVEMENT IN SUPPORT SERVICES £	MOVEMENT IN CAPITAL £	TOTAL MOVEMENT £
<b>CONSV: Conservation Areas</b>					
There has been a small adjustment to the level of support services recharged to this service area.			-450		
<b>Total Conservation Areas</b>					<b>-450</b>
<b>ECDEV: Planning &amp; Economic Development Department</b>					
Cost of recruitment for new Director of Economic Development & Planning to be funded from the restructuring reserve	1,980				
Purchase of equipment and materials set up costs to establish the new post of Director of Economic Development & Planning. To be funded from the restructuring reserve	7,690				
<b>Total Planning &amp; Economic Development Department</b>					<b>9,670</b>
<b>FPATH: Footpaths and Bridleways</b>					
The council previously provided assistance in footpaths and diversion orders. The costs were for officer time involved in undertaking this work and also the costs of advertising footpath diversion orders. These advertising costs were previously recovered from those requesting the order in full. This service now fully falls under LCC and therefore the budget has now been removed	-1,930	1,620	-5,540		
<b>Total Footpaths and Bridleways</b>					<b>-5,850</b>

**PLANNING AND DEVELOPMENT COMMITTEE  
VARIANCES FROM ORIGINAL ESTIMATE TO REVISED ESTIMATE 2018/19**

ANNEX 1

	MOVEMENT IN EXPENDITURE £	MOVEMENT IN INCOME £	MOVEMENT IN SUPPORT SERVICES £	MOVEMENT IN CAPITAL £	TOTAL MOVEMENT £
<b>ECPLA: Economic Development and Planning Dept</b>					
Adjustment to reduce the base salary estimate for the new department following review of actual expenditure to date	-17,300				
Adjustment to reduce the superannuation estimate for the new department following part year review of employee membership in the scheme	-1,780				
The original estimate for lease car costs was increased to incorporate changes to the establishment following the restructure. Upon review at revised estimate these costs are not to be incurred in the current financial year.	-5,750				
Adjustment to anticipated photocopying charges for 2018/19 following an analysis of current year expenditure which is below original estimate	-1,660				
Support service departmental recharges have been reviewed for the Revised Estimate 2018/19 following a review of staff time allocations and the departmental restructure decreasing the recharge costs in this area			-29,160		
A decrease to the net cost of the department overall as a result of the reasons listed above decreases recharges out to other service areas			54,370		
<b>Total: Economic Development and Planning Department</b>					<b>-1,280</b>

**PLANNING AND DEVELOPMENT COMMITTEE  
VARIANCES FROM ORIGINAL ESTIMATE TO REVISED ESTIMATE 2018/19**

**ANNEX 1**

	MOVEMENT IN EXPENDITURE £	MOVEMENT IN INCOME £	MOVEMENT IN SUPPORT SERVICES £	MOVEMENT IN CAPITAL £	TOTAL MOVEMENT £
<b>PENDU: Pendle Hill User Group</b>					
The council hold resources in its earmarked reserves on behalf of the AONB and Pendle Hill Landscape Partnership.  A large invoice has been paid on their behalf in year, and funded from the earmarked reserves where these funds are held. There has also been a small contribution to these funds received in year.	15,750	-190			
<b>Total Pendle Hill User Group</b>					<b>15,560</b>
<b>PLANG: Planning Control &amp; Enforcement</b>					
The value of planning fee refunds at the date of budget review is higher than that originally estimated	6,010				
Spend on consultants in respect of planning appeals year to date is higher than that estimated. Expenditure over the original estimate will be funded from the planning earmarked reserve	22,530				
Expenditure on statutory notices above that estimated	2,150				
Current year spend on local plan costs lower than originally estimated	-1,580				

**PLANNING AND DEVELOPMENT COMMITTEE  
VARIANCES FROM ORIGINAL ESTIMATE TO REVISED ESTIMATE 2018/19**

**ANNEX 1**

	MOVEMENT IN EXPENDITURE £	MOVEMENT IN INCOME £	MOVEMENT IN SUPPORT SERVICES £	MOVEMENT IN CAPITAL £	TOTAL MOVEMENT £
Support service departmental recharges have been reviewed for the Revised Estimate 2018/19 following a review of staff time allocations and the departmental restructure decreasing the recharge costs in this area			-52,130		
Decrease in annual depreciation charge in respect of past software that is now fully depreciated.				-7,140	
The planning fee estimate has been increased for the year based on a three year full year average. The revised estimate includes inflation of 20% to incorporate the increase to planning fees which was introduced in January 2018		-74,910			
Increase to pre-application advice fees based on analysis of income received at the point of review plus an average of prior three years brought forward for the remaining estimate		-7,240			
<b>Total Planning Control &amp; Enforcement</b>					<b>-112,310</b>

**PLANNING AND DEVELOPMENT COMMITTEE  
VARIANCES FROM ORIGINAL ESTIMATE TO REVISED ESTIMATE 2018/19**

**ANNEX 1**

	MOVEMENT IN EXPENDITURE £	MOVEMENT IN INCOME £	MOVEMENT IN SUPPORT SERVICES £	MOVEMENT IN CAPITAL £	TOTAL MOVEMENT £
<b>LDEVE: Local Development Scheme</b>					
<p>Based on a reassessment of costs that are likely to fall in the current financial year in relation to the Local Development Scheme, there is likely to be a net increase in what will be spent by the end of March 2019. Anticipated spend is now £2,400 on consultations, £750 consultant costs and £20,000 in relation to final inspection costs. In the original estimate a total of £19,160 had been allowed for.</p> <p>All of these costs are met from the planning earmarked reserve using resources that have previously been set aside for this purpose.</p>	3,990				
<p>Support service departmental recharges have been reviewed for the Revised Estimate 2018/19 following a review of staff time allocations and the departmental restructure increasing the recharge costs in this area.</p> <p>Unlike the costs listed above, any movements in relation to support service costs are not met from the earmarked reserve.</p>			13,340		
<b>Total Local Development Scheme</b>					<b>17,330</b>

**PLANNING AND DEVELOPMENT COMMITTEE  
VARIANCES FROM ORIGINAL ESTIMATE TO REVISED ESTIMATE 2018/19**

ANNEX 1

	MOVEMENT IN EXPENDITURE £	MOVEMENT IN INCOME £	MOVEMENT IN SUPPORT SERVICES £	MOVEMENT IN CAPITAL £	TOTAL MOVEMENT £
<b>PLANP: Planning Policy</b>					
Budget brought in at revised estimate for expenditure to date on an independent examination of the Longridge Neighbourhood Plan	5,300				
Support service departmental recharges have been reviewed for RE1819 following a review of staff time allocations and the departmental restructure decreasing costs in this area			-2,470		
Estimated costs of the Longridge Neighbourhood Plan referendum which following P&D Committee approval on 29th November 2018 will take place during the 2018/19 financial year	5,000				
Following approval of the Longridge Neighbourhood Plan to proceed to referendum this financial year a grant of £20k will be available to the council (P&D Committee 29th November 2018)		-20,000			
<b>Total Planning Policy</b>					<b>-12,170</b>
<b>Other</b>	1,120	-650	20		490
<b>Sub-total</b>	<b>28,910</b>	<b>-70,370</b>	<b>-190</b>	<b>-7,140</b>	<b>-48,790</b>

**PLANNING AND DEVELOPMENT COMMITTEE  
VARIANCES FROM ORIGINAL ESTIMATE TO REVISED ESTIMATE 2018/19**

**ANNEX 1**

	MOVEMENT IN EXPENDITURE £	MOVEMENT IN INCOME £	MOVEMENT IN SUPPORT SERVICES £	MOVEMENT IN CAPITAL £	TOTAL MOVEMENT £
<b>MOVEMENT IN EARMARKED RESERVES</b>					
<b>PLBAL/H336 Planning Reserve</b>					
Spend on consultants in respect of planning appeals is higher than that estimated. Expenditure over the original estimate will be funded from the planning earmarked reserve (£22,530)	-26,520				-26,520
Further movements relate to the additional need for resources from the reserve towards the Local Development Scheme. These funds have been previously set aside for this purpose (£3,990)					
<b>PLBAL/H234 Building Regulation Reserve</b>					
Balancing figures to be funded from the building control earmarked reserve following revised estimate review. Expenditure movement is mainly due to an increase of charges in from other sections following the restructure and a review of time allocations. Expected income for the year has been revised down following an analysis of actual income received at the date of review plus an estimate based on prior year actuals.	-10,210	-20,000			-30,210

**PLANNING AND DEVELOPMENT COMMITTEE  
VARIANCES FROM ORIGINAL ESTIMATE TO REVISED ESTIMATE 2018/19**

**ANNEX 1**

	<b>MOVEMENT IN EXPENDITURE £</b>	<b>MOVEMENT IN INCOME £</b>	<b>MOVEMENT IN SUPPORT SERVICES £</b>	<b>MOVEMENT IN CAPITAL £</b>	<b>TOTAL MOVEMENT £</b>
<b>PLBAL/H273 Pendle Hill User Reserve</b>					
The council hold resources in its earmarked reserves on behalf of the AONB and Pendle Hill Landscape Partnership. A large invoice has been paid on their behalf in year, and funded from the earmarked reserves where these funds are held. There has also been a small contribution to these funds received in year.	-15,750	190			-15,560
<b>FNBAL/H334 Restructuring Reserve</b>					
Set up costs to establish the new Director of Economic Development and Planning post to be fully funded from the restructuring reserve	-9,670				-9,670
<b>PLBAL/H284 Neighbourhood Planning Reserve</b>					
Contribution to reserve being the residual estimated balance of the £20k grant receivable in respect of Longridge Neighbourhood Plan less associated estimated expenditures		9,710			9,710
<b>Total Movement in Earmarked Reserves</b>	<b>-62,150</b>	<b>-10,100</b>	<b>0</b>	<b>0</b>	<b>-72,250</b>
<b>Total Movement</b>	<b>-33,240</b>	<b>-80,470</b>	<b>-190</b>	<b>-7,140</b>	<b>-121,040</b>

## ACTUAL TO DATE WITH ORIGINAL ESTIMATE AND PROPOSED REVISED ESTIMATE

Cost Centre	Description	Original Estimate to End November	Actual and Commitments to end November	Full Year Original Estimate	Proposed Revised Estimate
AONBS	Area of Outstanding Natural Beauty	7,040	0	16,010	15,580
BCFEE	Building Control Fee Earning A/c	-109,026	-103,869	-15,020	15,190
BCNON	Building Control Non Fee Earning A/c	5,456	4,913	58,590	69,200
BCSAP	Building Control SAP Fees	-940	-298	-120	-410
CINTR	Clitheroe Integrated Transport Scheme	5,250	5,200	7,250	7,220
CONSV	Conservation Areas	0	0	9,140	8,690
COUNT	Countryside Management	25,433	13,520	53,130	53,200
ECDEV	Economic Development & Planning Dept Set Up	0	9,670	0	9,670
ECPLA	Economic Development & Planning Dept	345,362	315,267	0	0
FPATH	Footpaths & Bridleways	208	0	5,850	0
LDEVE	Local Development Scheme	0	1,950	93,850	111,180
PENDU	Pendle Hill User Group	0	15,559	0	15,560
PLANG	Planning Control & Enforcement	-384,590	-424,029	119,460	6,440
PLANP	Planning Policy	0	5,295	105,520	93,350
PLSUB	Grants & Subscriptions-Planning	3,940	3,938	7,880	7,880
<b>Committee Subtotal</b>		<b>-101,867</b>	<b>-152,884</b>	<b>461,540</b>	<b>412,750</b>
<b>Earmarked Reserves</b>					
PLBAL/H234	Building Regulation Reserve	15,020	103,869	15,020	-15,190
PLBAL/H336	Planning Reserve	0	-22,676	-19,160	-45,680
PLBAL/H273	Pendle Hill User Reserve	0	-15,559	0	-15,560
FNBAL/H334	Restructuring Reserve	0	-9,669	0	-9,670
PLBAL/H284	Neighbourhood Planning Reserve	0	-5,295	0	9,710
<b>Subtotal Earmarked Reserves</b>		<b>15,020</b>	<b>50,670</b>	<b>-4,140</b>	<b>-76,390</b>
<b>Total</b>		<b>-86,847</b>	<b>-102,214</b>	<b>457,400</b>	<b>336,360</b>

# RIBBLE VALLEY BOROUGH COUNCIL

## REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

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Agenda Item No 8

meeting date: 10 JANUARY 2019  
title: ORIGINAL REVENUE BUDGET 2019/20  
submitted by: DIRECTOR OF RESOURCES  
principal author: VALERIE TAYLOR

### 1 PURPOSE

- 1.1 To agree the draft revenue budget for 2019/20, for consideration at Special Policy and Finance Committee.

### 2 BACKGROUND - COUNCIL'S OVERALL FINANCIAL POSITION

- 2.1 In September we updated the Council's four year Budget Forecast which predicted budget gaps as follows: £101k in 2019/20, £225k in 2020/21, £426k in 2021/22.
- 2.2 2019/20 is the final year of multi-year grant settlement which we signed up to and as such we would not expect our allocations to change from those previously announced. You may recall we were anticipating negative Revenue Support Grant (RSG) for 2019/20 of £108,866.
- 2.3 In October the Government consulted on proposals to eliminate negative RSG. We were advised at the same time that the New Homes Bonus (NHB) threshold may increase from its current national level of 0.4% which would reduce the amount of NHB we would receive.
- 2.4 In addition this Council along with 14 other authorities in Lancashire submitted a bid to be a Pilot for 75% Business Rate Retention.
- 2.5 None of these potential changes were included in the September budget forecast.

### 3 2019/20 PROVISIONAL LOCAL GOVERNMENT SETTLEMENT

- 3.1 On 13 December 2018 the Government announced the provisional finance settlement. The announcement had been delayed by a week due to the BREXIT debate.
- 3.2 The headlines for Ribble Valley are:
- Negative RSG has been eliminated gaining us £109k.
  - Rural Services Delivery Grant has been increased back to the same level as 2018/19 gaining us £21k.
  - NHB threshold remains at 0.4%.

- Our Business Rates Pilot bid has been successful. How much we gain from this will depend on our actual Business Rate growth in 2019/20 but estimates suggest this could be in the region of £400k. Some of this will be set aside to fund losses and also to fund Lancashire wide strategic economic growth projects.
- The Government are returning to local authorities the levy account surplus. Ribble Valley will gain by £20k

3.3 The Government also announced consultations on the future of Business Rate Retention and the Fair Funding Review which may have a significant impact on our financial position beyond 2019/20. These will be considered by the Budget Working Group.

3.4 In summary the 2019/20 provisional settlement has improved the council's financial position compared with the budget forecast in September.

#### 4 BUDGET PROCESS

4.1 Presented to committee for decision in October were the proposed fees and charges for 2019/20. The consequential impact of these approved fees and charges have been incorporated in to the service budgets shown within this report.

4.2 Following a great deal of in-depth service analysis and meetings with regard to this committees budgets by the council's accountants, budget holders, heads of service and management team, a proposed draft budget is now presented to members. This budget is agreed as that which best reflects the services of this committee for the next financial year.

4.3 When all committees have approved their detailed estimates the overall position will be considered by Budget Working Group.

4.4 The Budget Working Group will then make recommendations in order to produce a balanced budget for consideration at the Special meeting of Policy and Finance Committee. The final budget report will then be presented to Full Council, at which point the Council Tax for 2019/20 will also be approved.

#### 5 2019/20 DRAFT REVENUE BUDGET

5.1 As far as your budget is concerned, the estimates have been prepared on the current levels of service, and they allow for pay increases at 3% and price increases at 2%.

5.2 Within this report the budget is shown in the same manner in which they are reviewed. Each costs centre within the report is shown individually. Behind each costs centre is a great deal more subjective level detailed budgets, but for the purposes of this report they are summarised in to the standard local government CIPFA Service Reporting Code of Practice basis.

- **Employee Related:** this group includes the cost of employees, both direct and indirect to the council.

- **Premises Related:** this group includes expenses directly related to the running of premises and land.
- **Transport Related:** this group includes all costs associated with the provision, hire or use of transport, including travelling allowances.
- **Supplies and Services:** this group includes all direct supplies and service expenses to the council.
- **Third Party Payments:** a third party payment is a payment to an external provider which is operating independently, in return for the provision of a service.
- **Transfer Payments:** this includes the cost of payments to individuals for which no goods or services are received in return by the local authority. A key item here would be the payment of housing benefits.
- **Support Services:** charges for services that support the provision of services to the public. At this council the main support service cost is the support from staff based at the council offices building and the building's associated cost.
- **Depreciation and Impairment:** this is the revenue impact of capital items shown in the service revenue accounts of the council.
- **Income:** this includes income from fees and charges, grants, donations and contributions. Also shown here is the associated 'income' to a support service from the redistribution of its costs to those providing services to the public

5.3 As you will see, the draft proposed budget for 2018/19 for each service area is also built up looking at a number of stages. The starting point is the base budget, being the Original Estimate for the current financial year. A summary of the various elements is given below.

- **Original Estimate 2018/19:** This represents the base budget for the council and assumes no change in service level from that set for the previous year's original estimate.
- **Savings:** Here any savings or additional income that is identified from past service experience or trends would be brought in to the budget to adjust the base budget.
- **Inflation at 3% Pay and 2% Other:** The budget forecast allows for inflation on pay at 3% and prices at 2% (with some exceptions such as grants). This is where that general allowance for inflation is brought in to the individual budget areas. This is the second year of a two year pay award that has already been settled.
- **Variation to Standard Budgeted Inflation %:** Inevitably, as we undertake detailed work on the budget it becomes evident that there are some items of income or spend that experience a greater or lower level of inflation. This is where we adjusted for those differing levels of inflation. An example is energy costs.
- **Unavoidable Changes to Service Costs:** This relates to changes to a service, for example where costs are demand driven.

- **Support Services:** Any changes that relate to the recharging of support service costs are included in this column.
- **Capital:** Any changes relating to depreciation and impairment are included in this column
- **DRAFT Original Estimate 2019/20:** The final column is the total of all preceding columns and is constructed from the base budget and any necessary changes to the base that are needed. If approved this will then form the base budget in next year's budget process.

5.4 Detailed in the following section of the report are the individual budget areas under this committee. Shown are the movements from the 2018/19 Original Estimate, to the DRAFT Original Estimate for 2019/20. Comments are also provided on the main variances.

6 COMMITTEE SERVICE ESTIMATES

6.1 **Cost Centre and Description** AONBS: Area of Outstanding Natural Beauty

This relates to the cost of membership of National AONB Organisation and the annual contribution to the Joint Advisory Committee Partnership. This funding contributes to management work and specific projects.

	Original Estimate 2018/19	Savings	Inflation at 3% Pay and 2% Other	Variation to Standard Budgeted Inflation %	Unavoidable Changes to Service Costs	Support Services	Capital	DRAFT Original Estimate 2019/20
Third Party Payments	7,040		140		-240			6,940
Support Services	8,970		0			-380		8,590
<b>Total Expenditure</b>	<b>16,010</b>	<b>0</b>	<b>140</b>	<b>0</b>	<b>-240</b>	<b>-380</b>	<b>0</b>	<b>15,530</b>
<b>Net Expenditure</b>	<b>16,010</b>	<b>0</b>	<b>140</b>	<b>0</b>	<b>-240</b>	<b>-380</b>	<b>0</b>	<b>15,530</b>

**AONBS: Area of Outstanding Natural Beauty**  
**Commentary on Substantial Budget Changes**  
**Third Party Payments:**  
 The budget has been adjusted in order to match the actual annual contribution that is made by the council to the AONB Organisation.

6.2 **Cost Centre and Description**    BCFEE: Building Control Fee Earning

The expenditure shown under this cost centre results from administering those functions for which charges are to be made in accordance with the Charges Regulations. The charges relate only to the building regulations plan examination and site inspection function, including consideration of any enforcement action but not the service of notices under the provisions of the Building Act 1984.

	<b>Original Estimate 2018/19</b>	<b>Savings</b>	<b>Inflation at 3% Pay and 2% Other</b>	<b>Variation to Standard Budgeted Inflation %</b>	<b>Unavoidable Changes to Service Costs</b>	<b>Support Services</b>	<b>Capital</b>	<b>DRAFT Original Estimate 2019/20</b>
<b>Employee Related Expenditure</b>	5,470		100		400			5,970
<b>Transport Related Expenditure</b>	7,770		150					7,920
<b>Supplies &amp; Services</b>	11,730		230	40	-150			11,850
<b>Support Services</b>	146,940		0			12,880		159,820
<b>Total Expenditure</b>	<b>171,910</b>	<b>0</b>	<b>480</b>	<b>40</b>	<b>250</b>	<b>12,880</b>	<b>0</b>	<b>185,560</b>
<b>Customer &amp; Client Receipts</b>	-186,930		-3,740		20,400			-170,270
<b>Total Income</b>	<b>-186,930</b>	<b>0</b>	<b>-3,740</b>	<b>0</b>	<b>20,400</b>	<b>0</b>	<b>0</b>	<b>-170,270</b>
<b>Net Expenditure</b>	<b>-15,020</b>	<b>0</b>	<b>-3,260</b>	<b>40</b>	<b>20,650</b>	<b>12,880</b>	<b>0</b>	<b>15,290</b>
<b>Associated Movement in Earmarked Reserves</b>	15,020		300		-30,610			-15,290
<b>Net After Earmarked Reserves</b>	<b>0</b>	<b>0</b>	<b>-2,960</b>	<b>40</b>	<b>-9,960</b>	<b>12,880</b>	<b>0</b>	<b>0</b>

## **BCFEE: Building Control Fee Earning**

### **Commentary on Substantial Budget Changes**

#### **Support Services:**

Support service departmental recharges have changed following a review of staff time allocations and the departmental restructure increasing costs in this area - particularly through the Chief Executive's Department

#### **Customer & Client Receipts :**

The estimated income from building regulation fees is based on income received to date at the point of review for a rolling 12 month period with the addition of inflation at 2%. The resulting reduction in estimated income is shown as an unavoidable change to the service costs, and reflects current income trends.

#### **Net Expenditure**

Due to the estimated reduction in income and increase in support service costs, there is now a deficit forecast on the building control function.

#### **Movement in Earmarked Reserve**

The estimated net expenditure for 2019/20 is in deficit. This will be funded from the Building Regulation Reserve.

Any surplus or deficit on the ringfenced fee-earning element of the Building Control service must be set aside in an earmarked reserve. Any surplus can then be used in future years/off-set against past deficits – or likewise any deficit must then be recovered in future years/off-set against past surpluses. Over a number of years the reserve should breakeven. The forecast deficit position shown above is to be further reviewed by the Corporate Management Team over the coming months.

6.3 **Cost Centre and Description** BCNON: Building Control Non Fee Earning

Shown here is the balance of building control work for which a charge is not made (Non Fee Earning). These other activities can be roughly split into Statutory and critical Building Control functions, and include such items as Dealing with Dangerous Structures, administration of the Approved Inspectors Regulations and Building Control Enforcement work.

	Original Estimate 2018/19	Savings	Inflation at 3% Pay and 2% Other	Variation to Standard Budgeted Inflation %	Unavoidable Changes to Service Costs	Support Services	Capital	DRAFT Original Estimate 2019/20
Transport Related Expenditure	4,560		90					4,650
Supplies & Services	3,320		70	40				3,430
Support Services	52,060		0			11,490		63,550
<b>Total Expenditure</b>	<b>59,940</b>	<b>0</b>	<b>160</b>	<b>40</b>	<b>0</b>	<b>11,490</b>	<b>0</b>	<b>71,630</b>
Customer & Client Receipts	-1,350		-30					-1,380
<b>Net Expenditure</b>	<b>58,590</b>	<b>0</b>	<b>130</b>	<b>40</b>	<b>0</b>	<b>11,490</b>	<b>0</b>	<b>70,250</b>

**BCNON: Building Control Non Fee Earning**

**Commentary on Substantial Budget Changes**

**Support Services:**

Support service departmental recharges have changed following a review of staff time allocations and the departmental restructure increasing costs in this area - particularly through the Chief Executive's Department

6.4 **Cost Centre and Description**    BCSAP: Building Control SAP Fees

SAP (Standard Assessment Procedure) Calculations - estimating energy performance of buildings - are a requirement of the Building Regulations, and are required for all newly built dwellings in the UK. A SAP Rating has been required for all new homes under Part L of the building regulations since 1995. This cost centre shows officer time involved in doing this, and income received from fees and charges levied.

	Original Estimate 2018/19	Savings	Inflation at 3% Pay and 2% Other	Variation to Standard Budgeted Inflation %	Unavoidable Changes to Service Costs	Support Services	Capital	DRAFT Original Estimate 2019/20
Employee Related Expenditure	1,310		20		-740			590
Supplies & Services	290		10					300
Support Services	1,290		0			-1,290		0
<b>Total Expenditure</b>	<b>2,890</b>	<b>0</b>	<b>30</b>	<b>0</b>	<b>-740</b>	<b>-1,290</b>	<b>0</b>	<b>890</b>
Customer & Client Receipts	-3,010		-60		1,770			-1,300
<b>Total Income</b>	<b>-3,010</b>	<b>0</b>	<b>-60</b>	<b>0</b>	<b>1,770</b>	<b>0</b>	<b>0</b>	<b>-1,300</b>
<b>Net Expenditure</b>	<b>-120</b>	<b>0</b>	<b>-30</b>	<b>0</b>	<b>1,030</b>	<b>-1,290</b>	<b>0</b>	<b>-410</b>

**BCSAP: Building Control SAP Fees**

**Commentary on Substantial Budget Changes**

**Support Services:**

A reduction in the number of surveys being undertaken has reduced the allocation of time to this service.

**Customer & Client Receipts**

The reduction in time spent in this service area has resulted in a lower level of income being recoverable.

6.5 **Cost Centre and Description** CINTR: Clitheroe Integrated Transport Scheme

The council makes a small contribution to the running costs of the County Council's bus and rail interchange in Clitheroe.

	Original Estimate 2018/19	Savings	Inflation at 3% Pay and 2% Other	Variation to Standard Budgeted Inflation %	Unavoidable Changes to Service Costs	Support Services	Capital	DRAFT Original Estimate 2019/20
<b>Transfer Payments</b>	5,250		0					5,250
<b>Support Services</b>	820		0			0		820
<b>Depreciation and Impairment</b>	1,180		0					1,180
<b>Total Expenditure</b>	<b>7,250</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7,250</b>
<b>Net Expenditure</b>	<b>7,250</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7,250</b>

6.6 **Cost Centre and Description** CONSV: Conservation Areas

Support funding for biodiversity, conservation and environmental community projects

	Original Estimate 2018/19	Savings	Inflation at 3% Pay and 2% Other	Variation to Standard Budgeted Inflation %	Unavoidable Changes to Service Costs	Support Services	Capital	DRAFT Original Estimate 2019/20
<b>Support Services</b>	9,140		0			-740		8,400
<b>Total Expenditure</b>	<b>9,140</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-740</b>	<b>0</b>	<b>8,400</b>
<b>Net Expenditure</b>	<b>9,140</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-740</b>	<b>0</b>	<b>8,400</b>

6.7 **Cost Centre and Description**    COUNT: Countryside Management

The Council supports the work of conservation, access and recreation in the natural greenspace and countryside sector. Funding is also given from this cost centre to support third party organisations in the furtherance of our own aims and objectives.

	<b>Original Estimate 2018/19</b>	<b>Savings</b>	<b>Inflation at 3% Pay and 2% Other</b>	<b>Variation to Standard Budgeted Inflation %</b>	<b>Unavoidable Changes to Service Costs</b>	<b>Support Services</b>	<b>Capital</b>	<b>DRAFT Original Estimate 2019/20</b>
<b>Premises Related Expenditure</b>	11,280		230		-2,710			8,800
<b>Supplies &amp; Services</b>	9,630		190		-8,800			1,020
<b>Transfer Payments</b>	13,040		0		260			13,300
<b>Support Services</b>	28,090		0			780		28,870
<b>Total Expenditure</b>	<b>62,040</b>	<b>0</b>	<b>420</b>	<b>0</b>	<b>-11,250</b>	<b>780</b>	<b>0</b>	<b>51,990</b>
<b>Miscellaneous Recharges</b>	-8,910		0		8,910			0
<b>Total Income</b>	<b>-8,910</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,910</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Expenditure</b>	<b>53,130</b>	<b>0</b>	<b>420</b>	<b>0</b>	<b>-2,340</b>	<b>780</b>	<b>0</b>	<b>51,990</b>

**COUNT: Countryside Management**

**Commentary on Substantial Budget Changes**

**Premises Related:**

Emergency Tree Works were previously charged to this cost centre and then recharged out to other services. This budget has now been removed so that it sits on the service code that is having the work carried out - and the costs are being charged directly to that same code. Additionally, budget that was previously shown under Supplies & Services labelled as equipment purchases has now been moved under Premises Related Expenditure to be used for tree management works.

**Supplies & Services:**

Budget that was previously shown under Supplies & Services labelled as equipment purchases has now been moved under Premises Related Expenditure to be used for tree management works.

**Miscellaneous Recharges**

As mentioned under the Premises Related heading above - Emergency Tree Works were previously charged to this cost centre and then recharged out to other services as a Miscellaneous Recharge. Costs are now being charged directly to the relevant service.

6.8 **Cost Centre and Description** ECPLA: Economic Development and Planning Dept

This cost centre holds the costs of the new Economic Development and Planning Department. At the time that the Original Estimate 2018/19 was set, the new Economic Development and Planning Department included only the new director's post, with all other departmental staff included under the previous departmental structure that was in place at that time.

Since then, the costs have been reallocated across the various departments, which are spread across the council's committee structure. This reallocation of costs across the new departmental structure was cost neutral. This departmental cost centre holds the cost of the director and the Regeneration & Housing Section and the Planning Section. The large changes seen for 2019/20 reflect that the 2018/19 budget was for a part year (August 2018 to March 2019) - 2019/20 being the first full financial year of operation.

	Original Estimate 2018/19	Savings	Inflation at 3% Pay and 2% Other	Variation to Standard Budgeted Inflation %	Unavoidable Changes to Service Costs	Support Services	Capital	DRAFT Original Estimate 2019/20
<b>Employee Related Expenditure</b>	633,640		18,890	100	283,170			935,800
<b>Transport Related Expenditure</b>	15,640		310		4,320			20,270
<b>Supplies &amp; Services</b>	13,370		260		7,800			21,430
<b>Support Services</b>	140,210		0			24,030		164,240
<b>Total Expenditure</b>	<b>802,860</b>	<b>0</b>	<b>19,460</b>	<b>100</b>	<b>295,290</b>	<b>24,030</b>	<b>0</b>	<b>1,141,740</b>
<b>Departmental Recharges</b>	-802,860		0			-338,880		-1,141,740
<b>Total Income</b>	<b>-802,860</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-338,880</b>	<b>0</b>	<b>-1,141,740</b>
<b>Net Expenditure</b>	<b>0</b>	<b>0</b>	<b>19,460</b>	<b>100</b>	<b>295,290</b>	<b>-314,850</b>	<b>0</b>	<b>0</b>

**ECPLA: Economic Development and Planning Dept**

**Commentary on Substantial Budget Changes**

As referred to in the above narrative, the large changes seen for 2019/20 reflect that the 2018/19 budget was for a part year (August 2018 to March 2019) - 2019/20 being the first full financial year of operation. This explains all of the variations that are shown across the above table.

6.9 **Cost Centre and Description** FPATH: Footpaths & Bridleways

The council previously provided assistance in footpaths and diversion orders. The costs shown here were for officer time involved in undertaking this work and also the costs of advertising footpath diversion orders. These advertising costs (under supplies and services) were recovered from those requesting the order in full and are shown under 'Other Grants and Contributions'. This service now fully falls under LCC and therefore the budget has now been removed as shown below.

	Original Estimate 2018/19	Savings	Inflation at 3% Pay and 2% Other	Variation to Standard Budgeted Inflation %	Unavoidable Changes to Service Costs	Support Services	Capital	DRAFT Original Estimate 2019/20
Premises Related Expenditure	310		10		-320			0
Supplies & Services	1,620		30		-1,650			0
Support Services	5,540		0			-5,540		0
<b>Total Expenditure</b>	<b>7,470</b>	<b>0</b>	<b>40</b>	<b>0</b>	<b>-1,970</b>	<b>-5,540</b>	<b>0</b>	<b>0</b>
Other Grants and Contributions	-1,620		0		1,620			0
<b>Total Income</b>	<b>-1,620</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,620</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Expenditure</b>	<b>5,850</b>	<b>0</b>	<b>40</b>	<b>0</b>	<b>-350</b>	<b>-5,540</b>	<b>0</b>	<b>0</b>

**FPATH: Footpaths & Bridleways**

**Commentary on Substantial Budget Changes**

As mentioned in the narrative above, this service now fully falls under LCC and therefore the budget has now been removed as shown below.

6.10 **Cost Centre and Description** LDEVE: Local Development Scheme

Local Planning Authorities are required to produce a Local Development Scheme that explains the approach and timetable for policy preparation. The scheme will be used to monitor the Councils progress, and is intended to help manage workloads, resource requirements and to give the public and other interested parties greater opportunity for involvement in the policy process. The costs here are in relation to the production of the Local Plan (Allocations DPD). These costs are funded from monies previously set aside in an earmarked reserve for this purpose.

	<b>Original Estimate 2018/19</b>	<b>Savings</b>	<b>Inflation at 3% Pay and 2% Other</b>	<b>Variation to Standard Budgeted Inflation %</b>	<b>Unavoidable Changes to Service Costs</b>	<b>Support Services</b>	<b>Capital</b>	<b>DRAFT Original Estimate 2019/20</b>
<b>Supplies &amp; Services</b>	19,160		380		-8,340			11,200
<b>Support Services</b>	74,690		0			34,890		109,580
<b>Total Expenditure</b>	<b>93,850</b>	<b>0</b>	<b>380</b>	<b>0</b>	<b>-8,340</b>	<b>34,890</b>	<b>0</b>	<b>120,780</b>
<b>Net Expenditure</b>	<b>93,850</b>	<b>0</b>	<b>380</b>	<b>0</b>	<b>-8,340</b>	<b>34,890</b>	<b>0</b>	<b>120,780</b>
<b>Associated Movement in Earmarked Reserves</b>	-19,160		7,960					-11,200
<b>Net After Earmarked Reserves</b>	<b>74,690</b>	<b>0</b>	<b>8,340</b>	<b>0</b>	<b>-8,340</b>	<b>34,890</b>	<b>0</b>	<b>109,580</b>

## **LDEVE: Local Development Scheme**

### **Commentary on Substantial Budget Changes**

#### **Supplies & Services:**

The remaining costs that are anticipated to fall in the 2019/20 financial year relate to postage in respect of the final consultation (£1,200) and the production and publication of the final plan document (£10,000).

#### **Support Services:**

There is an increased level of time charged here from the key staff involved in the Local Development Scheme in 2019/20.

#### **Movement in Earmarked Reserve:**

The net costs of the scheme excluding support costs is funded from reserves . It is anticipated that costs in 2019/20 will be less than 2018/19 which means that in 2019/20 less funding is needed from the planning reserve.

6.11 **Cost Centre and Description**    PLANG: Planning Control & Enforcement

The budget shown here relates to the costs associated with the determination of planning applications, pre-application advice and investigation of authorised development. Also shown here is the associated income from charges made under this service. Due to the nature of the service it is difficult to predict accurate income levels from year to year, and therefore past experience in income levels largely forms the basis in establishing the income budgets.

	<b>Original Estimate 2018/19</b>	<b>Savings</b>	<b>Inflation at 3% Pay and 2% Other</b>	<b>Variation to Standard Budgeted Inflation %</b>	<b>Unavoidable Changes to Service Costs</b>	<b>Support Services</b>	<b>Capital</b>	<b>DRAFT Original Estimate 2019/20</b>
<b>Supplies &amp; Services</b>	64,430		1,280	2,340				68,050
<b>Third Party Payments</b>	3,320	-220	60					3,160
<b>Support Services</b>	698,230		0			-41,740		656,490
<b>Depreciation and Impairment</b>	9,530		0				-3,490	6,040
<b>Total Expenditure</b>	<b>775,510</b>	<b>-220</b>	<b>1,340</b>	<b>2,340</b>	<b>0</b>	<b>-41,740</b>	<b>-3,490</b>	<b>733,740</b>
<b>Customer &amp; Client Receipts</b>	-656,050		-13,120	-13,280	-63,080			-745,530
<b>Total Income</b>	<b>-656,050</b>	<b>0</b>	<b>-13,120</b>	<b>-13,280</b>	<b>-63,080</b>	<b>0</b>	<b>0</b>	<b>-745,530</b>
<b>Net Expenditure</b>	<b>119,460</b>	<b>-220</b>	<b>-11,780</b>	<b>-10,940</b>	<b>-63,080</b>	<b>-41,740</b>	<b>-3,490</b>	<b>-11,790</b>

## **PLANG: Planning Control & Enforcement**

### **Commentary on Substantial Budget Changes**

#### **Supplies and Services**

There has been an increase in the estimated cost of statutory notices following a review of actual expenditure at the date of review plus an estimate based on average prior year income brought forward.

#### **Support Services**

Support service departmental recharges have changed following a review of staff time allocations and the departmental restructure decreasing costs in this area

#### **Capital**

In 2019/20, some historical depreciation charges come to an end, whilst new charges are brought in (at a lower value) for the more recent capital works within the capital programme.

#### **Customer & Client Receipts**

The planning fee estimate has been increased for the year based on a three year full year average incorporating the increase to fees of 20% which were introduced in January 2018. This accounts for the variation under 'Unavoidable Changes to Service Costs' shown above. Shown under 'Variation to Standard Budgeted Inflation Percentage' is £13,020, being brought in following a review of pre-application fees and charges for the 2019/20 financial year (as agreed by Committee in November 2018).

6.12 **Cost Centre and Description** PLANP: Planning Policy

The costs shown here are in relation to staff time spent on developing the overall policy framework for improving's housing delivery, employment and the protection and enhancement of the environment of the area.

	Original Estimate 2018/19	Savings	Inflation at 3% Pay and 2% Other	Variation to Standard Budgeted Inflation %	Unavoidable Changes to Service Costs	Support Services	Capital	DRAFT Original Estimate 2019/20
Support Services	105,520		0			1,180		106,700
<b>Total Expenditure</b>	<b>105,520</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,180</b>	<b>0</b>	<b>106,700</b>
<b>Net Expenditure</b>	<b>105,520</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,180</b>	<b>0</b>	<b>106,700</b>

6.13 **Cost Centre and Description** PLSUB: Grants & Subscriptions - Planning

This budget represents the charges that are paid by this committee in relation to the Lancashire Archaeological Advisory Service.

	Original Estimate 2018/19	Savings	Inflation at 3% Pay and 2% Other	Variation to Standard Budgeted Inflation %	Unavoidable Changes to Service Costs	Support Services	Capital	DRAFT Original Estimate 2019/20
Supplies & Services	7,880		160					8,040
<b>Total Expenditure</b>	<b>7,880</b>	<b>0</b>	<b>160</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,040</b>
<b>Net Expenditure</b>	<b>7,880</b>	<b>0</b>	<b>160</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,040</b>

## 7 SUMMARIES

- 7.1 The draft budget is summarised in two ways. One over the cost of the service provided by the committee (objective). The other is over the type of expenditure and income (subjective)

### a) Cost of the service provided by the committee (Objective)

Cost Centre and Description	Original Estimate 2018/19	Savings	Inflation at 3% Pay and 2% Other	Variation to Standard Budgeted Inflation %	Unavoidable Changes to Service Costs	Support Services	Capital	DRAFT Original Estimate 2019/20
AONBS: Area of Outstanding Natural Beauty	16,010		140		-240	-380		15,530
BCFEE: Building Control Fee Earning	-15,020		-3,260	40	20,650	12,880		15,290
BCNON: Building Control Non Fee Earning	58,590		130	40		11,490		70,250
BCSAP: Building Control SAP Fees	-120		-30		1,030	-1,290		-410
CINTR: Clitheroe Integrated Transport Scheme	7,250		0			0		7,250
CONSV: Conservation Areas	9,140		0			-740		8,400
COUNT: Countryside Management	53,130		420		-2,340	780		51,990
ECPLA: Economic Development and Planning Dept	0		19,460	100	295,290	-314,850		0
FPATH: Footpaths & Bridleways	5,850		40		-350	-5,540		0
LDEVE: Local Development Scheme	93,850		380		-8,340	34,890		120,780

**a) Cost of the service provided by the committee (Objective)**

<b>Cost Centre and Description</b>	<b>Original Estimate 2018/19</b>	<b>Savings</b>	<b>Inflation at 3% Pay and 2% Other</b>	<b>Variation to Standard Budgeted Inflation %</b>	<b>Unavoidable Changes to Service Costs</b>	<b>Support Services</b>	<b>Capital</b>	<b>DRAFT Original Estimate 2019/20</b>
PLANG: Planning Control & Enforcement	119,460	-220	-11,780	-10,940	-63,080	-41,740	-3,490	-11,790
PLANP: Planning Policy	105,520		0			1,180		106,700
PLSUB: Grants & Subscriptions - Planning	7,880		160					8,040
<b>Grand Total</b>	<b>461,540</b>	<b>-220</b>	<b>5,660</b>	<b>-10,760</b>	<b>242,620</b>	<b>-303,320</b>	<b>-3,490</b>	<b>392,030</b>
Associated Movement in earmarked reserves	-4,140		8,260		-30,610	0	0	-26,490
<b>Net After Earmarked Reserves</b>	<b>457,400</b>	<b>-220</b>	<b>13,920</b>	<b>-10,760</b>	<b>212,010</b>	<b>-303,320</b>	<b>-3,490</b>	<b>365,540</b>

**b) Type of Expenditure/Income (Subjective)**

	<b>Original Estimate 2018/19</b>	<b>Savings</b>	<b>Inflation at 3% Pay and 2% Other</b>	<b>Variation to Standard Budgeted Inflation %</b>	<b>Unavoidable Changes to Service Costs</b>	<b>Support Services</b>	<b>Capital</b>	<b>DRAFT Original Estimate 2019/20</b>
<b>Employee Related Expenditure</b>	640,420		19,010	100	282,830			942,360
<b>Premises Related Expenditure</b>	11,590		240		-3,030			8,800
<b>Transport Related Expenditure</b>	27,970		550		4,320			32,840
<b>Supplies &amp; Services</b>	131,430		2,610	2,420	-11,140			125,320
<b>Third Party Payments</b>	10,360	-220	200		-240			10,100
<b>Transfer Payments</b>	18,290		0		260			18,550
<b>Support Services</b>	1,271,500		0			35,560		1,307,060
<b>Depreciation and Impairment</b>	10,710		0				-3,490	7,220
<b>Total Expenditure</b>	<b>2,122,270</b>	<b>-220</b>	<b>22,610</b>	<b>2,520</b>	<b>273,000</b>	<b>35,560</b>	<b>-3,490</b>	<b>2,452,250</b>
<b>Other Grants and Contributions</b>	-1,620		0		1,620			0
<b>Customer &amp; Client Receipts</b>	-847,340		-16,950	-13,280	-40,910			-918,480
<b>Departmental Recharges</b>	-802,860		0			-338,880		-1,141,740
<b>Miscellaneous Recharges</b>	-8,910		0		8,910			0
<b>Total Income</b>	<b>-1,660,730</b>	<b>0</b>	<b>-16,950</b>	<b>-13,280</b>	<b>-30,380</b>	<b>-338,880</b>	<b>0</b>	<b>-2,060,220</b>
<b>Net Expenditure</b>	<b>461,540</b>	<b>-220</b>	<b>5,660</b>	<b>-10,760</b>	<b>242,620</b>	<b>-303,320</b>	<b>-3,490</b>	<b>392,030</b>
<b>Associated Movement in Earmarked Reserves</b>	-4,140		8,260		-30,610			-26,490
<b>Net After Earmarked Reserves</b>	<b>457,400</b>	<b>-220</b>	<b>13,920</b>	<b>-10,760</b>	<b>212,010</b>	<b>-303,320</b>	<b>-3,490</b>	<b>365,540</b>

## 8 EARMARKED RESERVES

- 8.1 In the Original Estimate for 2018/19 this committee planned to use a net amount of £4,140 from earmarked reserves to support its net expenditure. Looking forward to 2019/20, the proposal included in the estimates is that this committee will use £26,490 from earmarked reserves.
- 8.2 The table below provides a summary of the DRAFT Original Estimate for 2019/20 together with the budgeted impact on the relevant earmarked reserves. Also detailed is a summary of the reasons for the movements on the earmarked reserves

	<b>DRAFT Original Estimate 2019/20</b>	<b>Reason for Movement on Earmarked Reserve</b>
<b>Committee Net Cost of Services</b>	<b>392,030</b>	
PLBAL/H234: Building Regulation Reserve	-15,290	Any surplus or deficit on the ringfenced fee-earning element of the Building Control service must be set aside in an earmarked reserve. Any surplus can then be used in future years/off-set against past deficits – or likewise any deficit must then be recovered in future years/off-set against past surpluses.  In 2019/20 it is forecast that the service will be in a deficit position, with £15,290 being released from the earmarked reserve to support the service. The forecast deficit position is to be further reviewed by the Corporate Management Team over the coming months.
PLBAL/H336: Planning Reserve Earmarked Reserve	-11,200	The total cost of the Local Development Scheme is to be met from earmarked reserves.  This contribution represents the estimated final contribution from earmarked reserves of £11,200, out of a total of £82,000 which was set aside to fund the Local Development Scheme over a number of years.
<b>Committee Net Cost of Services after Movements on Earmarked Reserves</b>	<b>365,540</b>	

9 KEY VARIATIONS

- 9.1 The net expenditure for this committee has decreased from £457,400 by £91,860 to £365,540 after allowing for associated movements on earmarked reserves. The main reasons for this net decrease are summarised in the table below.

Description	Variance Original Estimate 2018/19 to DRAFT Original Estimate 2019/20
<p><b><u>BCFEE: Building Control Fee Earning</u></b>                      The net position on the building control fee earning service is forecast to move to a deficit position, largely due to falling income and also increased support services included below. This forecast position is supported through movements to or from the building control earmarked reserve.</p> <p>Shown here is the anticipated fall in income levels for the service for 2019/20, compared to the Original Estimate 2018/19</p> <p>The forecast deficit position is to be further reviewed by the Corporate Management Team over the coming months.</p>	20,400
<p><b><u>PLANG: Planning Control &amp; Enforcement</u></b>                      The planning fee estimate has been increased for the year based on applications received to date. Pre-Application advice fees have been increased following this committee's decision on 1st November 2018 to fund an increase in the hours worked of the Pre-Application Advice Officer from 22.5 hours to 37 hours per week</p>	-76,360
<p><b><u>ECPLA: Economic Development and Planning Department</u></b>                      This new department only included costs in respect of the new director at the Original Estimate 2018/19, with staff that were to be moved in to the new department being budgeted for within the departmental structure that was in place at the time of setting the budget.</p> <p>There has been a large move in costs at the Original Estimate 2019/20, with all relevant staff now having been moved from their respective previous departments to this new department. As a result, costs have substantially increased on this cost centre, but have fallen on other departmental codes - which fall under other committees.</p>	314,850
<p><b><u>Support Service Costs</u></b>                      There is a net increase in income under net support service costs - particularly due to the increased income from recharges out of the Economic Development and Planning Department in relation to the increased expenditure detailed above.</p>	-303,320

10 RISK ASSESSMENT

10.1 The approval of this report may have the following implications

- Resources: approval of the original budget for 2019/20 would see a decrease in net expenditure of £69,510 compared with the original budget for 2018/19 or £91,860 after allowing for movements on earmarked reserves.
- Technical, Environmental and Legal: none identified
- Political: none identified
- Reputation: sound financial planning safeguards the reputation of the Council
- Equality and Diversity – Equality and diversity issues are considered in the provision of all Council services.

11 RECOMMENDED THAT COMMITTEE

11.1 Approve the revenue original estimate for 2019/20 and submit this to the Special Policy and Finance Committee.

TEMPORARY SENIOR ACCOUNTANT

DIRECTOR OF RESOURCES

PD3-19/VT/AC  
18 December 2018

For further background information please ask for Valerie Taylor

BACKGROUND PAPERS - None

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No 9

meeting date: 10 JANUARY 2019  
 title: PRE-APPLICATION ADVICE SERVICE – FAST TRACK  
 submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING  
 principal author: JOHN MACHOLC, HEAD OF PLANNING SERVICES

## 1 PURPOSE

1.1 To seek Member approval in relation to the inclusion of Household proposals to the fast track service and the implementation date of the fast track pre-application planning advice service. It is requested that Members confirm that the implementation should have been from 1 November 2018.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives – } To be a well-managed Council, providing efficient services based on identified customer need.
- Corporate Priorities – }
- Other Considerations – None.

## 2 BACKGROUND

2.1 Members will be aware that fees and charges are reviewed on an annual basis as part of the budget setting process where a proposal report was taken to the 1 November 2018 Planning and Development Committee outlining the suggested increase, which took account of the normal 2% inflation increase with other minor changes. One of the changes led to the introduction of a fast track pre-application service which would incur an additional cost of 50% of the normal pre-application charge.

2.2 Since publicity of the fast track service there has been a request from developers to have a fast track service for household enquiries. On the basis of recent requests it is clear that this may be a valuable service and as such I consider the range should be included to incorporate household developments and associated charge should be implemented from the date of the original report.

## 3 ISSUES

3.1 It is important that the Council seek ways of improving the pre-application service. It is considered that the inclusion of a household proposals scheme to the fast track service extends the range of services offered to the users. It is considered that the anticipated demand could be met by the existing resources.

## 4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – No immediate implications.
- Technical, Environmental and Legal – None.

- Political – N/A.
- Reputation – No direct implications.
- Equality & Diversity – No issues.

## **5 RECOMMENDED THAT COMMITTEE**

- 5.1 Approve the inclusion of Household Proposals in the fast track service with the implementation date of 1 November 2018.

JOHN MACHOLC  
HEAD OF PLANNING SERVICES

NICOLA HOPKINS  
DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING

### **BACKGROUND PAPERS**

Committee report – Review of Fees and Charges – 1 November 2018

Committee report – Pre application and Fast track service – 29 November 2018

For further information please ask for John Macholc, extension 4502.



## Appeal Decision

Site visit made on 16 October 2018

**by Felicity Thompson BA(Hons) MCD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 27<sup>th</sup> November 2018**

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**Appeal Ref: APP/T2350/W/18/3206077**

**10 Knowsley Road, Wilpshire, BB1 9PX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr & Mrs Coupland against the decision of Ribble Valley Borough Council.
  - The application Ref 3/2018/0263, dated 22 March 2018, was refused by notice dated 25 May 2018.
  - The development proposed is conversion and extensions to the former care home to create 5 dwellings.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. Since the appeal was submitted the Government has published a new National Planning Policy Framework (the Framework). Both main parties were given an opportunity to comment on any relevant implications for the appeal, and any comments received have been taken into consideration.

### Main Issues

3. The main issues are:
  - the effect on the character and appearance of the area; and
  - the effect on highway safety with particular regard to the loss of the footway to the front of the site and visibility.

### Reasons

#### *Character and appearance*

4. The appeal property is a relatively substantial, two storey, traditional building with some later additions. The property stands alone with car parking to one side and lawn to the other, surrounded by trees at the rear. Immediately in front of the building, is a low stone boundary wall, with a flagged section of pavement beyond, adjacent to the highway. The Council considers the building to be a non-designated heritage asset due to its age. The properties in the surrounding area vary in design and appearance, with bungalows located to the front and rear of the property. Generally the properties in the immediate area

are well spaced with large areas of landscaping surrounding them which gives the area an open and pleasant character.

5. The proposed extensions would be subservient in appearance and incorporate features which reflect those of the original building and in this regard would be straightforward. However, in order for additional car parking to be provided, the proposal would result in the loss of the porch on the front of the original building, along with the stone wall, pavement and areas of soft landscaping. Whilst it appears that the porch was a later addition and notwithstanding the proposed incorporation of the date stone into the main façade, it is an attractive feature and its removal would have an adverse effect on the appearance of the building. Furthermore, the loss of landscaping and existing boundary features, to enable large areas of hard surfacing to be formed for car parking, would have an unacceptable urbanising effect which would cause material harm to the character and appearance of the area.
6. Consequently, for the reasons set out above I conclude that the proposed development would cause harm to the character and appearance of the area contrary to the design and heritage protection aims of Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Borough Council Core Strategy 2008-2028 A Local Plan for Ribble Valley (the Local Plan) and the Framework.

#### *Highway safety*

7. There appears to be dispute between the parties about whether the footpath to the front of the property forms part of the adopted highway. Even if I were to accept the appellants' position, the proposal would result in the whole of the frontage being given over to hard surfacing for car parking, which would result in vehicles being parked in very close proximity to the highway. I consider that this is likely to result in pedestrians having to step into the highway to unload vehicles.
8. Given the absence of turning space on the site, the proposal would result in vehicles either reversing out into the highway or manoeuvring in the highway to reverse onto the site. The constrained nature of the spaces would make reversing out into the highway more difficult because parked vehicles would restrict visibility. Reversing into spaces would present risks associated with performing manoeuvres in the highway. Both scenarios would pose a risk to the safety of users of the highway.
9. At my site visit I had regard to the visibility at both junctions of Clifton Grove with the highway. Visibility from the access north of the appeal site is restricted to the north by the bridge and at the south access, visibility is restricted to the south by an existing boundary. In parking vehicles up to the highway edge, the proposal would result in visibility being restricted in both directions for drivers of vehicles emerging from Clifton Grove to the detriment of highway safety.
10. Furthermore, in order to provide adequate parking spaces, it appears that there would be limited room for the placing of bins on collection days. This could lead to bins being placed on the parking area or in the highway and both scenarios would have the potential to interfere with the flow of traffic in the highway, posing a risk to the safety of users of the highway.
11. I have had regard to the information about vehicle movements associated with the former use as a care home. However, notwithstanding this information the

proposal includes the loss of an existing footway to accommodate additional vehicle parking up to the highway. For the reasons given above, I conclude that the proposed development would have a materially harmful effect on highway safety contrary to Policies DMG1 and DMG3 of the Local Plan.

**Other matters**

12. Whilst I understand the appellants' frustrations, the misgivings expressed about the pre-application advice from Lancashire County Council and the way the Council dealt with the application are separate from the planning merits of the proposed development and have no bearing on the outcome of this appeal.

**Conclusion**

13. For the reasons set out above and having regard to all other matters raised, the appeal is dismissed.

*Felicity Thompson*

INSPECTOR



## Appeal Decision

Site visit made on 20 November 2018

**by Andrew McGlone BSc MCD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 10 December 2018**

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**Appeal Ref: APP/T2350/W/18/3209520**

**Croftlands, Broad Meadow, Chipping PR3 2GH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms J and I Seed against the decision of Ribble Valley Borough Council.
  - The application Ref 3/2018/0303, dated 4 April 2018, was refused by notice dated 21 June 2018.
  - The development proposed is the erection of four dwellings (three net new dwellings).
- 

### Decision

1. The appeal is dismissed.

### Application for costs

2. An application for costs was made by Ms J and I Seed against Ribble Valley Borough Council. This application is the subject of a separate Decision.

### Procedural Matters

3. The description of development in the heading has been taken from the planning application form. Part E of the appeal form states that the description of development has not changed even though a different description of development is set out on the Decision Notice. I have considered the appeal on this basis.
4. Due to the position advanced by the Council in their Appeal Statement, and as a result of the Council publishing its revised Housing Land Availability Study, I provided the appellant with an opportunity to comment on the Council's revised position that they could now demonstrate a five year supply of deliverable housing sites as required by paragraph 73 of the National Planning Policy Framework (the Framework). I have had regard to the parties' submissions in reaching my findings.

### Main Issues

5. The main issues are: (i) whether the development would accord with development plan policies relating to the location of development in the Borough; (ii) the effect of the proposed development on the character and appearance of The Forest of Bowland, an Area of Outstanding Natural Beauty (AONB); and (iii) whether occupants of the proposed development would have reasonable access to services and facilities.

## Reasons

### *Location of development*

6. Chipping is identified in Key Statement DS1 of the Core Strategy 2008 – 2028 A Local Plan for Ribble Valley (Local Plan) as a Tier 2 Village settlement. The settlement boundary for Chipping is currently set by the now superseded Districtwide Local Plan (1998- 2014). Only part of plot 4 of the appeal scheme would be within the settlement boundary of Chipping. The rest of the appeal scheme would be in the open countryside. I note the emerging Housing and Economic Development - Development Plan Document (HEDDPD) proposes changes to the existing settlement boundary to reflect housing commitments and development which has taken place since the adoption of the current settlement boundary in 1998. The effect of the change, if found 'sound' would mean that plot 4, and part of plot 3 would be within the settlement boundary. However, the HEDDPD is not yet the settlement boundary of Chipping.
7. Key Statement DS1 states that development will need to meet proven local needs or deliver regeneration benefits. Local Plan Policy DMG2 says that within the Tier 2 Villages and outside the defined settlement areas development must meet at least one of the considerations listed. The proposal would not fulfil any. As the majority of the site is in the open countryside and the AONB, Local Plan Policy DMH3 states that development will be limited to: development essential for the purposes of agriculture or residential development which meets an identified local need. The proposal is not for the purposes of agriculture nor is it for an identified local need.
8. However, planning permission has been granted for three dwellings (Ref: 3/2013/0571). Two of the approved dwellings are outside the appeal site, and the settlement boundary. Both dwellings are nearing completion. The slab and footings of the third dwellings are in situ within the appeal site, and outside the settlement boundary. The appeal scheme, if allowed, would mean that the third dwelling would not be implemented, as the proposed layout would supersede the extant layout in terms of the siting and layout of plot 4 and the vehicular access from Broad Meadow. I accept that planning permission has been granted for a dwelling outside the settlement boundary roughly in the location of plot 4, and that the proposal would lead to a similar conflict with the Council's development strategy if the extant planning permission was built out. However, the two schemes are fundamentally different in terms of the quantum of houses proposed, their position, design and layout.
9. I conclude, on this issue, that the extent planning permission does not justify or outweigh the conflict that the proposal would cause as a result of it not being in accordance with development plan policies relating to the location of development in the Borough. Thus, the proposal would conflict with Local Plan Key Statement DS1 and Local Plan Policies DMG2 and DMH3.

### *The Forest of Bowland AONB*

10. Key Statement EN2 confirms that the landscape and character of the Forest of Bowland AONB will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area. The Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials. Local Plan Policies DMG1 and DMG2 seek a

- high standard of building design that is in keeping with the character and appearance of the landscape and its special qualities, having regard to the economic and social well-being of the area.
11. I note the Council's view about the proposal's effect on the AONB is not supported by an objection from the AONB unit. However, in any event, Framework paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and AONB, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas. Moreover it says that the scale and extent of development within these areas should be limited.
  12. Chipping is washed over by the AONB which has a strong local distinctiveness, formed by its large-scale open moorland character of the Bowland Fells, traditional buildings and settlement patterns of villages, hamlets and farmsteads. Natural and cultural heritage in the AONB is sympathetically managed. This contributes to a sustainable and vibrant local economy.
  13. The appeal site is at the edge of the nucleated settlement of Chipping. A mixture of trees, shrubs and hedgerows bound the site on three sides, with intermittent gaps on the north and west boundaries. Public right of way No 96 extends along the site's eastern boundary, linking Broad Meadow to an open rural landscape and the grassy hillside of Parlick in the distance. Thus, the site forms a transition between the built form of Chipping and the rural landscape.
  14. Each of the proposed dwellings would be two storeys high and face inwards towards a small cul-de-sac. Plots 1 and 2 would be linked by single storey garages. Plot 3 would have a four bay car port to the south, while plot 4 would be to the west of Croftlands. Garages and carports could allow vehicles to be hidden from view, but future occupants could not be forced to use them to park their vehicles. The proposed dwellings would be of a high-quality design and they would be constructed using traditional building techniques and appropriate materials. Collectively, however, they would introduce a suburban pattern of development of a scale and mass that would not respond to the visual openness of the site and its surroundings. Large curtilages associated with each dwelling and large areas of hardstanding would further affect this. While each dwelling would offer a spacious environment, the removal of permitted development rights would only mitigate the effect of domestic paraphernalia so far. Domestic items such as washing lines, children's play equipment and BBQ's would be inevitable and lead to a suburban character which would be harmful to the landscape and character of the Forest of Bowland AONB.
  15. Balanced against this is the introduction of new tree and hedgerow on the northern boundary which would increase the ecological value of the land holding by 100%; and the lack of any unacceptable ecological impacts. Thus, the proposal would enhance the immediate setting of the site, and contribute to conserving and enhancing the natural beauty of the AONB.
  16. Notwithstanding this, the extant planning permission for the part of the site and the nearby dwellings, the appeal scheme, on the whole, would not protect, conserve or enhance the AONB as the additional dwellings proposed would harm the transition from the settlement to the open rural landscape. I therefore conclude, on this issue, that the proposed development would have a significant effect on the character and appearance of The Forest of Bowland

AONB. As a result, the proposal would conflict with Local Plan Key Statement EN2, Local Plan Policies DMG1 and DMG2, and Framework paragraphs 170 and 172; which jointly, attach great weight to conserving and enhancing landscape and scenic beauty in the AONB with high-quality development that is in keeping with the character of the landscape, and reflects local distinctiveness, vernacular style and scale.

### *Services and Facilities*

17. The appeal scheme would be situated just beyond the head of Broad Meadow, a cul-de-sac serving residential properties. The road has a lit pedestrian footway along the western side of the carriageway leading down to Club Lane which offers a lit vehicular and pedestrian route into the centre of the village and the services and facilities that Chipping has to offer.
18. According to the appellant's evidence, based on the Chartered Institution for Highways and Transportation document entitled 'Providing for Journeys on Foot', future occupants would be able to access the range of services and facilities in Chipping on foot within the 'Preferred Maximum' in each case, with the majority falling within the 'Acceptable' and 'Desirable' criteria. The development would not therefore be isolated, and future occupants of the dwellings would be able to walk to services and facilities in the village, thereby supporting the local economy. While this does not mean that future occupants would not use a private car, they would not be wholly reliant on one to serve their everyday needs. There would also no adverse effects to highway safety.
19. I conclude, on this issue, that the proposed development would accord with Local Plan Key Statement DMI2 and Local Plan Policy DMG3; which jointly, seek to minimise the need to travel, incorporate good access by foot and cycle and have convenient links to public transport to reduce the need for travel by private car. The Council cite Local Plan Policy DMG2 on this issue, but it is not relevant to this issue.

### **Conclusion**

20. In commenting on the Council's revised position, it is the appellant's view that the Council cannot demonstrate a five year supply of deliverable housing sites. The appellant's stance calls into question a number of sites which contribute to the Council's stated supply; the removal of a 10% slippage allowance; and the use of a 5% buffer and not a 20% buffer that was applied in the Longridge appeal decision<sup>1</sup> in May 2018.
21. Even if I were to conclude there is a shortfall in the five-year housing land supply on the scale suggested by the appellant, having regard to Framework paragraph 11 d) i and footnote 6, the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed regardless of the scheme's benefits from the provision of additional housing.
22. For the reasons set out above, I conclude that the appeal should be dismissed.

*Andrew McGlone*

INSPECTOR

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<sup>1</sup> Appeal Decision Ref: APP/T2350/W/17/3186969



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## Costs Decision

Site visit made on 20 November 2018

**by Andrew McGlone BSc MCD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 10 December 2018**

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### **Costs application in relation to Appeal Ref: APP/T2350/W/18/3209520 Croftlands, Broad Meadow, Chipping PR3 2GH**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Ms J and I Seed for a partial award of costs against Ribble Valley Borough Council.
  - The appeal was against the refusal of planning permission for the erection of four dwellings (three net new dwellings).
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### **Decision**

1. The application for an award of costs is allowed in the terms set out below.

### **Reasons**

2. The Planning Practice Guidance (the Guidance) explains that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. To be successful, an application for costs needs to clearly demonstrate how any alleged unreasonable behaviour has resulted in unnecessary or wasted expense in order to be successful. Parties in the appeal process are normally expected to meet their own expenses.
3. The Guidance sets out examples of unreasonable behaviour which may lead to a substantive award against a local planning authority<sup>1</sup>. Having regard to this, the applicant considers that the Council has acted contrary to, or not followed, well-established case law; not determined similar cases in a consistent manner; and made vague, generalised or inaccurate assertions about a proposal's impact, which are unsupported by any objective analysis.
4. A response from the Council was made in writing, which the applicant has responded to. I have had regard to these submissions in reaching my findings.
5. The Council's position in respect of whether it could demonstrate a five-year supply of deliverable housing sites at the time when the planning application was determined was not set out within the Officer's Report. This was very surprising given the findings of the Longridge appeal decision<sup>2</sup> which was issued roughly a month before the Council reached their decision on the planning application. The Longridge decision explored in some detail whether or not the Council could demonstrate a five-year supply of deliverable housing

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<sup>1</sup> Planning Practice Guidance, Paragraph: 049 Reference ID: 16-049-20140306

<sup>2</sup> Appeal Decision Ref: APP/T2350/W/17/3186969

- sites. While the Council disagrees with the findings of that decision, no alternative evidence was presented as part of the Officer's Report. Nor was the appeal decision subject of judicial review. The findings of the Longridge decision should have been considered in reaching a view on the development proposed at the appeal site. Logically, this would have taken the Council to paragraph 14 of the now replaced National Planning Policy Framework (the Framework). Nevertheless, I agree with the Council that the outcome of the planning application may not have changed given their stance about the proposal's effect on the Forest of Bowland Area of Outstanding Natural Beauty (AONB). This meant that there were specific policies in the Framework that indicated development should be restricted.
6. I understand the applicant's frustration with the Council in this respect, especially as it is the Council's role to determine the planning application in accordance with the development plan, planning law and guidance. However, the Guidance is clear that costs may not be awarded for the period during the determination of the planning application. If the applicant is unhappy with the Council's approach, then this should be raised directly with the Council in the first instance.
  7. Costs can be awarded in relation to unnecessary or wasted expense at the appeal, but the Council set out a revised position in their Appeal Statement. They accepted that they could not demonstrate a five-year supply of deliverable housing sites. Sufficient explanation has also been forthcoming about the proposal's impact on the AONB. Hence, even if I determined that a five-year supply of deliverable housing sites could not be demonstrated, and the relevant development plan policies were out-of-date, the Council's stance in respect of paragraph 11 of the revised National Planning Policy Framework was reasonable, given footnote 6.
  8. It is also important to recognise that the Council did respond to a further change of circumstances following the publication of the Council's revised Housing Land Availability Study. In short, the Council's position when I determined the appeal was that they could demonstrate a five-year supply of deliverable housing sites. Notwithstanding the merits of this, it simply underlines the moveable nature of this form of evidence.
  9. The appeal scheme was a standalone development proposal, even though there was some overlap with an earlier planning permission<sup>3</sup> granted by the Council. As the applicant accepts, the appeal scheme brings its own considerations, and it is for the decision-maker to consider those. The second reason for refusing planning permission related to the ability of future occupants to access local services and facilities without placing further reliance on the private vehicle. Even though there have been subsequent changes to development plan policies, there was little or no analysis from the Council on what services and facilities future occupants could access on foot or by other modes of transport.
  10. I found in the applicant's favour on this issue based on future occupant's ability to walk to the facilities and services in Chipping using lit footways. The Council did not set out or explain the effect of the development in terms of the day-to-day experience of future occupants. Added to this, no such concerns were raised when planning permission was granted in 2013 for three dwellings. One of these dwellings was within the same site edged red, while the other two

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<sup>3</sup> Ref: 2/2013/0571

were next to it. I acknowledge that the two schemes do have their differences, but they are located immediately next to one another. Also, the Council did not explain whether there had been any changes to the range of local services and facilities in Chipping or how future occupants may access them. Thus, the Council made vague, generalised and inaccurate assertions about the proposal's impact which are unsupported by any objective analysis.

11. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Guidance, has been demonstrated and that a partial award of costs is justified in respect of the ability of future occupants to access local services and facilities.

### **Costs Order**

12. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Ribble Valley Borough Council shall pay to Ms J and I Seed, the costs of the appeal proceedings described in the heading of this decision; such costs to be assessed in the Senior Courts Costs Office if not agreed.
13. The applicant is now invited to submit to Ribble Valley Borough Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

*Andrew McGlone*

INSPECTOR



## Appeal Decision

Site visit made on 20 November 2018

by **Andrew McGlone BSc MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 December 2018

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**Appeal Ref: APP/T2350/W/18/3210850**

**Wiswell Brook Farm, Moor Side Lane, Wiswell BB7 9DB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr Steven Smith against the decision of Ribble Valley Borough Council.
  - The application Ref 3/2018/0537, dated 7 June 2018, was refused by notice dated 3 August 2018.
  - The development proposed is the erection of 1no. self-build dwelling and associated work.
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### Decision

1. The appeal is dismissed.

### Application for costs

2. An application for costs was made by Mr Steven Smith against Ribble Valley Borough Council. This application is the subject of a separate Decision.

### Procedural Matters

3. The application was submitted in outline with all matters reserved for future consideration, except for access. Indicative plans have been submitted. These have formed part of my consideration of this appeal.
4. The Council, following the publication of its revised Housing Land Availability Study changed its position in respect of being able to demonstrate a five year supply of deliverable housing sites as required by paragraph 73 of the National Planning Policy Framework (the Framework). As a result, I provided the appellant with an opportunity to comment on the Council's revised position. I have had regard to the parties' evidence in reaching my findings.

### Main Issues

5. The main issues are: (i) whether the development would accord with development plan policies relating to the location of development in the Borough; and (ii) whether future occupants of the proposed development would have reasonable access to services and facilities.

### Reasons

6. The appeal site is a plot of greenfield land located off Moor Side Lane. The southern part of the site is within the defined settlement boundary of Wiswell, but the rest is outside the current settlement boundary, and in the open

countryside. Until the Housing and Economic Development - Development Plan Document is found 'sound' and adopted, the settlement boundary for Wiswell is that shown on the Proposals Map published with the now replaced Districtwide Local Plan. I do, however, understand that no changes are proposed to the established settlement boundary. Wiswell is a Tier 2 Village settlement in Key Statement DS1 of the Core Strategy 2008 – 2028 A Local Plan for Ribble Valley (Local Plan). Moor Side Lane and public right of way No 11 gradually rise up from Pendleton Road. Detached residential dwellings in large landscaped plots are either side of the lane. Between the site and Wiswell Brook Farm is a public right of way (No. 15). Moorside and 14 and 16 Leys Close adjoin the site.

#### *Location of development*

7. Local Plan Key Statement DS1 states that development will need to meet proven local needs or deliver regeneration benefits. It continues by saying that development that is for identified local needs or satisfies neighbourhood planning legislation will be considered in all the borough's settlements, including small-scale development in the smaller settlements that are appropriate for consolidation and expansion or rounding-off of the built up area. Local Plan Policy DMG2 explains that within the Tier 2 Villages and outside the defined settlement areas development must meet at least one of the considerations listed. Policy DMH3 reflects the approach of Policy DMG2.
8. The parties' dispute focusses on whether the development would be local needs housing. The Glossary in the Local Plan defines this as housing developed to meet the needs of existing and concealed households living within the parish and surrounding parishes which is evidenced by the Housing Needs Survey for the parish, the Housing Waiting List and the Strategic Housing Market Assessment. I am informed by the Council that there is no Housing Waiting List for Wiswell, but having regard to the other two documents the proposal does not accord with the Local Plan's definition. I shall consider the merits of a self-build dwelling later in my decision, but the appellant does not dispute the Council's view that the scheme would not deliver regeneration benefits.
9. It is, however, reasonable to assess whether harm would arise from a dwelling being built on the site in this location. The site is sandwiched between existing residential development and the lane. These, along with variable ground levels and vegetation distinguish the physical extent of the site, and significantly constrain its visual contribution to the open countryside. The proposal would be an infill development. There is also no reason for me to believe, as all other matters are reserved for future consideration, that the dwelling could not be designed and sited to respond to the character and appearance of the area, whilst maintaining the leafy context that characterises the site's vicinity. In this regard, the proposal would not conflict with the Council's aim to protect the open countryside from sporadic or visually harmful development.
10. I conclude, however, that the appeal scheme would conflict with Key Statement DS1, DMG2 and DMH3, which set out the Council's approach to the location of development in the Borough. The Council cite Key Statement DS2 in relation to this issue. I shall turn to this later in my decision.

#### *Services and Facilities*

11. The village lies between two of the Borough's three Principal Settlements of Whalley and Clitheroe. Both offer a range of services and facilities, unlike

Wiswell which offers a limited range of services and facilities for everyday needs. Future occupants would need to travel further afield regularly. However, this reflects the existing situation for neighbouring residents, and more generally for the population of Wiswell. Framework paragraph 103 states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.

12. Car journeys to and from the village to Clitheroe and Whalley would use Wiswell Shay and Whiteacre Lane. Both offer convenient routes. The site is accessed using a narrow tarmacked lane. This would offer a safe and convenient access route with reasonable visibility splays at the lane's junction with Pendleton Road. Planning conditions could also be used to ensure vehicles enter and leave the site in forward gear given the limitations of the lane.
13. Although the lane is a public footpath, it is not lit and its gradient would mean that journeys made on foot and by bicycle would not be suitable for every potential future occupant. The nearest bus stop is around a mile away, albeit school bus services stop centrally within the village. Future occupant's journeys to and from the bus stop would be along an un-lit lane with no footway. I recognise that roads nearby do not have footways and there are no records of accidents, but journeys outside of the village would be especially unattractive during the hours of darkness or during inclement weather. Hence, despite the site's proximity to the public right of way network and the Southern Loop Cycle Route (Lancashire Cycleway Route 91), the proposed development would not minimise the need to travel; offer choice for people to walk and cycle; or provide convenient links to public transport. Future occupants would be heavily reliant on journeys by private car.
14. Notwithstanding the site's location, I conclude, on this issue, that future occupants of the proposed development would not have reasonable access to services and facilities. The proposal would not accord with Local Plan Key Statement DMI2 and Local Plan Policy DMG3; which jointly, seek to minimise the need to travel, incorporate good access by foot and cycle and have convenient links to public transport to reduce the need for travel by private car.
15. The Council refer to Local Plan Policy DMG2 on this issue, but it is not relevant to the consideration of travel and accessibility to services and facilities.

### **Planning Balance**

16. Notwithstanding whether the Council can demonstrate a five year supply of deliverable housing sites, it is the appellant's position that the Local Plan is silent in terms of the provision of self-build housing. The term 'silent' is not defined, but the Local Plan is not silent on the Council's approach for development proposals for housing in the Borough, particularly in relation to their location. Hence, the Local Plan contains a body of policy relevant to the proposal at hand to enable the scheme to be judged against.
17. However, subsequent changes to national policy and guidance together with The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) 'the Act' do in my view, regardless of the Council's position in respect of housing supply, mean that the development plan policies cited in respect of the appeal scheme are out-of-date as they are based on delivering housing across the Borough in certain locations and where they meet at least one of several considerations.

18. In these circumstances, for decision-taking, Framework paragraph 11 d) states that: where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. Local Plan Key Statement DS2 takes a similar approach in setting out that the Council will grant permission in such circumstances unless material considerations indicate otherwise.
19. The Act requires local planning authorities to establish local registers of custom-builders who wish to acquire suitable land to build their own home. Local authorities need to have regard to the demand on their local register and give enough suitable development permissions to meet the identified demand when exercising their planning and other relevant functions. Framework paragraph 61 says that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. This includes people wishing to commission or build their own homes. Such housing can be either market or affordable housing.
20. The appellant lives in Wiswell directly next to the site. The Council confirm that the appellant has been on the local authority's self-build register since 10 November 2017. The Act is not explicit in terms of the requirement to meet demand in areas, settlements or locations whereby demand is registered, but there is a need for authorities to permission an equivalent number of plots of land, which are suitable for self-build and custom housebuilding, as there are entries for that base period. The first base period ended on 30 October 2016, with each subsequent base period being the period of 12 months beginning immediately after the end of the previous base period. I do not have details of whether other people are on the self-build register, but the Council does have some time yet to grant permission to specifically meet the identified demand confirmed by the appellant's entry on the register.
21. The appeal scheme would be a windfall development that would contribute to meeting the Borough's housing requirement. There is also no ceiling on the provision of housing, and the scheme could, pending a grant of reserved matters be built-out relatively quickly. Furthermore, the proposal would support the appellant's wish to commission or build their own home on a site physically well-related to Wiswell, and the dwelling could be suitably design so that it would be sensitive to its surroundings and the intrinsic character and beauty of the countryside. While the scale of the proposal is modest, I give the housing provision moderate positive weight due to the Framework's objective of significantly boosting the supply of homes where it is needed, and as the scheme would specifically address the self-build requirement of the appellant.
22. Limited positive benefits would also stem from the proposal which would contribute to the economic, social and environmental objectives through the provision of jobs and spending during the construction phase; spending in the local economy by future occupants; the efficient use of land; the protection of the natural environment; and the provision of car parking and access.
23. The scheme would not have an unacceptable impact on local roads, and the public footpaths would remain available for use. However, the scheme would lead to issues in terms of access on foot, by cycle or by public transport. There would also be a high reliance on the private car. Framework paragraph 84 states that planning policies and decisions should recognise that sites to meet

local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. Even so, I attach significant negative weight to the social and environmental objectives as a result of my findings in the second main issue. The proposal's location would cause limited harm, albeit the effect on the countryside would carry a neutral weight in the planning balance.

### **Conclusion**

24. I have concluded in my main issues that the proposal would be contrary to Local Plan Key Statements DS1 and DMI2 and Local Plan Policies DMG2, DMG3 and DMH3. Limited and significant harm would stem from these conflicts respectively. Balanced against this is the scheme's contribution to the supply of housing, and the provision of a self-built plot to which I have given moderate weight, and the other considerations which carry limited weight.
25. I therefore consider that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. Thus, in applying Local Plan Key Statement DS2 and Framework paragraph 11(d) ii, planning permission should not be granted and the proposal would not represent sustainable development.
26. For the reasons set out above, I conclude that the appeal should be dismissed.

*Andrew McGlone*

INSPECTOR



## Costs Decision

Site visit made on 20 November 2018

**by Andrew McGlone BSc MCD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 10 December 2018**

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### **Costs application in relation to Appeal Ref: APP/T2350/W/18/3210850 Wiswell Brook Farm, Moorside Lane, Wiswell BB7 9DB**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Mr and Mrs Smith for a full award of costs against Ribble Valley Borough Council.
  - The appeal was against the refusal of outline planning permission for the erection of 1no. self-build dwelling and associated work.
- 

### **Decision**

1. The application for an award of costs is refused.

### **Reasons**

2. The Planning Practice Guidance (the Guidance) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. To be successful, an application for costs needs to clearly demonstrate how any alleged unreasonable behaviour has resulted in unnecessary or wasted expense in order to be successful. Parties in the appeal process are normally expected to meet their own expenses.
3. The Guidance (Reference ID: 16-049-20140306) states the local planning authorities are at risk of an award of costs if they behave unreasonably with respect to the substance of matter under appeal, for example by: preventing or delaying development which should clearly be permitted having regard to the development plan, national policy and any other material considerations; and failing to produce evidence to substantiate each reason for refusal on appeal.
4. The Council have responded in writing to the applicant's application. I have had regard to their response and the applicant's subsequent comments.
5. The applicants expressed a view that the development plan is silent in respect of self-built development proposals. While I did not agree with the applicants view, this did not change the need to consider the appeal scheme under the premises of paragraph 11 d) of the National Planning Policy Framework given that the development plan policies most important for determining the proposal were out-of-date for decision-making purposes.
6. It was clear from the Council's evidence that they understood that the appeal site is split across the settlement boundary for Wiswell and the open countryside. The Council could have more clearly set out the harm that would

actually be caused to the countryside as result from the proposal straddling the settlement boundary. Nevertheless, the development plan sets out a closed list of circumstances where new development would be appropriate regardless of whether the site is inside or outside of the settlement boundary. The appeal scheme did not, based on the definition of local needs housing, accord with any of the circumstances listed. The Council was therefore correct in their assessment that the scheme would conflict with the development plan, and they have substantiated their stance, albeit it could have been more thoroughly explored. This, however, has not resulted in unreasonable behaviour as the outcome of the appeal centred on the application of the tilted balance.

7. In terms of the second reason for refusing planning permission, I arrived at a view, based on the evidence before me from both parties' together with my own observations of the site and its surroundings, about future occupants ability to access services and facilities. I found that the Council's evidence on this matter was fairly limited in terms of the analysis, but it was unequivocally clear what their stance was in terms of the site's location and the ability of occupants to walk to services and facilities. While walking is only one aspect of how people travel, and the Framework sets out in paragraph 103 that rural and urban areas can be treated differently in terms of travel, the Council was correct with their assessment.
8. Although the Council did not agree with the weight to be attached to the benefit of a self-build dwelling, this does not mean, in the context of balancing the positives and negatives of the appeal scheme that they have acted unreasonably. The decision-maker is entitled to arrive at their own view and I consider that the Council have exercised their judgement in this case. While the applicants disagrees with a number of the Council's judgements, this does not mean that planning permission should clearly be permitted having regard to the development plan, national policy and any other material considerations; that the Council has not substantiation their case; or that unnecessary or wasted expense has been incurred.

### **Conclusion**

9. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

*Andrew McGlone*

INSPECTOR