

RIBBLE VALLEY BOROUGH COUNCIL

please ask for: OLWEN HEAP
direct line: 01200 414408
e-mail: olwen.heap@ribblevalley.gov.uk
my ref: OH/EL
your ref:
date: 17 June 2019

Council Offices
Church Walk
CLITHEROE
Lancashire BB7 2RA

Switchboard: 01200 425111
Fax: 01200 414488
www.ribblevalley.gov.uk

**Please note earlier start time
of 6pm**

Dear Councillor

The next meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** is at **6pm** on **THURSDAY, 27 JUNE 2019** at the **TOWN HALL, CHURCH STREET, CLITHEROE.**

I do hope you can be there.

Yours sincerely

CHIEF EXECUTIVE

To: Committee Members (copy for information to all other Members of the Council)
Directors
Press
Parish Councils (copy for information)

AGENDA

Part I – items of business to be discussed in public

1. Apologies for absence.
- ✓ 2. To approve the minutes of the meetings held on 30 May 2019 – copy enclosed.
3. Declarations of Pecuniary and Non-Pecuniary Interests (if any).
4. Public Participation (if any).
5. Briefing Session on the Local Development Plan.

DECISION ITEMS

- ✓ 6. Planning Applications – report of Director of Economic Development and Planning – copy enclosed.
- ✓ 7. Approval of Validation Criteria – report of Director of Economic Development and Planning – copy enclosed.

INFORMATION ITEMS

✓ 8. Appeals:

- a) 3/2018/0651 – Proposed new dwelling at land adjacent Glenetta, Parsonage Road, Wilpshire – appeal dismissed.

Part II - items of business **not** to be discussed in public

DECISION ITEMS

None.

INFORMATION ITEMS

None.

INDEX OF APPLICATIONS BEING CONSIDERED						
MEETING DATE: 27 JUNE 2019						
	Application No:	Page:		Officer:	Recommendation:	Site:
A	APPLICATIONS REFERRED BACK TO COMMITTEE FOR APPROPRIATE CONDITIONS:					
					NONE	
B	APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR APPROVAL:					
	3/2018/1133	1		RM	AC	New Garage Milton Road, Whalley
	3/2019/0293	15		AB	AC	Mill Farm Waddington
C	APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR REFUSAL:					
					NONE	
D	APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING BEING SATISFACTORILY COMPLETED					
	3/2019/0388	25		JM	DEFER	Primrose Lodge Clitheroe
	3/2019/0786	33		JM	DEFER	Dog & Partridge Chipping
E	APPLICATIONS IN 'OTHER' CATEGORIES:					
					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 6

meeting date: THURSDAY, 27 JUNE 2019
title: PLANNING APPLICATIONS
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

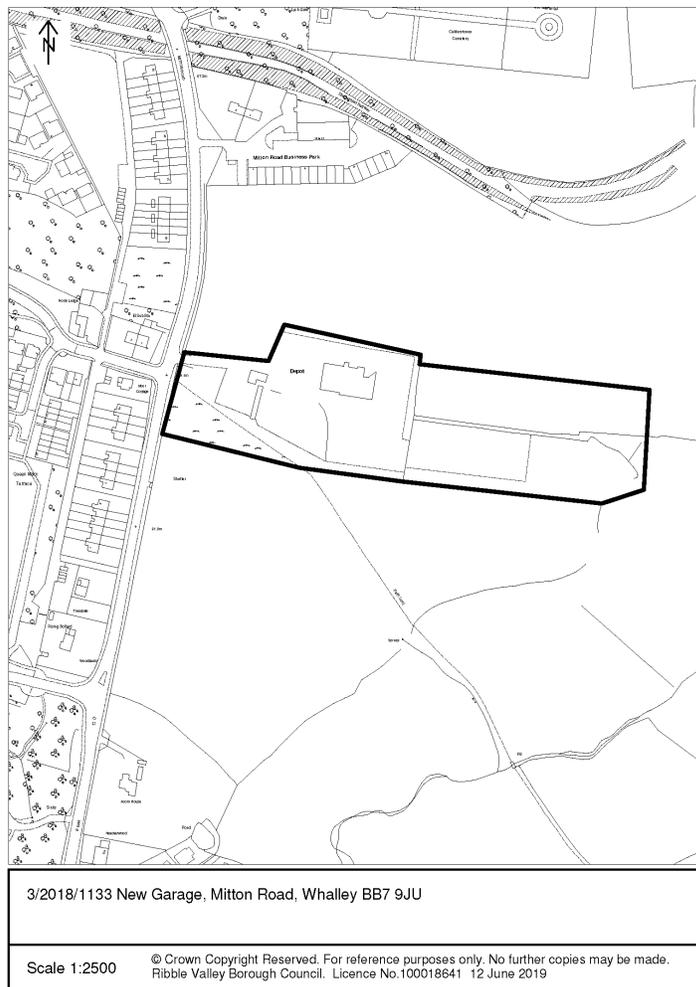
PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION REF: 3/2018/1133

GRID REF: SD 372727 437334

DEVELOPMENT DESCRIPTION:

CHANGE OF USE OF SITE FROM HAULAGE YARD (SUI GENERIS USE) TO AN AUCTION STORAGE AND DISTRIBUTION SITE (B8 USE) INCLUDING EXTENSION OF STORAGE USE INTO ADJACENT LAND AND CREATION OF ADDITIONAL HARDSTANDING AREAS, AND THE ERECTION OF A NEW STORAGE BUILDING FOLLOWING THE DEMOLITION OF AN EXISTING BUILDING ON SITE AT NEW GARAGE, MITTON ROAD, WHALLEY



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

No comments received

LCC HIGHWAYS:

No objection subject to a swept path analysis demonstrating that a 6-axle Articulated Heavy goods Vehicle can enter and leave the site in both directions, potentially requiring the widening of the access point.

There is a public right of way running through a section of the site and details of how this is to be accommodated are required.

LCC RIGHTS OF WAY OFFICER:

No comments received

ENVIRONMENT AGENCY:

No objection subject to a condition requiring a remediation strategy be provided in respect of contaminated land on the site.

LEAD LOCAL FLOOD AUTHORITY:

No objection subject to conditions

UNITED UTILITIES:

No objection subject to conditions

ADDITIONAL REPRESENTATIONS:

No representations have been received.

1. **Site Description and Surrounding Area**

1.1 The application relates to a commercial site known as “New Garage” on Mitton Road, situated between the defined settlement boundaries of Whalley and Calderstones, therefore within the open countryside.

1.2 The site measures approximately 21,000sqm and has a long established commercial use, having previously been a haulage yard for the storage of vehicles, containers and a plant hire business (Sui Generis use). More recently, since approximately 2017, the site has been used by the applicant as a storage and distribution yard for an online auction company (B8 use). The applicant’s business is Gateway Auctions, which had previously operated at Gisburn Auction Mart, however the business outgrew this site and therefore re-located to the application site. The business operates as an online auctioneers, selling a wide range of items, although mainly large machinery/vehicles and equipment, hence the need for a large site. All auctions are online, however potential buyers may visit the site to view items prior to purchase, however sales are made to buyers across the

country, as well as internationally, and therefore visits to the site are not frequent. Once sold items are generally distributed to the buyer, as opposed to collected.

- 1.3 The site consists of a an office building set back approximately 50m from the highway of Mitton Road, and to the rear of this an industrial style building measuring 648sqm. The majority of the site is hardsurfaced, however there are some landscaped/grass areas, including trees and hedges.
- 1.4 To the north of the site is the Genus Industrial Site, which is currently being extended southward so that it will adjoin part of the northern boundary of the application site. To the south and east are open fields and to the west, on the opposite side of Mitton Road, are the residential properties fronting Mitton Road and beyond these is the Calderstones Estate.
- 1.5 The existing 700m perimeter of the site is defined by a 2m high palisade fence that was approved under planning application 3/2017/0329, as well as some natural screening provided by trees and hedging. A Public Right of Way (3-45-FP-9) runs through a section of the site and this is fenced on both sides so as to prevent unauthorised access into the storage yard from the right of way.

2. Proposed Development for which consent is sought

- 2.1 The application seeks consent to regularise the change of use of land from a haulage yard (Sui Generis) to an auction storage and distribution centre (B8). The storage and distribution use has been operating from this site since approximately 2017 and therefore this part of the development is retrospective.
- 2.2 The application also proposes to demolish the existing (648sqm) industrial building, and replace it with two larger industrial buildings. The proposed buildings would adjoin each other and have a total/cumulative floor area of 1620sqm. The buildings would be constructed as two units due to a slight variation in land levels meaning the finish floor level of one building would be 500mm higher than the finish floor level of the other. Both buildings would be identical in size and design, measuring 45m x 18m with a pitched roof design that measures 4.6m high to the eaves and 7.2m high to the ridge.
- 2.3 Internally, each building would be split in to two units (resulting in a total of four units), with one of this units having a mezzanine floor. Each of the four units would have two pedestrian and two larger industrial style roller shutter doors. In terms of external appearance the buildings would have a concrete block lower plinth with stained timber boarding above to replicate the adjacent units on the Genus Site, with a cement fibre sheet roof.
- 2.4 The proposed units would all be used in conjunction with the applicant's auction business and will be used to store good/equipment, as well as allowing some general maintenance works to be undertaken as/when required. As mentioned earlier the applicant's business auctions large goods (vehicles and machinery) and therefore the buildings are required to store items which should not be left outside.
- 2.5 The application also seeks consent to increase the external yard areas of the site. This would involve the hardsurfacing of existing areas within the application site, mainly at the front (west) and at the rear (east), as well as expanding into part of the adjacent field. The expansion into the part of the adjacent field would result in the application site increasing in area to approximately 28,000sqm (7,000sqm increase) and would involve

the repositioning of the boundary fence to enclose the new area of yard. The application is accompanied by a landscape plan showing the landscape areas (grass/trees) which are to be retained, as well as new planting in order to compensate for the new areas of hardsurfacing.

- 2.6 The submission states that the business seeks to operate the same hours as the adjacent Genus Industrial Site (08:00 – 18:00 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sunday and Bank Holidays).

3. **Relevant Planning History**

3/2017/0329- *Erection of 2m high palisade security fencing to perimeter of site - approved*

3/2012/0884 - *Additional use of commercial vehicle parking area for parking caravans and plant hire storage – approved*

3/2008/0243 - *Change of use of part of lorry park to coach depot, siting of portacabin and erection of containers to store vehicle washing equipment - approved*

4. Relevant Policies

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy
Key Statement DS2 – Sustainable Development
Key Statement DMI2 – Transport Considerations
Key Statement EC1 – Business and Employment Development

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DME1 – Protecting Trees and Woodlands
Policy DME3 – Site and Species Protection and Conservation
Policy DMG3 – Transport & Mobility
Policy DME2 – Landscape & Townscape Protection
Policy DMB1 – Supporting Business Growth and Local Economy
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 The application seeks to regularise the current use of the site as a storage and distribution centre for a auctioneers, extend the site to provide additional storage space, and erect a larger storage building on site to meet the growing needs of the business.

5.1.2 Whilst Core Strategy Key Statement EC1 seeks to direct employment development towards the main settlements of Clitheroe, Whalley and Longridge, it does also state that *“priority will be given to the use of appropriate Brownfield*

sites to deliver employment-generating uses including a preference for the re-use of existing employment sites before alternatives are considered.”

- 5.1.3 Policy DMB1 of the Core Strategy specifically states *“Proposals that are intended to support business growth and the local economy will be supported in principle”* and allows for the expansion of established firms on land outside settlements provided that the development is essential to maintain the existing source of employment and can be assimilated within the local landscape.
- 5.1.4 The application relates to an existing industrial/commercial site and would result in the expansion of the site into land beyond its existing boundary, in addition to the regularisation of the change of use and erection of a new storage building. As detailed above, expansions to existing businesses are allowed by Policy DMB1, provided that the expansion is essential to the existing business and can be assimilated into the local landscape.
- 5.1.5 In respect of the need, the applicant previously operated from Gisburn Auction Mart and having outgrown that site required a larger premise, with room for further expansion. The applicant was/is keen to remain within the Ribble Valley and therefore moved onto this site in early 2017. The business is growing and therefore needs to expand further and as mentioned above the applicant is keen to remain within the Ribble Valley. The submission states that proposed development would increase employment on the site (two additional full time and five additional part-time workers) and thus would bring economic benefits through employment opportunities to the borough.
- 5.1.6 In terms of relocating to an alternative site, the applicant requires a large area of land to store the items for sale, and it is considered extremely unlikely that any existing sites of this scale would be available in the Ribble Valley, without the need for significant expansion. The majority of designated employment sites within the borough consist of a number of units/businesses sharing such sites, whereas the applicant requires a large industrial site for their own business, hence why there are considered to be no other suitable sites within the borough. Furthermore, whilst the site itself is not presently designated as an employment site, it is directly adjacent to the Genus Industrial Site, part of which is designated as an employment site on the proposals map, and thus the expansion of this business adjacent to a designated employment site is considered to be preferable to the expansion of an alternative employment site that is situated in an isolated location on the landscape. In respect of the visual impact of the proposal on the landscape, this is discussed later in the report.
- 5.1.7 In addition to local policies, the proposed development would continue the industrial/commercial use of the site and is therefore supported by paragraph 80 of the NPPF which states that decisions should *“...help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”*
- 5.1.8 In view of the above, it is considered that the broad principle of extending the site into the neighbouring land, and the erection of a larger building on site, is supported by local and national policies, which both seek to encourage economic growth and prosperity, provided that the proposed developments comply with other relevant policies considered later in this report.

5.1.9 In respect of the change of use, the site has a long established commercial use as a haulage yard (Sui Generis) and the change of use for storage and distribution of auctioneers goods (B8 use) is considered to be in keeping with the established commercial/industrial use of the site.

5.2 Impact Upon Residential Amenity

Visual impact

5.2.1 The proposed building would be significantly larger in footprint than the existing building to be demolished, however the nearest neighbouring residential properties are located on the opposite side of Mitton Road, some 90m from the proposed building. Furthermore, whilst the replacement building is large in footprint, measuring 7.2m high to the ridge it is not excessive in height and would be similar in height to an average two storey dwelling. As a result of its height, and the separation distances, it is considered that the proposed new building would not have any undue impact upon neighbouring residential amenity by way of overshadowing, loss of daylight or outlook.

5.2.2 With regard to the expansion of the site into the neighbouring field, at the nearest point the extended part of the site would be more than 180m from the nearest residential property and therefore has no visual impact upon residential amenity.

Noise and disturbance

5.2.3 The site has a long established use as a haulage yard and the application seeks retrospective consent to regularise the sites use for the past two or so years as a storage and distribution centre for an auctioneers. It is considered that the activities associated with a storage and distribution centre would have less of an impact upon neighbouring land uses than a haulage yard and thus there is no objection to the proposed use from an amenity point of view. Additionally, as mentioned above the storage and distribution use has successfully operated from the site for approximately two years and the Council have not been made aware of any issues with nearby residents.

5.2.4 In terms of the new building and extended storage area, as detailed above these are located a significant distance from the nearest neighbouring residential property and would have no greater impact than the established use of the site (haulage yard), or the current activities that take place in conjunction with the storage and distribution use. Furthermore, the building will allow more vehicles to be stored, and repair works to take place, inside the building as opposed to outside, to the benefit of neighbouring uses.

5.2.5 The application does involve the hard surfacing of an area at the front of the site, closest to the dwellings on the opposite side of Mitton Road, however the applicant has stated that this area is to be used for the parking of vehicles (staff and visitors), as opposed to storage of goods.

5.2.6 Given the long established commercial use of the site there are currently details in respect of the existing hours of operation at this site. In order to regularise this the applicant has sought to regularise this by applying for the same operational hours as the adjacent Genus Industrial Site (08:00 – 18:00 Monday to Friday,

09:00 – 13:00 Saturday and not at all on Sunday and Bank Holidays). Given that these hours are the same as the adjacent employment site, no objection is raised to these proposed hours which have been secured by condition.

- 5.2.7 Considering all of the above, the application site has a long established industrial use and the proposed developments continue to share an acceptable relationship with neighbouring uses in accordance with the amenity requirements of Policy DMG1.

5.3 Visual Impact and design

- 5.3.1 As mentioned above the proposed new building has a large footprint, however its height (4.6m to eaves and 7.2m to ridge) is considered to be relatively modest for an industrial style building. It is accepted that the ridge height of the new building would be 0.9m height than the ridges of the units on the adjacent Genus Site, however the proposed unit would be set back 60m from Mitton Road and thus its visual impact is reduced in comparison to the neighbouring units which are to be situated nearer to Mitton Road. Notwithstanding this, the extra height is specifically required to accommodate the vehicles/equipment within the building and without this large/taller equipment would be stored outside and this would potentially have a greater visual impact than the building.
- 5.3.2 Being set back from the highway by more than 60m, the proposed building would not be highly prominent, and would be partially screened by the neighbouring units, as well as the new hedging to be planted along the perimeter of the site.
- 5.3.3 In terms of its design, the unit would be finished in timber boarding, with a fibre cement roof, to match the adjacent units on the Genus Site and such materials are considered to be appropriate.
- 5.3.4 With regard to the expansion of the site/storage yard into a section of the field directly to the north, this part of the proposal would “square-off” the site so that is a rectangular shape. Therefore whilst this expansion would significantly extend the yard area, it would not extend out beyond the extremities of the site to the north and east. Furthermore, at the nearest point the area to be incorporated into the site is situated more than 180m from the nearest public vantage point on Mitton Road and thus would not be highly noticeable or prominent, especially with the new hedging/trees that are to be planted along the northern boundary of the site to screen this area.
- 5.3.5 The application also involves the hardsurfacing of significant areas of the site to create additional yard space, but again these areas are at the rear (eastern end) of the site, would not be highly visible and would be screened by new planting along the boundaries. At the front the application does include the hardsurfacing of the area between the fence line and Mitton Road, to be used for car parking, and the LPA has sought to ensure that the front boundary with Mitton Road is screened by vegetation. As mentioned earlier the applicant has commented that this hardsurfaced area between the fence line and Mitton Road will generally be used for car parking, although some smaller goods may be stored in the area on occasions, it is considered unlikely as it is outside the fence line and therefore not secure. Nevertheless, in order to ensure that the visual character of the area is not compromised a condition has been attached to ensure that this new

hardsurfaced area to the west of the existing fence line is not to be used for the storage of goods over 2m in height.

5.4 Landscape and Ecology

5.4.1 The application is accompanied by an Arboricultural Survey and a Landscape Plan showing which areas/trees are to be retained and new areas of landscaping that are to be created to mitigate for the loss of the existing areas. The new landscaping involves the planting of new hedgerows along almost all of the perimeter of the site, as well as strategic planting at the front of the site to help with sustainable drainage and screening. The Council's Countryside Officer has been involved in this development since pre-application stage and has visited the site on a number of occasions. Provided that the landscaped areas are provided as shown on the submitted plans the Countryside Officer has raised no objection, however conditions have been attached to ensure that these landscaped areas are provided in accordance with a timetable that is to be agreed in writing with the LPA.

5.4.2 The application is accompanied by a detailed Ecological Appraisal which comments that protected species are known to exist within the local area, however no evidence of these species was found at the application site. Nevertheless the Ecology Report recommends a number of mitigation measures to be undertaken to ensure that the proposal does not impact upon protected species and this has been secured by condition.

5.4.3 Additionally, a condition has been attached stating that no vegetation clearance works can take place within bird breeding season, unless a further survey is undertaken, and a further condition requiring bat and bird boxes to be provided on the site to mitigate for any loss in habitat resultant from the development. In this case, due to the industrial/commercial nature of the use and the adjacent site, these bat/bird boxes could be positioned on the building, or within the trees/vegetation furthest from the most active parts of the site.

5.5 Highways

5.5.1 Access to the site would remain via the existing point off Mitton Road. This access has served the previous haulage yard use of the site, as well as the existing use as a storage and distribution yard for an auctioneer. Nevertheless, as part of this application the LCC Highway Officer requested that the existing access point be widened to allow better/safer access into, and out of, the application site. The applicant has provided an updated plan showing this access to be widened and the Highway Officer has raised no objection, subject to the works adjoining the highway to be carried out under a Section 278 agreement (an informative advising the applicant of this has been attached to the recommendation).

5.5.2 The application proposes to increase the level of car parking provision at the site, and there is considered to be sufficient space within this large site to enable vehicles to safely manoeuvre so as to ensure that they can enter and leave the adopted highway in forward gear.

5.5.3 The Highway Officer has referred to the Public Right of Way which passes through a section of the site, however this is not being altered as part of the

proposal – the Rights of Way officer has been consulted on this proposal but provided no comments. An informative has been attached to advise that the Right of Way must be left clear of obstruction during the construction process. During a recent site visit/meeting the applicant commented that informal discussions have taken place with LCC in respect of redirecting the Right of Way so that it is outside the applicant's site however this does not form part of this application.

5.6 Drainage

5.6.1 The application is accompanied by a Flood Risk Assessment and a drainage strategy. United Utilities and the LLFA have raised no objection subject to the imposition of pre-commencement drainage conditions and the EA have also raised no objection subject to a condition requiring a remediation strategy be provided in respect of contaminated land on the site.

6. Conclusion

6.1 The application site has an established industrial use and change of use of the site for storage and distribution (B8) is considered to be acceptable and the proposal would not have any greater impact upon neighbouring land uses than the existing situation on site. It is accepted that the proposed developments would have some impact on the visual character of the area, however this impact has been mitigated by the design of the proposed building and the landscaping proposed scheme. Furthermore, the proposal would clearly bring economic benefits by allowing a successful and local business to expand and remain within the borough, thus encouraging economic development in this area.

RECOMMENDATION: That the application be APPROVED 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:

Location Plan (scale 1:2500)
ML/DS/5706 (amended plan received 13/06/19)
ML/DS/5708
ML/DS/5709 (amended plan received 09/05/19)
MR18-005/101 Rev D (amended plan received 12/06/19)

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

3. The building hereby approved shall only be used for storage and for the repair of items (vehicles, plant and machinery) associated with the existing business at this site.

REASON: For the avoidance of doubt as the use of the building for other purposes and/or in association with another business could have a detrimental effect upon the amenity of the locality or highway safety.

Materials

4. The development hereby approved shall be carried out in complete accordance with the materials detailed within section 7 of the submitted application form.

REASON: In order to ensure that the materials to be used are appropriate to the locality.

Landscaping/Ecology

5. During the construction period, including delivery of building materials and excavations for foundations or services, all the existing/retained trees and hedging shown on drawing MR18-005/101 Rev D (amended plan received 12/06/19) shall have been 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.

6. Within three months of commencement of development on site, a timetable for the implementation of the approved landscaping areas, as shown on approved drawing MR18-005/101 Rev D (amended plan received 12/06/19) 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 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 five 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.

7. 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 within the 24 hours prior to any removal and no nesting birds are found to be present. The up-dated pre-clearance check shall be submitted to the Local Planning Authority prior to the removal of any trees and/or hedges.

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.

8. The development hereby approved shall be carried out in complete accordance with the Mitigations/Recommendations detailed within Section 7 of the submitted Ecological Appraisal (Report Ref: 4470).

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

9. 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 building dependent bird/bat species site plan and include details of the numbers, types and locations of artificial bird nesting boxes and artificial bat roosting boxes.

The artificial bird/bat boxes shall be provided and be made available for use before the building is first brought into use 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.

Amenity

10. Details of any external air conditioning vents, extraction systems or any other external plant equipment shall have been submitted to and approved in writing by the Local Planning Authority prior to installation on the building/site. The submitted information shall include details of the design, positioning, specification, noise levels, fixing and finish of all external plant equipment and the development shall be carried out in complete accordance with the approved details.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance

11. The use of the premises in accordance with this permission shall be restricted to the hours 08:00 to 18:00 hours Monday to Friday inclusive and between 09:00 to 13:00 hours on Saturday and not at all on Sunday and Bank Holidays.

REASON: The use of the premises outside these hours could prove injurious to the character of the area and in order to safeguard residential amenity

12. No goods/items measuring in excess of 2m in height shall be stored within 50 metres of the western boundary of the site (Mitton Road).

REASON: To ensure that the development hereby permitted is not visually detrimental to the amenity of the surrounding area

13. No external lighting, other than that shown on the approved plans, shall be installed on the new unit, or elsewhere on the site, without the prior written approval of the Local Planning Authority. Details of any such lighting shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The approved details shall thereafter be fully implemented.

REASON: In order to ensure a satisfactory appearance in the interests of visual amenity and to prevent nuisance arising.

Highways

14. 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 any security hoarding
 - Contact details for the site manager
 - Routes to be used by vehicles carrying plant and materials to and from the site
 - Details of wheel washing facilities and road sweeper (where necessary).

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.

15. Prior to the commencement of development, including any demolition works, the alterations to the site access onto the highway of Mitton Road ML/DS/5709 (amended plan received 09/05/19) shall have been constructed under a Section 278 Agreement of the 1980 Highways Act and shall be retained as such thereafter.

REASON: In order to provide a safe access into the site which is suitable for the types of vehicles that will use it.

REASON FOR PRE-COMMENCEMENT: The altered/improved site access needs to be provided before works can commence on site.

Contamination

16. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the local planning authority. This strategy shall include the following components:
- i) A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site.
 - ii) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - iii) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Drainage

- 17. The site shall be drained via separate systems for the disposal of foul and surface water.

REASON: To secure a satisfactory system of drainage and to prevent pollution of the water environment.

- 18. 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. This condition is imposed in light of policies within the NPPF and NPPG.

- 19. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

- a) A final surface water drainage layout plan; appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels and external ground levels (in AOD);
- b) A full set of flow calculations for the surface water drainage network. The calculations must show the full network design criteria, pipeline schedules and simulation outputs for the 1 in 1 year, 1 in 30 year and 1 in 100 year return period, plus an appropriate allowance for climate change. The calculations must also demonstrate that the post development surface water run-off rate shall not exceed the existing pre-development surface water run-off rate for the corresponding rainfall event.
- c) A final plan showing all on-site surface water catchment areas, i.e. areas that will contribute to the proposed surface water drainage network;

- d) A final plan showing all overland flow routes and flood water exceedance routes, both on and off site;
- e) Details of measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses; and
- f) Details of an appropriate management and maintenance plan for the surface water drainage network for the lifetime of the development.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. 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, that there is no flood risk on or off the site resulting from the proposed development, that water quality is not detrimentally impacted by the development proposal and that appropriate maintenance mechanisms are put in place for the lifetime of the development.

20. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority. The development thereafter shall be undertaken in accordance with the approved prevention measures.

REASON: To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere and that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

REASONS FOR PRE-COMMENCEMENT CONDITIONS:

Drainage is not only a material consideration but an early and fundamental activity in the ground construction phase of any development and it is likely to be physically inaccessible at a later stage by being buried or built over. It is of concern to all flood risk management authorities that an agreed approach is approved before development commences to avoid putting existing and new communities at risk.

INFORMATIVE:

- The applicant is advised that the amended site access will need to be constructed under a section 278 agreement of the 1980 Highways Act. 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 is advised to contact the Community Services before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for "278 Agreement".
- There is a public right of way through part of the site and the granting of planning permission does not entitle the developer/applicant to obstruct this right of way and any proposed stopping up or diversion of the right of way should be the subject of an Order under the appropriate Act.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F1133

CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

None received.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No objection to the proposals on highways grounds.

ADDITIONAL REPRESENTATIONS:

Letters of objection have been received from residents of seven neighbouring properties and raise the following concerns.

- The current holiday lets are causing issues around noise and sewage.
- Unacceptable noise levels during the evenings.
- Vast majority of guests to the current cottages are wedding parties.
- Little space for parking for existing guests is causing difficulty getting access along Mill Lane.
- Cottages are often occupied by the same group creating a party atmosphere and resulting in excessive noise.
- The proposed cottage would be excessive and intrusive, overlooking neighbouring properties and obstructing views.
- The development would inconvenience an already congested area.
- Tourism shouldn't create traffic or environmental problems for residents.
- The four extra spaces would require cars to reverse out onto the lane.
- Problem for emergency access.
- Confrontations and abuse from visitors when they've been asked to move vehicles.
- There should be someone on site to deal with any problems that occur.
- Foul drainage from the site causes smells suspected to be from poor or inadequate drainage.
- Loss of trees and nature.
- The site was previously a tip.
- Overdevelopment of the site.
- Overlooking of neighbours private amenity space.

1. Site Description and Surrounding Area

- 1.1 The application relates to a parcel of land that is in the ownership of the occupants of Mill Farm, Mill Lane, Waddington. Mill Lane adjoins Slaidburn Road around 1.5 miles north of the settlement of Waddington. Mill Lane serves a cluster of residential dwellings and holiday cottages that are located in the open countryside and Forest of Bowland Area of Outstanding Natural Beauty.
- 1.2 Mill Lane is a single track private road. Mill Farm, which faces onto Mill Lane, is around 200 metres from the junction with Slaidburn Road. Directly facing Mill Farm, on the opposite side of Mill Lane, are a pair of stone-built holiday cottages that were granted planning consent in 2011. The holiday cottages have been completed and have been fully operational since June 2017. They are owned and managed by the applicant who resides at Mill Farm. The majority of bookings have come from demand arising from nearby wedding venues with little accommodation themselves.

- 1.3 There are a number of other residential properties in the immediate vicinity including Tagglesmire Hall, Bow Tree House, Mill Cottage, Cuttock Clough Farm, Higher Mill Farm and Waddington Old Mill. The application site bounds the residential garden of Tagglesmire Hall along its southern and eastern boundaries.
- 1.4 The site measures approximately 280 square metres. As existing, a timber outbuilding is present and at the time of the planning officer's visit the site also contained a trailer, skip and other debris.

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

- 2.1 Consent is sought for the demolition of the existing timber building and the erection of a new stone built holiday cottage. The proposed holiday cottage would provide a kitchen /diner and lounge at ground floor and two double bedrooms with en-suites at first floor. The building would measure 9 metres by 6.4 metres with an eaves height of 4.5 metres and ridge height of 6.2 metres.
- 2.2 There would be space provided to the front of the building for up to four vehicles. This includes an element of overflow parking to serve the two existing holiday cottages.
- 2.3 In justifying the proposal the applicants have advised that they have been required to turn down bookings previously and that the two existing holiday cottages are already fully booked for the majority 2019 with summer dates for 2020 also fully booked. The applicant considers that there is additional demand for self-catering holiday accommodation.

3. **Relevant Planning History**

3/2011/0506 - Proposed demolition of existing residential outbuilding. Construction of replacement outbuilding to create two self-contained holiday cottages and a work from home office. Associated external works. Design amendments to approved scheme no. 3/2009/0062P. Approved with Conditions.

3/2009/0062 - Proposed demolition of existing residential outbuilding. Construction of replacement outbuilding to provide ancillary residential garage, storage and family hobby/study space and a self-contained holiday let. Associated external works. Approved with Conditions.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Sustainable Development

Key Statement EN2 – Landscape

Key Statement EC1 – Business and Employment Development

Key Statement EC3 – Visitor Economy

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME2 – Landscape and Townscape Protection

Policy DME3 -- Site and Species Protection and Conservation

Policy DMB1 – Supporting Business Growth and the Local Economy

Policy DMB3 – Recreation and Tourism Development

Other Material Considerations:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

5. Assessment of Proposed Development

5.1 The matters to be considered in the determination of this application relate to the principle of the development, the impact of the proposed development upon the visual appearance and character of the surrounding area, its effect on residential amenity, ecology and trees and highway safety.

5.2 Principle of Development

5.2.1 Core Strategy Key Statement EC3 relates specifically to the visitor economy stating that proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged. The proposed development would contribute to the tourism economy and accords with the general intentions of Key Statement EC3. Key Statement EC1 'Business and Employment Development states that *"Developments that contribute to farm diversification, strengthening of the wider rural and village economies or that promote town centre vitality and viability will be supported in principle"*.

5.2.2 The application site is not located within a defined settlement. Core Strategy Policy DMG2 requires development outside of defined settlement areas to meet at least one of six considerations one of which is the following:

4. The development is for small scale tourism or recreational developments appropriate to a rural area.

5.2.3 The proposal is for a small scale tourism development of a type that is appropriate to a rural area and the proposed development is compliant with Policy DMG2. Policy DMB3 relates specifically to recreation and tourism development. Tourism and visitor attractions are generally supported subject to the following criteria being met:

- 1. The proposal must not conflict with other policies of this plan;*
- 2. The proposal must be physically well related to an existing main settlement or village or to an existing group of buildings, except where the proposed facilities are required in conjunction with a particular countryside attraction and there are no suitable existing buildings or developed sites available;*
- 3. The development should not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design;*
- 4. The proposals should be well related to the existing highway network. It should not generate additional traffic movements of a scale and type likely to cause undue problems or disturbance. Where possible the proposals should be well related to the public transport network;*
- 5. The site should be large enough to accommodate the necessary car parking, service areas and appropriate landscaped areas; and*
- 6. The proposal must take into account any nature conservation impacts using suitable survey information and where possible seek to incorporate any important existing associations within the development. Failing this then adequate mitigation will be sought.*

5.2.4 In the Forest of Bowland AONB the following criteria also apply:

1. *The proposal should display a high standard of design appropriate to the area.*
2. *The site should not introduce built development into an area largely devoid of structures (other than those directly related to agriculture or forestry uses).*

In the AONB it is important that development is not of a large scale. In the AONB and immediately adjacent areas proposals should contribute to the protection, conservation and enhancement of the natural beauty of the landscape. Within the open countryside proposals will be required to be in keeping with the character of the landscape area and should reflect the local vernacular, scale, style, features and building materials.

5.2.5 The proposed development is located within an existing group of buildings. The existing holiday cottages constructed by the applicant have been built to a high specification with natural stone walls, slate roof and timber window frames and doors. The building respects local vernacular and is seen as a positive addition to the group of buildings at Mill Lane. It is proposed to construct a new holiday cottage using similar materials. The design of the proposed new holiday cottage would also closely resemble the existing cottages and therefore it is considered that the proposals would not result in any harm to the visual amenity of the area.

5.2.6 The development site is located approximately 1.5 miles from the village of Waddington and 3.3 miles from Clitheroe which is one of the boroughs Principal Settlements having a wide range of services and facilities. The development would be reasonably well-related to the existing transport network and is located in close proximity to numerous wedding venues from which the majority of existing demand has arisen. The existing holiday cottages are advertised to cater for up to fifteen people. Taking account of the submitted floor plans, the proposed holiday cottage would accommodate an additional four people resulting in a maximum occupancy of nineteen. It is considered that the scale of development at the site is small-scale and would not result in an unacceptable increase in additional vehicle movements. The highways impact of the proposed development is considered in further detail below.

5.3 Effects upon the Landscape/Visual Amenity

5.3.1 Key Statement EN2 states *“The landscape and character of the Forest 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”*. The NPPF (paragraph 115) attaches ‘great weight’ to conserving the landscape and scenic beauty of the AONB which is afforded the highest status of protection.

5.3.2 As stated above, the proposed development would be closely related to the existing group of buildings at Mill Lane which mainly consist of residential properties. There are public rights of way along Mill Lane which pass the development site and footpath users would have direct and close views of the proposed building. Even so, the proposed holiday accommodation would respect the size, scale and appearance of existing buildings in the group and would not be seen in isolation but rather in the context of the existing built form. It is

considered that the proposals would have no negative impact on the visual amenities of the area. There would be a requirement, should consent be granted, for details of boundary treatments and materials to be submitted to the Local Planning Authority for approval prior to their use in the development.

5.4 Impact on the amenity of neighbour occupants

- 5.4.1 It is important to consider whether the proposals would impact up on the residential amenity of neighbours. The neighbour most likely to be affected by the proposals would be the occupants of Tagglesmire Hall with the associated residential garden of this property bounding the application site. Tagglesmire Hall would be around 15 metres from the proposed building at its closest point and there is a considerable level change with Tagglesmire Hall located downhill of the application site. Tagglesmire Hall is positioned such that no elevation directly faces the application site and there would be no facing windows between the buildings. Due to the separation distance and design of the proposed holiday cottage, the proposed development would not result in any undue loss of privacy, light or outlook from within this neighbouring property.
- 5.4.2 The design of the proposed holiday cottage has been amended and first floor windows facing towards the garden of Tagglesmire Hall have been removed from the design. There would be no overlooking into the garden of Tagglesmire Hall from the proposed holiday cottage. The remaining consideration is whether the proposals would result in a sense of enclosure or have an overbearing impact on the occupants of Tagglesmire Hall such that it would unduly harm their ability to enjoy their private amenity space. The proposed building would be located 1 metre from the boundary with Tagglesmire Hall with the facing wall being 9 metres in length and 4.5 metres in height to the eaves. The plot associated with Tagglesmire Hall is generous in size and the proposed development would bound a section of garden which is some distance from the main house. Given that the proposals would bound the garden of Tagglesmire Hall for only a short length of its overall boundary it is deemed that the proposals would not result in an unacceptable adverse impact on this neighbour to warrant refusal of the planning application. The proposed development would not result in loss of light, outlook or privacy to any other properties in the area.
- 5.4.3 Concerns have been raised by residents relating to noise and disturbance arising from the existing holiday accommodation and there is a fear that the proposed development could exacerbate the existing situation as described by residents including late night noise from wedding parties. Holiday accommodation is not considered to generate high levels of noise to render it incompatible with unrestricted residential dwellinghouses given that both such uses fall with the same C3 use class of the Town and Country Planning (Use Classes) Order 1987 (as amended). It is thought that the proposed use, in itself, would not generate unacceptable levels of noise. It is acknowledged however that some holiday occupants may create noise particularly if they are part of a larger group or have hired the holiday cottages for special events such as overnight wedding accommodation. The noise generated may on occasion be more than would be experienced from the permanent occupation of an unrestricted residential dwelling although this would be entirely dependent on the behavior of individual(s) that occupied the property.

- 5.4.4 To accompany the planning application the applicant has submitted a copy of a letter which is presented to visitors on arrival. This refers visitors to the parking arrangements at the site and also asks them to be mindful of neighbouring residents. It advises that occupants be inside the building(s) by 10pm, to have the windows and door closed and music turned down low. It should also be acknowledged that the owners/operators of the holiday cottages reside in close proximity to the existing and proposed holiday accommodation and would themselves be subject to the impact of any noise generated. Taking into account the above, there is no justification to refuse the application due to the potential for noise and disturbance to occur. In the unlikely event that unacceptable levels of noise arise this would be investigated and dealt with by Environmental Health.
- 5.4.5 Notwithstanding the above, the applicant has provided a detailed Management Plan which set out the measures that the applicant would take to ensure that noise and disturbance is kept to a minimum.

5.5 Highway Safety

- 5.5.1 The County Surveyor (highways) has raised no objection to the proposed development. According to the information submitted the existing holiday cottages have 3/4 parking spaces in total. The applicant also has 6 parking spaces in front of their own home. Taking into account the development proposals, there would be a total of 13/14 parking spaces to serve 3no. holiday cottages and the applicants own dwelling.
- 5.5.2 The concerns raised by residents have been noted. This includes a lack of parking for visitors which results in the private road becoming blocked or the blocking of residents private driveways. The applicant is aware of this ongoing concern and has sought to provide four parking spaces within the application site to absorb some of the existing demand for parking. This is likely to result in an improvement when compared with the existing situation.
- 5.5.2 Furthermore, the applicant has sought to notify visitors that there is restricted parking capacity at the site and that there would be a maximum of three cars at each cottage at any one time. This requirement is embodied within the detailed Management Plan.

5.6 Consideration of Other Matters Raised

- 5.6.1 The application is supported by a Preliminary Bat Roost Assessment. A bat survey was carried out on 24 April 2019 to determine the roost potential of the existing timber building and its current usage by bats. No evidence was recorded to suggest bats were roosting within the building and the building is considered to be of negligible potential. However, the overall foraging potential of the area for bats is high and in accordance with Core Strategy DME3 the applicant has agreed to incorporate measures to enhance biodiversity.
- 5.6.2 As existing there are 3no. trees on neighbouring land close to the sites southern boundary. The proposed holiday cottage has been set away from this boundary by a distance of 4.4 metres and no hardstanding is proposed within the root protection area of the nearest tree. Following discussion with the Countryside Officer the offset distance is considered sufficient to ensure that there would be no harm to existing trees. The Countryside Officer has visited the site and does

not consider the trees in question to be of notable visual value to warrant protection by preservation order.

5.6.3 Drainage for the proposed development would be served by the existing sewage treatment plant which the applicant maintains has sufficient capacity. Specifications of the existing sewage treatment plant have been provided and demonstrate it has a capacity to serve up to 25 people. Taking into account the capacity of existing buildings it is considered that the existing drainage foul arrangement should have sufficient spare capacity to cater for the proposed development.

5.6.4 Neighbour objection letters have raised concerns relating to contamination at the site but the Contaminated Land Officer has confirmed there are no issues at the site.

6. **Conclusion**

6.1 Having regard to the above, it is considered that the proposed holiday let would not result in an unacceptable impact on the visual appearance and character of the immediate area. Accordingly it is recommended that the application be approved.

RECOMMENDATION: That the application be APPROVED subject to the following conditions:

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:

A100 PROPOSED PLANS & ELEVATIONS (amended 12/06/2019)

A200 PROPOSED SITE PLAN (amended 12/06/2019)

A300 LOCATION PLAN (amended 22/05/2019)

A400 EXISTING PLANS & ELEVATIONS

A500 EXISTING SITE PLAN

A600 PARKING PLAN

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

3. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

REASON: To ensure that the materials to be used are appropriate to the locality.

4. Details of the alignment, height, and appearance of all boundary treatments, fencing, walling, retaining wall structures and gates to be erected within the development shall have been submitted to and approved in writing by the Local Planning Authority prior to their installation.

Before the development hereby permitted becomes operative all boundary treatments shown in the approved details to bound the site shall be erected.

REASON: To ensure a visually satisfactory form of development.

5. The siting and details of the construction and design of external refuse recycling/bin stores shall be submitted to and approved in writing by the Local Planning Authority. The duly approved facilities shall be made available for use before the development hereby approved is first occupied and retained thereafter.

REASON: To ensure the provision of satisfactory facilities for the storage of refuse and in the interest of visual amenity.

6. The proposed roof lights shall be of Conservation Type, recessed with a flush fitting, and shall be retained as such in perpetuity.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

7. All windows and doors shall be constructed in timber, of which the elevational and section details shall have been submitted and agreed in writing by the Local Planning Authority prior to their use in the development. The development shall be carried out in strict accordance with the approved details; the approved details shall thereafter be retained in perpetuity.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

8. Notwithstanding the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the holiday cottage hereby approved shall only be used as holiday accommodation and for no other purpose, including any other purpose within Use Class C3.

REASON: For the avoidance of doubt, and to avoid an over-intensive use and to ensure that the development remains compatible with the character of the area and the intensity and frequency of usage remains proportionate to the use hereby approved.

9. The proposed holiday cottage shall be restricted to short-term holiday purposes only. No cottage on the site shall be occupied at any time as permanent residential accommodation or as a person's main place of residence.

The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of the cottage, and of their main home addresses, and shall make this information available, on request, to the Local Planning Authority.

REASON: To prevent the permanent residential occupation of the site in a location where new residential development is unacceptable in principle and to define the scope of the permission hereby approved.

10. Notwithstanding the provisions of Classes A to H of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, the holiday cottage hereby permitted shall not be

altered or extended, no new windows shall be inserted (including rooflights) and no additional buildings or structures shall be erected within its external area unless planning permission has first been granted by the Local Planning Authority.

REASON: In the interests of the amenity of the area

11. The car parking and manoeuvring areas shall be laid out in accordance with the approved plan before the holiday cottage hereby approved are first brought into use and shall be permanently maintained as such thereafter.

REASON: To allow for the effective use of the parking areas.

12. Site contractors and site project managers shall be made aware of the legal protection afforded all species of bats in the UK. The building contractors shall take additional care when removing fascia boards, verge tiles, ridge tiles & lead flashing.

In the event that any bats are found or disturbed during any part of the development, all work shall cease until further advice has been sought from a licensed ecologist.

Bat access slates, as denoted on approved drawing A100, shall be incorporated into the building during the construction works before the holiday cottage is first brought into use.

REASON: To protect the bat population from damaging activities and reduce or remove the impact of development and to ensure that there are no adverse effects on the favourable status of a bat population before and during the proposed development.

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

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

14. The holiday cottage hereby approved shall be operated in strict accordance with the Site Management Plan (dated June 2019) at all times.

REASON: To ensure the satisfactory management of the site in the interests of general amenity of the area and to safeguard where appropriate neighbouring residential amenity.

15. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standard.

REASON: In order to ensure that trees growing within influencing distance of the development are given maximum physical protection from the potential adverse effect of the development.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2019%2F0293

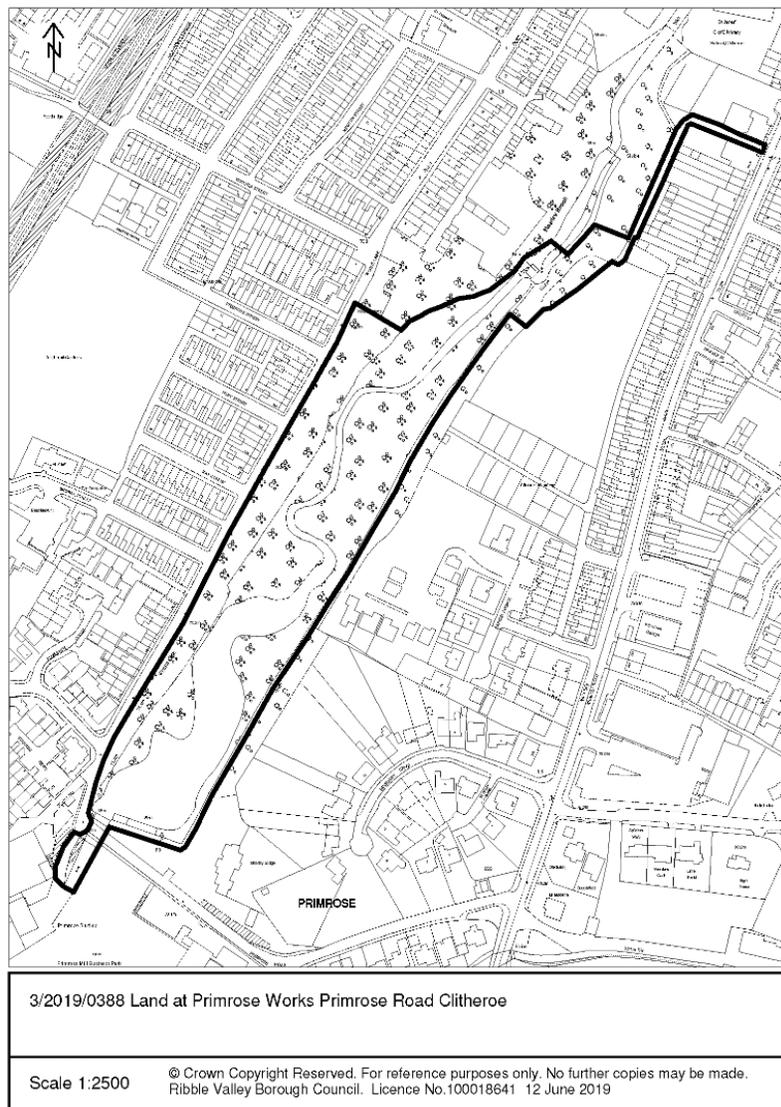
D APPLICATIONS ON WHICH COMMITTEE 'DEFER' THEIR APPROVAL SUBJECT TO WORK 'DELEGATED' TO THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING BEING SATISFACTORILY COMPLETED

APPLICATION REF: 3/2019/0388

GRID REF: SD 373753 440773

DEVELOPMENT DESCRIPTION:

RESTORATION AND ENHANCEMENT OF PRIMROSE LODGE TO CHANGE THE FORMER MILL LODGE INTO A PUBLIC OPEN SPACE. TO INCLUDE DE-SILTING 3000 SQUARE METRES OF THE LODGE TO CREATE PERMANENT OPEN WATER HABITAT WITH VARYING DEPTHS, PLANTING THE MARGINS WITH SUITABLE MARGINAL POND VEGETATION; CONSTRUCTION OF AN ALASKAN A FISH PASS AND CREATION OF A FOOTPATH THROUGH THE SITE AT PRIMROSE LODGE WOONE LANE CLITHEROE



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

TOWN COUNCIL:

No objections but the Town Council would wish it to be a condition of the application being granted that heritage items are preserved in situ and boundary stones identified and displayed. It was suggested that a survey of the site be undertaken with a view to identifying items of historical significance to be maintained.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No formal comments but initially raised concerns regarding the need for more information in a traffic management plan and details of pedestrian access on to Woone Lane. Any further observations to be reported verbally.

LANCASHIRE ARCHAEOLOGICAL SERVICE:

Give a historical account of the Lodge, have no objection to the partial de-silting but consider that further information is required in relation to the design of the Fish pass. Recommend that a Level 1 recording of the site is inadequate and recommend that that a Level 2 recording is necessary.

LLFA:

No objections

ENVIRONMENT AGENCY:

No objection noting the following comments:

- The applicant must ensure the habitats and species of principle importance are retained and protected throughout the proposed works.
- The recommendations from the Bowland Ecology report should be implemented in full.
- It is essential precautions are taken to minimise the risk of fine sediment transport downstream during, and on completion of the works.
- Request a condition that prior to the installation of the fish pass details proving that flood risk to upstream areas is not increased shall be provided.

ADDITIONAL REPRESENTATIONS:

One letter of representation which raises concerns about the viewing platform which may result in noise and light disruption to local residents. Also consider lack of parking and additional traffic may lead to highway issues.

1. Site Description and Surrounding Area

- 1.1 Primrose Mill Lodge lies between Whalley Road and Woone Lane in Clitheroe. Primrose Lodge comprises a former mill lodge, Mearley Brook and semi-natural broadleaved woodland situated south of Clitheroe town centre. Within the surrounding landscape, built up urban areas are located adjacent to the site boundaries and extending west and north-east of the site. To the south, open agricultural land features pockets of woodland and hedgerows along field boundaries.

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

2.1 The proposal consists of 4 main elements:

- De-silting of a redundant mill lodge
- 1 Fish Pass
- Installation of footpath, board walk, foot bridge and information boards
- Removal of some tree and vegetation to facilitate access and construction of footpaths as well as planting of emergent and marginal vegetation associated with the de-silting project.

2.2 In relation to the desilting of the lodge this includes 3000m² of the lodge. No spoil is to be removed from the site and it will be used to re-landscape certain areas where it is deemed appropriate. From a geomorphology perspective the Environment Agency are supportive of the project which aims to restore a more natural sediment transport system throughout this reach of Mearley Brook.

2.3 The proposed Fish Pass submitted with this application is to be subject of a further planning condition requiring further information to demonstrate that it would not lead to possible issues upstream.

2.4 The proposed footpath traverses the site from Woone Lane towards Whalley Road and includes a 1.5m bitmac path parallel to Woone Lane with a pedestrian fence on the lodge side of the path, a 65m elevated section using plastic boardwalk with pedestrian fencing on either side and a footbridge of approximately 25m spanning Mearley Brook.

3. **Relevant Planning History**

3.1 The development of Primrose Lodge has been an objective of the Council for over 20 years.

3.2 In March 2010 Beck Developments Ltd were granted outline planning permission (ref: 3/2008/0526) for the regeneration of sites around and including Primrose Mill. The permission incorporated residential development including improved site access, highways improvements and the provision of public open space. As part of the consideration of the planning application it was agreed that the applicants would pay an open space contribution in lieu of providing open space on the site to be used towards the cost of the future restoration, remediation and regeneration of Primrose Lodge. Further Section 106 contributions have been secured for the restoration of the lodge to provide an area of public open space within this part of the Borough.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement EN3- Sustainable Development and Climate change

Key Statement EN4-Biodiversity and Geodiversity

Key Statement EN5-Heritage Assets

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

5. **Assessment of Proposed Development**

5.1 Principle of Development:

5.1.1 It is considered that given the nature of the project and the fact that the site has been identified as a key site for restoration and improvements highlighted in previous local plans, policies and strategies the principle of the development is acceptable.

5.2 Impact upon Residential Amenity:

5.2.1 It is acknowledged that the proposed development will introduce public access to an existing piece of inaccessible land in relatively close proximity to residential dwellings which may result in limited disturbance due to visitors of the site.

5.2.2 There is always the need to balance the public benefit and environmental benefits of a scheme against any harm to residential amenity and in this case it is important to note that this piece of land was identified as the open space associated with the surrounding residential development.

5.2.3 The concern regarding possible noise and light disturbance is noted however taking into account the existing background noise in this part of the Town and the fact that the proposed development will bring significant environmental and public benefits (by virtue of opening up the land to the public) outweighs any harm created.

5.3 Visual Amenity/External Appearance:

5.3.1 The visual impact of the proposed development is contained within the site and subject, to details of the footpath, boardwalks and associated retaining structures, will enhance the visual appearance of the existing piece of vacant land. Additionally the work to enable public access to the land and the refurbishment of the sluice gates will enhance the site and the local environment.

5.4 Highway Safety and Accessibility:

5.4.1 It is viewed that subject to imposition of appropriate conditions regarding a traffic management plan during the construction works that the proposal would not have an adverse impact on highway safety. The proposal includes 2 public access points, one from Woone Lane and one from Whalley Road. Further details of the extent of wall to be removed for the Woone Lane access will need to be submitted and agreed before use of this access.

5.5 Landscape/ Arboricultural/Ecological issues:

5.5.1 An arboricultural and ecological assessment has been submitted with the application. It is considered that the proposed improvements at the Primrose Lodge will benefit a wide range of fauna and species. The limited amount of coppicing to facilitate the footpath and general maintenance of the site would not have an adverse impact on the landscape or ecology. The proposed planting

outlined in the planting and species specification document would also support the improvement in the ecological function of the Lodge. The aim of the proposed development is to have a positive contribution to ecology and biodiversity matters.

5.5.2 In order to enhance the area the recommendations of the Bowland Ecology report dated April 2019 need to be implemented. The report advises additional bat boxes to be located on existing mature trees, this will be secured by condition.

5.6 Heritage issues:

5.6.1 LCC's archaeological advisor has commented that the recording of the historic structures on site should be to Level 2 rather than the suggested Level 1. Whilst these comments are noted it is important to note that at a national level the Framework advises that the level of detail required should be proportionate to the assets' importance.

5.6.2 A Level 2 assessment will add additional costs to the project, which could place the project at risk (from a timing and cost perspective), and the applicants have commented that this request could be physically infeasible with the elements necessary for such a survey, in this case, placing the surveyors at significant risk.

5.6.3 The applicants acknowledge the historical importance of the weir and spillway and will undertake a record of the structures in line with 'Understanding Historic Buildings'. This will ensure that sufficient safeguards are secured to safeguard the historic records whilst ensuring that the project is not put in jeopardy.

5.7 Drainage:

5.7.1 A Flood Risk Assessment has been submitted with the application and neither the Lead Local Flood Authority or the Environment Agency have raised any concerns in relation to drainage or flooding issues resulting from the development.

6 Observations/Consideration of Matters Raised/Conclusion

6.1 Considering all of the above and having regard to all material considerations the proposal is considered to be acceptable.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Economic Development and Planning for approval subject to the satisfactory consultation response from LCC Highways within 3 months from the date of this Committee meeting or delegated to the Director of Economic Development and Planning in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions:

Time

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

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

Plan related

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:

Title	Reference
Footpath and access plan	DPLAC01 Revision D
Fish Passage Details	DPLFP01 Revision H
General Arrangement and Specification Plan	DPLDG01 Revision F
Planting and Species specification document	2/13/2019

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

Materials

3. Notwithstanding the submitted information full details of the materials including any retaining walls for the footpaths and level details, fencing and footbridge shall have been submitted to and approved in writing by the Local Planning Authority prior to their use on site. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

Highways

4. Prior to the commencement of works on the internal footpath details of any pedestrian access on to Woone Land shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the pedestrian access shall be implemented in accordance with the approved details and retained in perpetuity thereafter

REASON: In the interest of highway safety and to ensure suitable pedestrian access is achieved as part of the development

Drainage

5. Prior to the commencement of the construction of the fish pass (ref: drawing DPLF01, Rev H, 16 Apr 19) full details of the installation of the fish pass shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that flood risk to upstream areas is not increased and shall include timings/ phasing arrangements for its installation and the future maintenance proposals.

The fish pass thereafter shall be installed and maintained in accordance with the submitted details.

REASON: To ensure that there are no detrimental impacts to flood storage or flood flow routes and to reduce the risk of flooding to the proposed development and future users.

Highways

6. 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.

7. No development shall take place, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
- the parking of vehicles of site operatives and visitors;
 - the loading and unloading of plant and material;
 - the storage of plant and materials used in constructing the development;
 - the erection and maintenance of security hoarding;
 - routes to be used by vehicles carrying all plant and materials to and from the site;
 - contact details for the site manager.

REASON: To protect existing road users in the interest of highway safety.

8. Demolition or construction works shall not take place outside 08:00 hours to 17:00 hours Mondays to Fridays nor at any time on Saturdays, Sundays or Bank Holidays.

REASON: To protect the amenities of the nearby residents.

Biodiversity

9. This proposal shall be in accordance with the recommendations of the Bowland Ecology report dated April 2019.

Prior to public access to the site the location of the additional bat boxes within the site shall be submitted to and approved in writing by the Local Planning Authority. The bat boxes shall be erected in accordance with the approved details prior to public access to the site.

REASON: To encourage and promote biodiversity.

Archaeology

10. No works shall take place until the applicant, or their agent or successors in title, have secured the implementation of a programme of site recording and analysis works. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works shall include the creation of a record of the elements of the site which will be affected by the fish pass to Level 1, as set out in 'Understanding Historic

Buildings' (Historic England 2016). Upon completion of the programme of recording and analysis it shall be submitted to the Local Planning Authority.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historic importance associated with the approved fish pass.

INFORMATIVES:

Environmental permit - advice to applicant for flood risk activities

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Environmental permit - advice to applicant for waste activities

Any development using waste or other material for engineering works may require an environmental Permit, unless it is exempt from the need for a permit. If a permit is required, it must be obtained prior to commencing the activity and the applicant should allow three months for the determination of a standard rules permit and four months for the determination of a bespoke permit. Waste transported to and from the development must only be carried by a registered waste carrier.

If planning permission is granted, the applicant should arrange a meeting with the Environment Agency to discuss the permitting implications. For information, the applicant will have to agree a waste recovery plan with the Environment Agency for any activity involving the recovery of waste on land as part of End 3 the Environmental Permit (unless the activity is exempt from the need for a permit).

Please contact our National Customer Call Centre (Tel: 03708 506 506) for advice prior to commencing work. General waste advice is available at:
<https://www.gov.uk/topic/environmental-management/waste>

The public register is available at:
<https://www.gov.uk/guidance/access-the-public-register-for-environmental-information>

BACKGROUND PAPERS

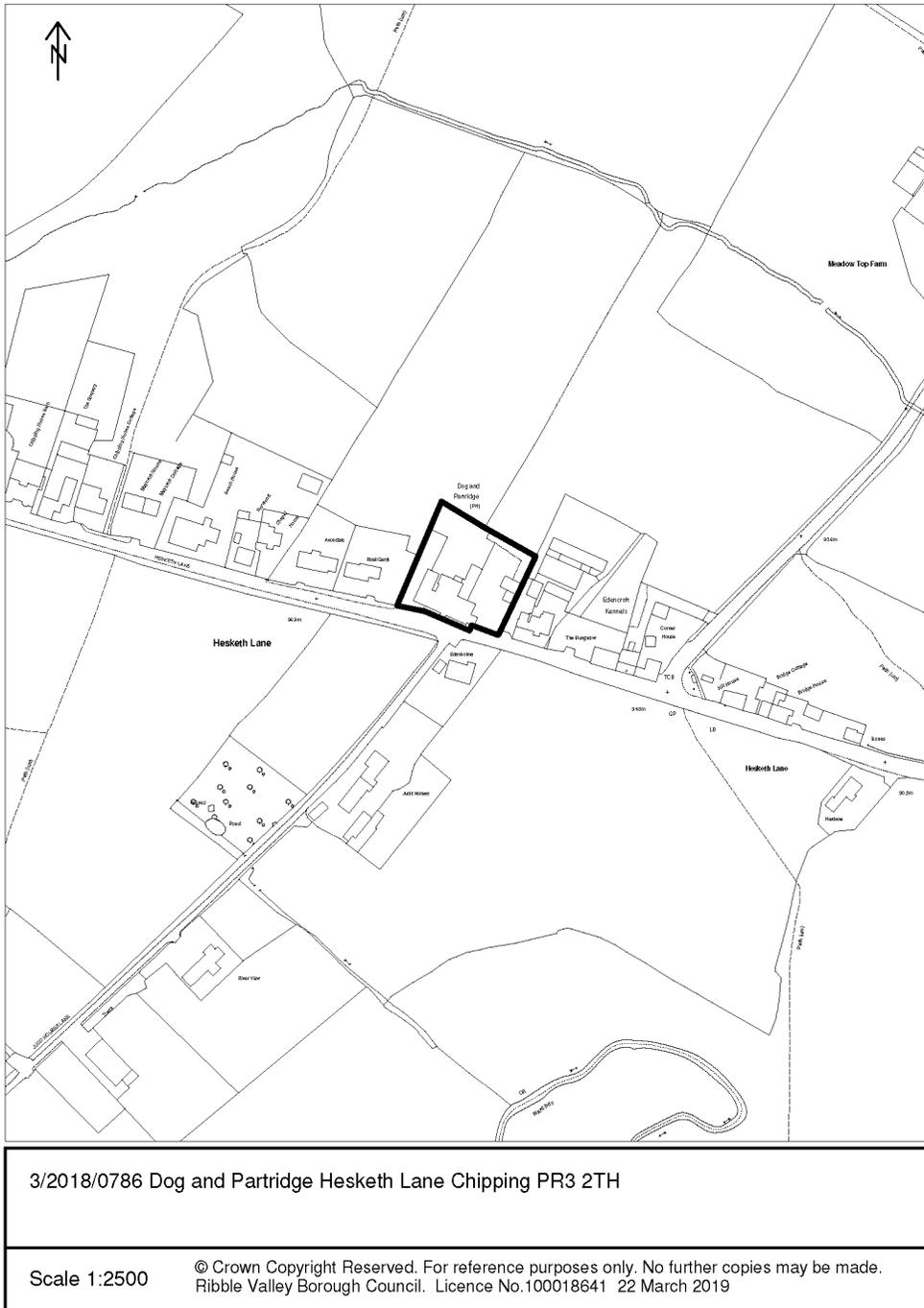
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2019%2F0388

APPLICATION REF: 3/2018/0786

GRID REF: 361865 441312

DEVELOPMENT DESCRIPTION:

CONVERSION OF EXISTING RESTAURANT TO CREATE 12 APARTMENTS AND SITING OF FOUR HOLIDAY LETS AT DOG AND PARTRIDGE, HESKETH LANE, CHIPPING PR3 2TH



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

The Parish Council considers that the application has not been adequately marketed. As submitted no details have been shown relating to affordable housing and have concerns the conversion scheme would generate a greater number of vehicular movements.

In relation to new holiday lets, consider they will have a visual impact and stress the importance of retaining the units as holiday lets and comment whether there is sufficient demand for new units.

LANCASHIRE LOCAL LEAD FLOOD AUTHORITY:

The Lead Local Flood Authority (LLFA) originally unable to comment due to lack of information. Following re-consultation raise no objection subject to conditions regarding implementation of an appropriate surface water sustainable drainage scheme prior to occupation and a pre-commencement condition in relation to a surface water management plan.

UNITED UTILITIES:

Advise that there are no foul and surface water assets in the local area and that historically foul water has entered the adjacent watercourse.

LANCASHIRE COUNTY COUNCIL (LCC) HIGHWAYS:

Based on the amended plan no objection to the proposal subject to suitable conditions

LANCASHIRE COUNTY COUNCIL (LCC) EDUCATION:

No requirement for an education contribution

ADDITIONAL REPRESENTATIONS:

Seven representations have been received from members of the public which raise the following issues. Following re-consultation additional comments have been received from some of the original objectors.

- Inadequate marketing of the property.
- Insufficient demand for this type of housing and it is in the wrong location.
- There is a surplus of existing holiday let accommodation in the borough and vicinity.
- Insufficient parking.
- Inadequate and incorrect drainage information submitted with the application and that the existing capacity is insufficient.
- Noise disturbance caused by the development and possible conflict to adjoin commercial kennel and cattery business.
- Over intensive form of development and out of character to the local environment.
- Noise survey carried out whilst the Kennel was closed so it is not appropriate.
- Contrary to Policies contained in the Core Strategy DMB1 and Key statement DMI2

It should be noted that following formal reconsultation some of the points raised have been reiterated.

1. **Site Description and Surrounding Area**

- 1.1 The site is located off Hesketh Lane, approximately 1.6 miles South of Chipping Village. The site itself consists of the former Dog and Partridge Restaurant & Bar which includes the main stone restaurant building, a modern rear extension, car park and rear garden area.
- 1.2 The site is situated in the Area of Outstanding Natural Beauty and has a road side frontage and vehicular access from Hesketh Lane.

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

- 2.1 The proposal seeks alterations to the former Dog and Partridge Public House to accommodate 12 flats, including 5 two bedroom units and 7 one bedroom units. The scheme also includes a terrace block of 4 two storey stone constructed holiday units at the rear of the site. Parking provision for both elements are on the existing car parking area associated with the public house.
- 2.2 The changes to the main building include the introduction of new windows, enlarging existing windows, replacing doors with windows and the introduction of additional external steps to access some of the units. It is considered that these changes do not adversely affect the character of the building.

3. **Relevant Planning History**

None

4. **Relevant Policies**

Ribble Valley Core Strategy:
Key Statement DS2 – Sustainable Development
Key Statement EN2 – Landscape
Key Statement EN4 – Biodiversity and Geodiversity
Key Statement EC1 – Business and Employment Development
Key Statement EC3 – Visitor Economy
Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME3 – Site and Species Protection and Conservation
Policy DMB1 – Supporting Business Growth and Local Economy
Policy DMB3 – Recreation and Tourism Development
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 Core Strategy Policy DMG2 states that development proposals outside the defined settlement boundary must meet at least one of six considerations. Of these considerations the development is compliant in that it seeks to convert an existing building with the new build element being a tourism use.
- 5.1.2 Additionally, Core Strategy Policy DMB1 generally seeks to support business growth and the local economy, and Policy DMB3 relates specifically to recreation and tourism uses. Policy DMB3 requires new tourism development to be physically well related to an existing main settlement or village; or to an existing group of buildings, except where the proposed facilities are required in conjunction with a particular countryside attraction.
- 5.1.3 In this respect the application site is not located within an existing main settlement or village but it is not considered to be visually isolated due to the ribbon development on Hesketh lane.
- 5.1.4 It is considered that the site is suitable for a tourism use in accordance with the relevant “principle” sections of Policies DMG2, DMB1 and DMB3 and therefore the proposal is viewed 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 and the considered over-development of the site.
- 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. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads.” It should be noted that this site is adjacent to the AONB and not within it.
- 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.” The proposed new build holiday cottages are in natural stone, slate roofing and timber framed windows all of which are in keeping with the locality.
- 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 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. The main visual impact is caused by the erection of the 4 two storey holiday lets located at the rear of the existing building. It is considered that as the buildings are located within the existing confines of the original garden area and would be seen against the backcloth of the main building it would not detract from the general visual amenity or have an adverse impact on the AoNB.

5.2.6 The changes to the main building include the introduction of new windows, enlarging existing windows, replacing doors with windows and the introduction of additional external steps to access some of the units. It is considered that these changes do not adversely affect the character of the building.

5.3 Impact Upon Residential Amenity:

5.3.1 The proposal, although in the open countryside, is adjacent to existing residential properties as well as a commercial Kennels and cattery business. Concern has been expressed that the noise associated from residential and holiday let activities could impact on the adjacent kennels and cattery business. Following concerns about the timing of the first noise survey a further survey was commissioned and based on the findings of the survey the Council's EHO raised no concerns.

5.3.2 Members must determine whether the proposal is acceptable in terms of the impacts of the proposal upon residential amenity. Due to its location the development would not have any undue 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 Affordable Housing:

5.4.1 The proposal makes provision for both on site and off site affordable housing. This would include one unit to have Discounted Sale and a financial contribution to assist in the delivery of affordable housing. On the basis that this has been agreed by the Council's Housing Officer, the proposal would be compliant with the objectives of the affordable housing policy. The applicant has agreed a financial contribution of £105,200 which has been a figure accepted by the Department.

5.5 Highway Safety and Accessibility:

5.5.1 It is now evident based on the changes and the additional information that there are no longer any concerns in relation to highway matters. The proposal provides a total of 22 parking spaces as well as adequate cycle provision. The scheme also includes alteration to the access points with the blocking up of the northern access point for vehicular purposes.

5.6 Landscape/Ecology:

5.6.1 The proposal would result in further built form on a garden area and as such there would be no biodiversity gain. However, in order to accommodate such

issues it is considered that a condition should be imposed on the new build and existing buildings in relation to the need to accommodate bird and an d bat boxes.

5.6.2 Members must determine whether they consider there would be any significant impact upon landscape and ecology in relation to the proposal with specific reference the protected species. It is considered that subject to the requested conditions in relation to bats and bird boxes 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.

5.7 Drainage and Flood Risk:

5.7.1 It is evident that many of the objections raised from local residents concern drainage issues and as a result additional information has been submitted .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.

5.7.2 Members must determine whether they consider there would be any significant impact upon drainage and flood risk in relation to the proposal. It is considered that subject to the appropriate conditions 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.

5.8 Off Site Recreation Facilities:

5.8.1 The Draft S106 includes a financial contribution of £3925 which is in accordance with the Council's Open Space and Developer contribution document it is envisaged that this sum which would be used in connection with facilities in Chipping.

6. Observations/Consideration of Matters Raised/Conclusion

6.1 It is noted that some concerns have been raised regarding the length and method of marketing the property for commercial uses. In this instance the marketing carried out via commercial agents but with no signage on site. Details have been provided and it is now the view of the Head of Regeneration that the marketing exercise has been sufficient to address the policy requirements. On this basis and given there are no material objections a recommendation of approval is considered appropriate.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Economic Development and Planning 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 Economic Development and Planning in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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

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

Location Plan Reference GA3147-LP-01
Landscaping Plan Reference Dog and Partridge
Proposed Block Plan Reference BP-01A dated 18/10/18
Proposed Floor Plan and Elevations GA3147-PL01
Proposed Floor Plan and Elevations GA3147-PL02

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

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

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

4. The proposed holiday cottages shall be restricted to short-term holiday purposes only. No cottage on the site shall be occupied at any time as permanent residential accommodation or as a person's main place of residence.

The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of the individual lodges on the site, and of their main home addresses, and shall make this information available, on request, to the Local Planning Authority.

REASON: To prevent the permanent residential occupation of the site in a location where new residential development is unacceptable in principle and to define the scope of the permission hereby approved.

5. Prior to work on any of the buildings 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 indicate the type of provision to be provided and identify the actual wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into those buildings during the construction and be made available for use before each flat or holiday let is occupied and thereafter retained. The development shall be carried out in strict accordance with the approved details.

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

6. Notwithstanding the submitted details, details or specifications of all materials to be used on the external surfaces, including details of external stairways, of the development hereby approved shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the area.

Noise

7. The residential development hereby permitted shall be designed in full compliance with the revised acoustic report dated 28/1/19 and incorporate the glazing, ventilation and acoustic specifications detailed in the report prior to occupation of any of the units.

REASON: To protect and safeguard residential amenity.

8. Prior to occupation of any of the units details of any external lighting scheme to the development hereby permitted shall be submitted to and approved in writing by the LPA and be implemented in accordance with the submitted scheme.

REASON: To protect and safeguard residential amenity.

9. The permitted hours of operation in relation to all construction works and ancillary operations (including deliveries and removal of plant, equipment, machinery and waste) shall be 08.00 to 18:00, Monday to Friday, 08.00 to 13:00 hours on Saturdays, and at no time on Sundays and Bank Holidays.

REASON: To protect and safeguard residential amenity.

10. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

- a) A final surface water drainage layout plan; appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels and external ground levels (in AOD);
- b) A full set of flow calculations for the surface water drainage network. The calculations must show the full network design criteria, pipeline schedules and simulation outputs for the 1 in 1 year, 1 in 30 year and 1 in 100 year return period, plus an appropriate allowance for climate change and urban creep. The calculations must also demonstrate that the post development surface water run-off rate shall not exceed 5l/s;
- c) A final plan showing all on-site surface water catchment areas, i.e. areas that will contribute to the proposed surface water drainage network;
- d) A final plan showing all overland flow routes and flood water exceedance routes, both on and off site;
- e) Details of measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses; and
- f) Details of an appropriate management and maintenance plan for the surface water drainage network for the lifetime of the development.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system and ordinary watercourses shall be retained, managed and maintained in accordance with the approved details.

REASON: To ensure that the proposed development can be adequately drained and that there is no flood risk on or off the site resulting from the proposed development. Also to ensure that water quality is not detrimentally impacted by the development proposal and that appropriate maintenance mechanisms are put in place for the lifetime of the development

11. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

REASON: To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere and that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

12. Prior to occupation of any of the units further details of a scheme showing the alterations to the access point including the blocking up of one of the access points shall be submitted to and approved in writing by the LPA. The scheme shall thereafter be implemented and retained in that manner in perpetuity.

REASON: In the interest of highway safety.

13. Prior to occupation of any of the units precise details of location and details of cycle provision and bin storage areas shall be submitted and approved in writing by the LPA. The facilities shall be made available before occupation of the individual units.

REASON: In order to encourage sustainable travel and general amenity issues

14. 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 for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) The erection and maintenance of security hoarding
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) Details of working hours which shall be in accordance with Condition 9 of this consent.
- ix) Routing of delivery vehicles to/from site

REASON: in the interest of highway safety and residential amenity.

15. Notwithstanding the provisions of Classes A to H of Part 1 of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking and re-enacting that Order, the holiday cottage hereby permitted shall not be altered or extended and no additional buildings or structures shall be erected within its external area unless planning permission has been previously approved by the LPA.

REASON: In the interest of the amenity of the area.

16. Notwithstanding the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the holiday cottage hereby approved shall only be used as holiday accommodation and for no other purpose, including any other purpose within Use Class C3.

REASON: To prevent the permanent residential occupation of the site in a location where new residential development is unacceptable in principle and to define the scope of the permission hereby approved.

INFORMATIVE

1. The applicant is advised that the new site access will need to be constructed under a section 278 agreement of the 1980 Highways Act. 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 is advised to contact the Community Services before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for "278 agreement".
2. The developer should be aware that the any works on, or immediately adjacent to the adopted highway network, would require the appropriate permits from Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on lhsstreetworks@lancashire.gov.uk or on 01772 533433.
3. In accordance with Condition 7 the noise levels at each dwelling should not exceed the following levels as assessed in accordance with British Standard 8233 (2014) and World Health Organisation guidelines (or any subsequent replacement national standards/guidance):

L_{Aeq} 50 dB 16 hours – gardens and outside living areas, daytime (07.00-23.00)

L_{Aeq} 35 dB 16 hours – indoors, daytime (07.00-23.00)

L_{Aeq} 30 dB 8 hours – indoors, night-time (23.00-07.00)

L_{AFmax} 45 dB 8 hours – indoors, night-time (23.00-07.00)

L_{AFmax} 45 dB 4 hours – indoors, evening (19.00-23.00)*

L_{AFmax} 60 dB 8 hours - façade level, night time (23.00-07.00)

L_{AFmax} 60 dB 4 hours - façade level, evening (19.00-23.00)*

Alternative levels and monitoring locations may be used subject to the prior written approval of the Local Planning Authority. The evening standard L_{AFmax} will only apply when the evening L_{AFmax} significantly exceeds the L_{Aeq} and the maximum levels reached are regular in occurrence, for example several times per hour. In relation to Condition 7 the L_{AF} max marked with an* the evening standard L_{AFmax} will only apply

when the evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.

- 4 In relation to condition 8 it shall be designed so that light intrusion into the windows of the nearest sensitive premises will not exceed 5 Lux before 23.00, and 1 lux after 23.00 (Environmental Zone E2), as described by The Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 (or any subsequent replacement guidance).

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0786

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2018/0924	Land South West of Barrow & West of Whalley Road Barrow	7/2/19	39	With Applicants Solicitor
3/2018/0914	Land off Clitheroe Road (Lawsonsteads Phase 2) Whalley	14/3/19	188	With Applicants Solicitor
3/2018/1037	Land off Pimlico Link Road Clitheroe	11/4/19	19	With Legal
3/2019/0012	Land South West of Barrow & West of Whalley Road Barrow	30/5/19	233	With Applicant

<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>
3/2018/0844	Land off Longsight Road, Langho	10/1/19	21 weeks	42	Decision 5/6/19

APPEALS UPDATE

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Costs application received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2017/0961 R (Variation of S106 Ag)	25/04/2019	Land at Chapel Hill Longridge	Hearing		18/06/2019	Withdrawn by Appellant 29/05/2019
3/2018/0474 R of pp	Awaiting start date from PINS	Great Mitton Hall Mitton Road Mitton BB7 9PQ	HH appeal procedure Hearing requested (to be confirmed by PINS)			
3/2018/0468 R of LBC	Awaiting start date from PINS	Great Mitton Hall Mitton Road Mitton BB7 9PQ	LB Hearing (to be confirmed by PINS)			
3/2018/1020 R of pp	Awaiting start date from PINS	Calding Bank Cottage Whalley Old Rd Billington BB7 9JE	WR (to be confirmed)			
3/2018/0915 R of outline pp	19/02/19	Daniels Farm Preston Road Alston PR3 3BL	WR			Appeal Dismissed 16/05/2019

3/2018/0688 R of outline pp	04/02/19	land off Henthorn Road Clitheroe	Inquiry		08/05/2019 09/05/2019 10/05/2019	Awaiting Decision
3/2018/1025 R of prior notification	05/02/2019	Low Laithe Barn Gisburn Road Newsholme	WR			Awaiting Decision
3/2018/0651 R of pp	01/03/2019	Land adj Glenetta Parsonage Rd Wilpshire BB1 4AG	WR			Appeal Dismissed 12/06/2019
3/2018/0582 R of permission in principle	21/05/2019	Land to the south of Chatburn Old Rd Chatburn	WR			Statement Due 25/06/2019
3/2018/0768 R of pp	27/03/2019	Land at Osbaldeston Ln Osbaldeston	WR			Awaiting Decision
3/2018/0479 R of pp	03/06/2019	74 Church St Ribchester	HH			Awaiting Decision
3/2018/1076 R of pp	Awaiting start date from PINS	Sabden House Wesley Street Sabden	HH (to be confirmed by PINS)			
3/2018/1006 R of LBC	Awaiting start date from PINS	Sabden House Wesley Street Sabden	WR (to be confirmed by PINS)			
3/2018/1148 R of pp	10/06/2019	Wolfen Lodge Fish House Ln Chipping	HH			Awaiting Decision
3/2019/0057 R of pp	21/05/2019	Seven Acre Bungalow Forty Acre Lane Longridge	WR			Statement Due 25/06/2019
3/2019/0117 R to discharge condition	Awaiting start date from PINS	Susie Cottage Rimington Lane Rimington	WR (to be confirmed by PINS)			
3/2019/0241 R of pp	Awaiting start date from PINS	23 Church Street Clitheroe	HH (to be confirmed by PINS)			
3/2019/0242 R of LBC	Awaiting start date from PINS	23 Church Street Clitheroe	WR (to be confirmed by PINS)			

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No. 7

meeting date: 27 JUNE 2019
title: VALIDATION CRITERIA
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING
principal author: REBECCA BOWERS, ASSISTANT PLANNING OFFICER

1 PURPOSE

1.1 The draft revision of the Council’s Validation Checklist for planning applications had been prepared in conjunction with the guidance lines set out by the MCHLG and reported to Members of the Planning and Development Committee on 11 April 2019. Following a 6 week consultation period, in which key stakeholders were consulted on the draft Checklist, as well as the document being available for public view on the Council’s website, a total of seven responses have been received. The responses are all in principal supportive of the introduction of a Validation Checklist, however responses have been received suggesting some amendments to the draft Checklist. A summary of the responses received, along with the resultant amendments to the Validation Checklist is attached to this report (Appendix 1).

1.2 As well as the amendments to the document in line with the consultation responses, the Council have also created a new pro forma document that is to be completed when submitting an application for a new agricultural building or agricultural workers dwelling (including prior notification applications). This document can be viewed on the Council’s website and a direct link is included within the “Agricultural Applications” section of the Validation Checklist.

1.3 This report therefore seeks to request that Committee approve the final version of the Council’s Validation Checklist for planning applications submitted to the Local Planning Authority (LPA) with view to updating the document every two years unless the LPA consider major changes need to be made prior to the two year period.

1.4 Relevance to the Council’s ambitions and priorities

- Community Objectives }
 - Corporate Priorities }
 - Other Considerations }
- To be a well-managed council providing efficient services based on identified customer need.

2 BACKGROUND

2.1 The Growth and Infrastructure Bill, which was introduced to Parliament on 18 October 2012, includes measures which will place limits on the powers of local authorities to require information submitted with planning applications by stipulating that such requests must be genuinely related to planning and reflect the nature and scale of the development proposed. Paragraph 44 of the National Planning Policy Framework (the

Framework) makes it clear that local planning authorities should only request supporting information that is relevant, necessary and material to the application.

- 2.2 The Framework states that local planning authorities should publish a list of their information requirements for planning applications, which should be proportionate to the nature and scale of development proposals and reviewed at least every two years. The list should be subject to consultation and should be published on the local planning authority's website.
- 2.3 The Council's current Validation Checklists date back to 2013. Validation Checklists include 'national validation requirements' which are statutory requirements for all applications, and a 'local list' of supporting documents that may be required depending on the nature and scale of an application. The intention of this document is to assist applicants when submitting planning applications and to ensure that more planning applications can be validated on receipt.
- 2.4 The Council's Local List of Validation requirements is not intended to be overly prescriptive and it is advised that early pre-application discussions are entered into so the documents, plans and drawings, which reflect the nature and scale of the development, required to support the planning application can be identified. It is intended that this checklist will be reviewed and updated, where necessary, on a frequent basis.

3. LEGAL IMPLICATIONS

- 3.1 Information requested by a local planning authority for submission with a particular planning application must comply with two statutory tests set out in section 62(4A) of the Town and Country Planning Act 1990 (inserted by the Growth and Infrastructure Act) and article 11(3)(c) of the Town and Country Planning (Development Management Procedure)(England) Order 2015. These are:
 - reasonable, having regard in particular, to the nature and scale of the proposed development; and
 - about a matter which it is reasonable to think will be a material consideration in the determination of the application.
- 3.2 Regard has been had to these tests in producing the final version of the Validation Checklist.

4. RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:
 - Resources - Any changes could be met with existing staffing and it may also free up some Member and officer time.
 - Technical, Environment and Legal – The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out the provisions in respect of a local authority's ability to request information in respect of validating an application submitted to the Local Planning Authority. The only requirements which are to apply to a particular application are those published on their website which has been

published within two years immediately before the date on which the application is made.

The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out a formal route for an applicant to challenge information requests by local authorities, enabling an applicant to appeal against non-determination after the statutory time period has passed and no formal validation has taken place.

This means that a local authority can no longer compel a developer to provide information because it is on a local validation list. If an applicant considers that the information requested on a local list does not meet the tests set out in the National Planning Policy Framework and the Act, they can now challenge the need to provide it. The challenge is rare as since its introduction the Council has only had 1 appeal in relation to invalidity.

As such currently the Local Planning Authority cannot insist upon the submission of any other documentation, other than the national requirements, to support an application which can cause delays at validation stage in both officer time and to the customer and runs the risk of the submission of a non-determination appeal where validation is in dispute.

- Political – No implications identified
- Reputation – No implications identified
- Equality & Diversity – No implications identified.

5. **RECOMMENDED THAT COMMITTEE**

- 5.1 Note the consultation responses and the suggested changes to the Validation Checklist set out in Appendix 1.
- 5.2 Agree to the new pro forma to be submitted with Agricultural determinations.
- 5.3 Agree and formally adopt the Planning Application Validation Criteria attached in Appendix 2.

REBECCA BOWERS
ASSISTANT PLANNING OFFICER

NICOLA HOPKINS
DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

For further information please ask for Rebecca Bowers, extension 4518.

APPENDIX 1

Name/Organisation	Support/Comment/Object	Comment received from Consultation	RVBC response and action
The Coal Authority	Support	Support the requirement for a Land Stability Report to be submitted where required.	Noted comments no action to be taken.
RSPB	Comment	<p>The RSPB have forwarded a copy of the Biodiversity requirements of The Award Winning Exeter Residential Design Guide SPD which has been accepted as good practise by T&CPA, RTPI, RIBI, CIEEM, The Wildlife Trust and the RSPB.</p> <p>Notwithstanding the above, the RSPB have become uncomfortable with the advice in this guide on the topic of bird/bat boxes that has been repeated in the draft Validation Criteria Checklist. The RSPB have stated that the applicant/agent should contact the RSPB to agree suitable boxes, suitable locations for the boxes which should be marked on working drawings/site plan, and that any condition relating to the provision of these boxes should not be discharged until photographic evidence has been provided to show that the boxes have been installed in accordance with the submitted details.</p> <p>The RSPB stated that the ratio of one bird box per residential unit is viable and that the provision for bats should be in addition to bird boxes, rather than instead of.</p>	<p>Comments are noted in respect of the RSPB's wish for contractors to directly consult with the organisation in respect of suitable boxes/nesting provision and locations. This matter falls within the remit of the discharge of condition mechanism or will be assessed at application stage in consultation with relevant bodies including where applicable the RSPB. As such it is not considered this matter need be addressed through embodied revisions to the validation document.</p> <p>Comments noted and Validation Checklist has been updated to reflect the ratios of bat and bird boxes expressed by the RSPB for new development.</p>
Environment Agency	Comment	Support the reference to the requirements of a FRA however the associated requirements of the Sequential and Exception Tests should also be included. The EA strongly recommend that the Sequential Test is undertaken prior to any detailed	Comments noted and a requirement for a both Sequential and Exception Tests has been added to the

APPENDIX 1

Name/Organisation	Support/Comment/Object	Comment received from Consultation	RVBC response and action
		<p>FRA as it may be that the principle of the development is unacceptable and unnecessary costs can be avoided, it may therefore be prudent to put the requirements for the Exception and Sequential Tests at the start of the section before the FRA requirements.</p>	<p>Validation Checklist.</p>
		<p>The EA have also requested that a link to the 'Environmental Agency's Flood Maps' be included.</p>	<p>A link to the Environment Agency flood map has been added to the Validation Checklist.</p>
		<p>In respect of drainage the EA have suggested additional text to be added at the beginning of this section.</p>	<p>Additional text requested has been added into relevant section of Validation Checklist.</p>
		<p>In respect of Biodiversity the EA have suggested the addition of reference to the Water Framework Directive (WFD) and provides a link to additional information on how to complete a WFD Risk Assessment when the development would include flood risk activities and channel modifications to be added under the WFD section.</p>	<p>Comments noted and a requirement for a WFD assessment has been included within the biodiversity section of the Validation Checklist.</p>
		<p>In respect of Land Contamination the EA welcome the requirement for a Desk Study on land where contamination is expected on or adjacent to the development site, however recommend that further guidance is included on the EA's approach to ground water protection.</p>	<p>A reference to ground water protection, including a link to EA guidance, has been added to the Validation Checklist.</p>
		<p>In respect of the Construction and Demolition Method Statement the EA recommend that a Construction and Demolition Method Statement be required for development</p>	<p>The requirement for a Construction and Demolition Method Statement, along with</p>

APPENDIX 1

Name/Organisation	Support/Comment/Object	Comment received from Consultation	RVBC response and action
		<p>which is within or would affect a site of ecological importance such as SAC, SSSI, CWS, Ramsar Site, RIGG, LPA and sites that are within, or close to, a site that drains into a watercourse. The EA suggest using South Lakelands requirements for a Construction and Demolition Method Statement.</p>	<p>advice on what it should include, has been added within the biodiversity section of the Validation Checklist.</p>
<p>Natural England</p>	<p>Comment</p>	<p>In respect of Pre application advice Natural England suggest that applicants may wish to be aware that Natural England has their own Discretionary Advisory Service.</p>	<p>Additional paragraph advising that NE provide pre-application advice has been added to Pre Application Section of the Validation Checklist.</p>
		<p>Natural England also feel that the requirements for a Habitats Regulation Assessment when developments impact a European/ Natura 2000 designated site should be made more apparent within the document as well as any application which will affect a SSI or nationally designated site would require a SSI Assessment.</p>	<p>The requirement for a Habitats Regulation Assessment has been added within the biodiversity section of the Validation Checklist.</p>
		<p>Natural England also state that applicants should be aware that pathways of impact can vary in distance e.g. water/air pollution, recreational pressure and that Natural England have published a set of mapped Impact Risk Zones for Sites of Special Scientific Interest which can be accessed via their website.</p>	<p>A link to this information has been provided within the biodiversity section of the Validation Checklist.</p>
		<p>In respect of a Noise Impact Assessment Natural England suggest that an assessment should also include, where necessary, regard to the impacts of a development on sensitive ecological receptors, as well as human receptors.</p>	<p>This requirement has been added to the Noise Impact Assessment section of the Validation Checklist.</p>

APPENDIX 1

Name/Organisation	Support/Comment/Object	Comment received from Consultation	RVBC response and action
		<p>In respect of a Lighting Assessment Natural England recommend that where the document sets of the requirements for lighting information that this should include, where necessary, regard to the impacts of development on sensitive ecological receptors, as well as human receptors.</p>	<p>This requirement has been added to the Lighting Assessment section of the Validation Checklist.</p>
		<p>In respect of a Tree Survey Natural England recommend that the Standing Advice on Ancient Woodland be referred to in this section and that as trees can provide habitats for protected species the Natural England standing advice for protected species also be included within this section.</p>	<p>Links to the Natural England Standing Advice on these matters has been added to the Tree Survey section of the Validation Checklist.</p>
		<p>In respect of Drainage Natural England state that a drainage assessment should also include, where necessary, regard to the impacts of the development on sensitive ecological receptors, as well as human receptors and that an assessment of potential impacts from drainage to ecological receptors would fall under the HRA process referred to under the Ecological Assessment section of these comments.</p>	<p>This requirement has been added to the Drainage section of the Validation Checklist.</p>
		<p>In respect of Landscape Natural England are supportive of the inclusive of the Landscape and Visual Impact Assessment details included within the draft version of the Validation Criteria.</p>	<p>No action required</p>
<p>Sport England</p>	<p>Comments</p>	<p>Sport England attached a copy of their existing consultation guidance checklist to be included as part our validation criteria.</p>	<p>Sport England’s existing consultation guidance has been added as an Appendix in relation to development which affects playing field land.</p>

APPENDIX 1

Name/Organisation	Support/Comment/Object	Comment received from Consultation	RVBC response and action
Historic England	Comments	No comments to make on the contents of the Validation Criteria.	No action required.
Blackburn with Darwen Council	Comments	Wish to make the LPA aware of an error under the Tree Survey Section confirming that the up to date version is BS5837:2012 and not BS 2005 as referred to in the document.	Amendment made to document.
Designing Out Crime Officer – Lancashire Constabulary	Comments	Have advised that a Crime Impact Statement (CIS) should be submitted with major planning applications. The CIS identifies local crime risks to ensure design decision-makers, developers and Planning Officers consider crime, disorder and fear of crime, so that they can make informed decisions.	The requirement is noted and a CIS will be required for the types of development listed within the consultation response



June 2019

Preface

This document has been prepared by Ribble Valley Borough Council following the introduction of standard application forms (April 2008) and the introduction of the Pre-Application Advice Charging Scheme (introduced 2012).

Introduction

The standard application form covers the following types of application:

- Householder Applications
- Applications for outline, reserved matters and full planning permission
- Listed Building Consent
- Advertisement Consent
- Applications for Lawful Development Certificates
- Prior notification applications
- Applications for Hedgerow Removal Notice
- Applications for removal or variation of a condition
- Applications for approval of details reserved by condition
- Applications for tree work
- Applications for a Non-material Amendments
- Prior approval applications

The information required to make a planning application valid will vary dependent on the type of application. However the information required will consist of:

- National List which are mandatory for all applications.
- Information provided on the standard application form
- Local List which are set out for each of the types of applications depending on the nature of the proposal.

Providing all the required information is included at the outset the application will be classed as 'Valid' and will progress to a decision.

If information is missing, the application will be held as 'Invalid' and delayed until the necessary information is received. If information is not provided within 21 days of us requesting it we will not be able to deal with the application and it will be treated as withdrawn. We will not keep any documents relating to such applications.

If you do not intend to provide all the information required by the Councils local list of validation requirements, you should provide a short written justification as to why it is not appropriate in the particular circumstance.

Pre- Application Discussions

The Council are keen to promote the use of early discussions with agents and developers at pre-application stage as it is considered that early, collaborative discussions between developers, public sector agencies and the communities can help to shape better quality, more accepted schemes. These developments can be brought forward more quickly and deliver improved outcomes for the community. These discussions also avoid wasted effort, time costs and avoid frustration.

Further benefits include:

- Avoiding incomplete applications that cannot be registered
- Reducing the number of unsuccessful applications
- Raising the quality of development
- Securing satisfaction with the process
- Reducing confrontation in the planning process

We will expect that guidance given by the Council's officers is taken into account in the preparation and working up of your proposals. Where it is evident that pre application advice has not been sought or taken into account in a subsequent planning application, the Council may not be able to negotiate on a scheme and applications are likely to be determined as submitted.

Advice given at pre-application stage will be based on the case officer's professional judgment and assessment of the information provided. Pre application advice whether favourable or not is given on a 'without prejudice' basis since the Council must on submission of an application go through the statutory procedures and formal consultation and assess the outcomes before a decision can be made. Whilst advice can be given in good faith, we cannot guarantee that a subsequent planning application will be successful. We nevertheless believe that pre application advice is an extremely important part of the planning process.

Full details of the Council's Pre Application Advice Charging Scheme can be found at https://www.ribblevalley.gov.uk/info/200361/planning_applications/1597/how_to_apply_for_planning_permission

Applicants may wish to be aware that Natural England has a pre-application Discretionary Advisory Service. That can be found at: <https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals>

National List and Standard Application Form

The national list is a list of statutory information required to accompany all applications (as specified in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO)). The information required includes:

1. The standard application form

A completed standard application form is required which is available to complete on line.

2. Required Plans

The following plans are required to support planning applications (except where the application is made pursuant to section 73 (determination of applications to

develop land without conditions previously attached) or section 73A(2)(c) (planning permission for development already carried out) of the 1990 Act(a)). The plans should accurately show the direction of north (where appropriate):

a) Location Plan (a plan which identifies the land to which the application relates)

- The location plan should clearly identify the application site. The application site should be edged clearly with a red line. It should include all land necessary to carry out the proposed development (e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings.)
- A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.
- The plan will be required to be based on an up-to-date map at a scale of 1:1250 or 1:2500. In exceptional circumstances plans of other scales may also be required.
- The plan should include a least two named roads and the surrounding buildings.
- The buildings should be numbered/ named to ensure that the application site is clearly identified.

b) any other plans, drawings and information necessary to describe the development which is the subject of the application and can include:

- Site Plan
- Block Plan
- Existing and proposed floor plans
- Existing and Proposed Elevations
- Existing and proposed site sections and finished floor and site levels
- Roof plans

3. Ownership Certificates

Under section 65(5) of the Town and Country Planning Act 1990, read in conjunction with Article 14 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 the Local Planning Authority must not entertain an application for planning permission unless the relevant certificates concerning the ownership of the application site have been completed. All applications for planning permission except for approval of reserved matters must include the appropriate certificate of ownership. An ownership certificate A, B, C or D must be completed stating the ownership of the application site.

Certificate A- This should only be completed if the applicant is the sole owner of the land to which the application relates and there are no agricultural tenants.

Certificate B- This should be completed if the applicant is not the sole owner, or if there are agricultural tenants, and the applicant knows the names and addresses of all the other owners and/or agricultural tenants.

Certificate C- This should be completed if the applicant does not own all of the land to which the application relates and does not know the name and address of all of the owners and/or agricultural tenants

Certificate D- This should be completed if the applicant does not own all of the land to which the application relates and does not know the names and addresses of any of the owners and/or agricultural tenants.

For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than seven years. An 'agricultural tenant' is a tenant of an agricultural holding, any part of which is comprised in the land to which the application relates.

4. Notice(s)

An applicant is required to notify owners of the land or buildings to which the application relates, as well as any agricultural tenants, in accordance with article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. When making an application, an applicant is required to sign a certificate confirming the ownership of the land to which the application relates and that the relevant notices have been served.

The applicant is required to publicise, in a newspaper circulating in the locality in which the land to which the application relates is situated, their intended application at least 21 days prior to submission where the names and addresses of the land owners are not known in accordance with article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

5. The correct fee (where one is necessary)

The full fee information can be found at

http://www.planningportal.gov.uk/uploads/english_application_fees.pdf

Any application which is submitted without a fee will be treated as invalid until a fee is received.

The fee can be paid:

- over the phone (01200 425111) by debit or credit card; or
- by cheque - Payable to Ribble Valley Borough Council – please quote 'Planning Fee' on back of cheque; or
- Via on-line banking -for details please contact our finance department directly.

6. Design and Access Statements

In accordance with the DMPO Design and Access Statement will be required to accompany:

In all areas:

- major development ¹
- development is in a conservation area consisting of-
(i) the provision of one or more dwellinghouses; or

¹ For the purposes of the Development Management Procedure Order, "major development" means:

(c) the provision of dwellinghouses where —

(i) the number of dwellinghouses to be provided is 10 or more; or

(ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);

(d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or

(e) development carried out on a site having an area of 1 hectare or more;

- (ii) the provision of a building or buildings where the floor space created by the development is 100 square metres or more.
 - Applications for listed building consent

The Design and Access Statement shall:

- a) Explain the design principles and concepts that have been applied to the development;
- b) Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
- c) Explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;
- d) state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and
- e) Explain how any specific issues which might affect access to the development have been addressed.

Design and Access Statement are not required to accompany applications:

- (a) for permission to develop land without compliance with conditions previously attached made pursuant to section 73 of the 1990 Act(a);
- (b) of the description contained in article 20(1)(b) or (c) of the DMPO;
- (c) for engineering or mining operations;
- (d) for a material change in use of the land or buildings;

The Local List

It should be noted that the Council's Local List of validation requirements is not mutually inclusive and the aim of the Checklist is to set out clearly for anyone submitting an application what is required by the Council to determine an application, which increases the certainty for consultants, developers, neighbours and community groups. The Checklist has been produced in line with national guidance and informed by policy, and therefore items and requirements on the local list are only requested where (as set out within article 34(6) (c) of the DMPO):

- they are proportionate to the nature, scale and location of the proposed development and
- matters which will be relevant, necessary and material to consideration of the application

Paragraph 44 of the National Planning Policy Framework states that local planning authorities should only request supporting information that is relevant, necessary and material to the application. This guidance is supported by the National Planning Practice Guidance (NPPG) and is intended to assist applicants when submitting planning applications and to ensure that planning applications can be validated on receipt.

Validation Dispute (article 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2015)

If the need for a certain document/ plan is disputed (i.e. it is not considered that the particulars or evidence required do not meet the requirements set out in article 34(6)(c) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) then the applicant/ agent may send a notice to the authority. The notice must—

- (i) Specify which particulars or evidence the applicant considers do not meet the requirements set out in article 34(6)(c);
- (ii) Set out the reasons the applicant relies upon in holding that view; and
- (iii) Request the authority to waive the requirement to include those particulars or evidence in the application.

The Local Planning Authority will then assess the justification and determine whether or not the document/ plan is/ are material to consideration of the application.

The Local Planning Authority can require additional information within 28 days of the receipt/ validation of the application.

Planning Obligations

It is advised that the Planning obligations are considered at pre-application stage as the obligations are material planning considerations which could potentially delay the consideration of planning applications. As such whilst it is not a requirement for the validation of a planning application it is considered to be good practice to submit information about a proposed planning obligation alongside an application.

Applicants should be aware that there will be a legal fee which the applicant will need to pay on completion of a Section 106 Agreement/Unilateral Undertaking.

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Plans to support an application

The following plans will be required in support of the application. The plans should be provided at the stated scale **including the paper size** (i.e. 1:500 at A1) and should accurately show the direction of north (where appropriate):

Existing and Proposed Site Plan

The site plan(s) should be drawn at a scale of 1:500 or 1:200 and should accurately show:

- a) The direction of north
- b) The proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries
- c) All the buildings, roads and footpaths on the land adjoining the site including access arrangements
- d) The position of all trees on the site, and those on adjacent land that could influence or be affected by the development.
- e) The extent and type of any hardstanding
- f) Boundary treatment including walls or fencing where this is proposed.
- g) Any footpaths/ public rights of way within the application site

Existing and Proposed Block Plan

Block plan(s) of the site is required at a scale of 1:100 or 1:200 showing any site boundaries, the type and height of boundary treatment (e.g. walls, fences etc), the position of any building or structure on the other side of such boundaries.

Existing and proposed floor plans

These should be drawn to a scale of 1:50 or 1:100 and should explain the proposal in detail. Where existing buildings or walls are to be demolished these should be clearly shown. The drawings submitted should show details of the existing building(s) as well as those for the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable).

The submitted plans should include the dimensions of the proposal annotated onto the plan.

Existing and Proposed Elevations

These should be drawn to a scale of 1:50 or 1:100 and show clearly the proposed works in relation to what is already there. All sides of the proposal must be shown and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Blank elevations must also be included; if only to show that this is in fact the case.

Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property.

The submitted plans should include the dimensions of the proposal annotated onto the plan

Existing and proposed site sections and finished floor and site levels

Such plans drawn at a scale of 1:50 or 1:100 should show a cross section(s) through the proposed building(s). In all cases where a proposal involves a

change in ground levels, illustrative drawings should be submitted to show both existing and finished levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided.

Full information should also be submitted to demonstrate how proposed buildings relate to existing site levels and neighbouring development. Such plans should show existing site levels and finished floor levels (with levels related to a fixed datum point off site) and also show the proposals in relation to adjoining buildings. This will be required for all applications involving new buildings.

In the case of householder development, the levels may be evident from floor plans and elevations, but particularly in the case of sloping sites it will be necessary to show how proposals relate to existing ground levels or where ground levels outside the extension would be modified.

Levels should also be taken into account in the formulation of design and access statements.

Roof plans

A roof plan is used to show the shape of the roof and is typically drawn at a scale smaller than the scale used for the floor plans (i.e. at a scale of 1:50/ 1:100/ 1:200). Details such as the roofing material, vents and their location are typically specified on the roof plan.

Additional Plans

For certain proposals, including new housing schemes, the following plans will be required to enable a full assessment of the proposals. The inclusion of these plans can also reduce the number of prior commencement conditions attached to a planning approval:

- Materials plan- detailing the proposed external facing materials and the proposed hardsurfacing materials (please be advised that the Council will require either the use of permeable materials on a permeable base for the construction of driveways or provision for drainage facilities within the site to ensure that surface water does not drain onto the highway.)
- Boundary treatment plan- detailing the proposed walls, fencing etc to be erected on the site along with plans detailing the height and appearance of these boundary treatments. (Please note that for new housing schemes adequate boundary treatment will be required to create private garden space within the curtilage of the dwelling).
- Landscape plan- including full details of all existing trees and those to be removed, all existing and/ or proposed ground cover planting, size, species, density and position of proposed trees and details of all existing and proposed hardstanding/parking areas.
- Street scene plans- detailing the proposed scheme within the existing street scene and plans of proposed street scenes within the development

Householder Applications

The Council's Local List includes a list of all potential supporting documents for all types of applications. This list is extensive and the majority of the documents listed will not be applicable to householder applications. To assist with householder applications a separate checklist will be produced which sets out the documentation required to support a householder planning application (found at Appendix E).

Outline Planning Applications

Outline applications are about establishing whether a particular type of development is acceptable on a site in principle. Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 identifies certain 'reserved matters', which may be set aside at the outline application stage for subsequent approval by the local planning authority. These are:

- layout,
- scale,
- appearance,
- access and
- landscaping.

The following information is required to accompany an outline planning application:

Amount: cannot be reserved within an outline application. The amount of development proposed for each use, how this will be distributed across the site and how the proposal relates to the site's surroundings should be explained within the design and access statement/ planning statement.

Layout: where layout is to be a reserved matter then the information requirements will be judged on a site-by-site basis having regard to the complexity and specific context of a particular application.

PLEASE NOTE: It is advised that prior to submitting an outline planning application formal pre-application discussions are entered into to establish the level of detail required to accompany the application. In respect of layout this can include details of the approximate location of buildings, routes and open spaces proposed (PLEASE NOTE: that plans submitted for illustrative purposes will not form part of the list of approved plans on any planning approval and should be clearly marked 'ILLUSTRATIVE' on the plans)

Scale: Where scale is to be a reserved matter then the information requirements will be judged on a site-by-site basis having regard to the complexity and specific context of a particular application.

PLEASE NOTE: It is advised that prior to submitting an outline planning application formal pre-application discussions are entered into to establish the level of detail required to accompany the application. In respect of scale this can include details of the parameters for the upper and lower limits of

the height, width, and length of each building proposed. This is in order to establish a three dimensional building envelope within which the detailed design of the buildings will be constructed.

Landscaping: where landscaping is to be a reserved matter then the application does not need to provide any specific landscaping information. However, the accompanying design and access statement should explain and justify the principles that will inform any future landscaping scheme.

Appearance: where appearance is to be a reserved matter then the accompanying design and access statement should explain and justify the principles behind the intended appearance and explain how these will inform the final design of the development.

Access: the location point of the access (es) are required to be shown to the site. This is to enable an early assessment of whether safe vehicular and pedestrian access will be possible.

Environmental Impact Assessment (EIA)

An Environmental Impact Assessment (EIA) should be provided for any major development that falls within Schedule 1 of the The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. An EIA may also be required for other developments identified in Schedule 2 where its location and scale corresponds with those criteria listed in the EIA Regulations. An assessment will need to be undertaken as to the significance of any impact. This is to enable the likely environmental impacts of the proposed development to be properly considered by the Local Planning Authority. This is a three-stage process.

If you suspect that a proposal may need an EIA you can submit a request to the Local Planning Authority for a Screening Opinion. This request will need to be accompanied by:

- (a) a plan sufficient to identify the land;
- (b) a description of the development, including in particular—
 - (i) a description of the physical characteristics of the development and, where relevant, of demolition works;
 - (ii) a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;
- (c) a description of the aspects of the environment likely to be significantly affected by the development;
- (d) to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from—
 - (i) the expected residues and emissions and the production of waste, where relevant; and
 - (ii) the use of natural resources, in particular soil, land, water and biodiversity; and
- (e) such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

On receipt of the application for a screening opinion the Local Planning Authority will consult the relevant organisations and respond to the request normally within 3 weeks. If the Local Planning Authority considers that the proposal could have significant effects on the environment then they will require an EIA to be submitted with the planning application.

If a proposed development is EIA Development (by virtue of either Schedule 1 or Schedule 2) then a request for a Scoping Opinion can be submitted to the Local Planning Authority. This will seek to provide sufficient information that the scope of an EIA can be agreed, i.e. the significance of the various impacts and the level of detail to be explored. The Local Planning Authority will consult the relevant organisations and respond to the request normally within 5 weeks.

An EIA application should be submitted with a full Environmental Statement (ES) and a non-technical summary. Technical appendices should also be included where relevant. An application proposing EIA Development has a target date for consideration of 16 weeks to allow the Local Planning Authority and all the interested parties' greater opportunity to consider the impacts of the proposed development.

PLEASE NOTE: Following the Court of Appeal Judgement *SAVE Britain's Heritage v SSCLG* the demolition of buildings is now classed as 'development'. As a result, where demolition works are likely to have a significant effect on the environment, by virtue of factors such as its nature, size, or location, EIA screening must be carried out to consider whether EIA is required.

Biodiversity

Biodiversity is a material consideration in the planning decision. Development which has the potential to impact on biodiversity will be required to be supported by adequate information about important species, habitats and geological features, and appropriate design solutions.

An ecological assessment and/or wildlife survey shall be submitted for all proposals where the development of the site might affect protected species and/or habitats, Biological Heritage Sites, Ancient Woodland, woodland areas, any water body, pond ditch, or other similar feature. This includes the conversion of existing buildings. Further advice in respect of the need for surveys can be found at Appendix A.

Further advice on where bats are likely to be present can be found at Appendix H

The report shall include the following:

- Details of the appointed ecologist to demonstrate their competence
- Confirmation that surveys were undertaken or updated within the last 3 years (the need for more recent surveys may become apparent during consultation)
- A detailed method for the ecological assessment/ survey
- Detailed results of the survey/ assessment and an evaluation of the ecological interest
- An assessment of likely impacts
- Proposals to avoid, mitigate or compensate for any ecological impacts
- In the case of developments affecting European Protected Species (e.g. bats, otters, great crested newts, badgers), information required to address the three licensing tests of the Habitats Regulations.

In addition where developments that are proposed adjacent to such a site, but it might have an impact upon it, will also be required to be submitted with a full assessment of the impact of the proposal on the feature of importance.

This requirement cannot be conditioned, as the Local Planning Authority is obliged by the law to make a full assessment of the impact of the proposed development at the time of its consideration.

In order to achieve overall gain and enhancement in biodiversity, in accordance with Key Statement EN4 of the Ribble Valley Core Strategy, it will be expected that each new residential unit (including conversions of non-residential buildings and replacement dwellings) shall provide integral nesting provision for birds at a ratio of one nesting box per residential unit within the scheme. It will also be a requirement that artificial roosting provision be provided for bats in addition to the aforementioned bird-nesting provision at a ratio to be agreed/determined on a site by site basis.

Other developments (e.g. commercial) will also be required to provide a detailed scheme for artificial nesting provision for species of conservation concern including, but not limited to, integrated nesting boxes/provision for bats and birds and should also seek to demonstrate a net enhancement in biodiversity.

Additionally following a High Court judgement the Council has a legal duty, as part of a planning application, to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:

- (a) the activity must be for imperative reasons of overriding public interest or for public health and safety;
- (b) there must be no satisfactory alternative and
- (c) favourable conservation status of the species must be maintained.

The Local Planning Authority undertake a hierarchical assessment of options for biodiversity on sites. The principle of the hierarchy is that enhancement should be the starting point when looking at the biodiversity of sites, before looking at avoiding and reducing impacts, then mitigating them, and only as a last resort compensating for their loss (please see Appendix G).

The Environment Agency require a Water Drainage Assessment (WFD) where the development would include flood risk activities and channel modifications.

The Environment Agency provides further information on how to complete a WFD risk assessment for proposed development at:

<https://www.gov.uk/government/publications/water-framework-directive-how-to-assess-the-risk-of-your-activity>

A Construction and Demolition Method Statement will be required for development which is within or would affect a site of ecological importance such as SAC, SSSI,

CWS, Ramsar Site, RIGG, LPA and sites that are within, or close to, a site that drains into a watercourse.

A construction and demolition method statement should include the following information:

- timing and schedule of works
- hours of working
- sediment control measures
- pollution control measures
- parking areas for the vehicles of site operatives and visitors
- areas of loading and unloading of plant and materials
- areas for storage of plant and materials
- details of the erection and maintenance of security hoarding
- provision of wheel washing facilities
- measures to control the emission of dust and dirt during construction or demolition
- a scheme for recycling or disposal of waste resulting from construction and demolition works
- details of access and haul routes for construction vehicles, delivery vehicles or waste disposal vehicles

There is a requirement for a Habitats Regulation Assessment when the development will impact a European/Natura 2000 designated site (i.e. SPAS, Special Area of Conservation and Ramsar sites). An application that will affect a SSSI or nationally designated site would require a SSSI Assessment. Pathways of impact can vary in distance and therefore some developments, depending on their size and nature may have the potential to impact designated sites some distance away. To check whether your site falls within an Impact Risk Zone please see Natural England's MAGIC mapping website: <https://magic.defra.gov.uk/>

Archaeological Assessment

Any development which is situated within an area of known to have archaeological interest shall be accompanied by an Archaeological Assessment which sets out a programme of archaeological work including a scheme of investigation. This is to ensure that any archaeological assets are excavated and recorded correctly.

Heritage Statement

For planning applications which involve a Listed Building, impact on the setting of a Listed Building and/or involve work within a Conservation Area the planning application will be required to include a description of the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance. (Details of whether a property is within a Conservation Area can be found at https://www.ribblevalley.gov.uk/info/200359/conservation_and_listed_buildings/908/conservation_areas)

As a minimum the relevant historic environment record should be consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest an appropriate desk-based assessment and, where necessary, a field evaluation will be required.

This information together with an assessment of the impact of the proposal will be required as part of the explanation of the design concept. It should detail the sources that have been considered and the expertise that has been consulted.

It will not be possible to validate applications where the extent of the impact of the proposal on the significance of any heritage assets affected cannot adequately be understood from the application and supporting documents.

Applications for Listed Building Consent

Consent will be required from the Local Planning Authority for the following works to a Listed Building:

- Any works of demolition, alteration or extension that would affect the building's special character (Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990).
- For replacement windows or doors or any other features that will affect the character of the building (e.g. flood resilient doors)

Applications for listed building consent shall be accompanied by:

- Existing and proposed elevation plans at a scale of 1:50 or 1:100
- Detailed plans at a scale of 1:2 showing all new doors, windows, panelling, fireplaces, plaster moulding and other decorative details
- Details of any pre-application discussion
- Structural Survey of the Building (if required)
- Photographs/photomontages
- Statement of Significance relating to elements of building or area (if Conservation Area or historic park and garden) or setting to be affected. Statement should be proportionate to assets importance and sufficient to understand potential impact of proposal on significance.

Structural Surveys

For applications which include the reuse of existing buildings and include elements of demolition and rebuild, the application shall be accompanied by a specialist report on the condition of the building. This report should be undertaken by a qualified structural surveyor, structural engineer and/or timber-frame specialist if appropriate. The report must clearly identify the extent of any required rebuilding and detail, via a method statement, the means by which the retained structure is to be safeguarded.

Applications for demolition which include justification based on the structural integrity of the building/ structure shall also be accompanied by a Structural Survey

Proof of Marketing Statement

In accordance with Policy DMB1 of the Adopted Core Strategy the loss of existing employment sites and buildings to non-employment generating uses will only be supported when it can be demonstrated that attempts have been made to secure an alternative employment generating use for site (must be supported by

evidence (such as property agents details including periods of marketing and response) that the property/business has been marketed for business use for minimum period of six months or information that demonstrates to the councils satisfaction that the current use is not viable for employment purposes.

Where the Council considers the loss of a commercial facility may have negative impacts for the local economy, it will be necessary to demonstrate there is no demand to retain the premises in commercial use. The property will be expected to have been offered for sale on the open market for a period of at least 12 months at a realistic price (confirmed by independent verification). Information on all offers made, together with copies of the sale particulars will also be required to accompany the application.

PLEASE NOTE: The methodology for marketing should first be agreed by the Council and it is advised this is agreed at pre-application stage. Guidance on what will be required to form part of the proof of marketing is attached at Appendix F

Proposals that have an adverse impact on existing community facilities will only be permitted as an exception where the proposed development would bring defined and demonstrable benefits.

Financial Viability Assessment

Where an application submitted which would be contrary to Core Strategy Policies (i.e. a reduced affordable housing contribution) the application will be required to be supported by a financial viability assessment containing the following information:

- Value of the land (2/3 different estate agents valuations)
- Abnormal development costs
- Construction costs
- Price Registered Provider will pay for the units (in the case of affordable housing)
- Open market value of the dwellings/ value of the development
- Developer return
- Details of the proposed obligations/ specific elements of the scheme which are proposed to be included (i.e. Open Space)

The Assessment may include 3 different scenarios to demonstrate the financial impacts of the scheme which include:

1. Details of the scheme with no financial obligations/ elements which increase costs on site
2. Details of the scheme with both the financial obligations and/or specific scheme details which accord fully with Planning Policy
3. Details of the scheme as proposed including proposed financial obligations and specific details of the scheme.

Any financial viability assessment submitted will need to accord with the RICS guidance note 'Financial viability in planning' 1st edition (GN 94/2012) or any subsequent amendment

Adoption Statement

It is essential that arrangements for the future management and maintenance of new roads/ drainage facilities within developments, is addressed at the planning stage. As such any development which involves the construction of new roads, alterations/ connections to existing highways, extensions to and/ or connections to services will be required to be accompanied by a statement which details the future arrangements.

The Adoption Statement shall include:

- An Estate Road Phasing and Completion Plan setting out the development phasing and phasing of the construction of the roads (if available).
- Full details of the proposed arrangements for the future management and maintenance of the proposed streets within the development.

It is the Council's preference that developments which involve the construction of new roads shall be accompanied by a Section 38/Section 278 Agreement with Lancashire County Council Highway Authority for the adoption of the highways. Similarly any application which involves connections/extensions to existing sewers/drains shall be accompanied by a Section 104 Agreement with United Utilities.

Any application which is not accompanied by the relevant legal agreements shall have to provide clear details of how the future management and maintenance of the highways and services will be dealt with. This shall include details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

Transport Statement, Transport Assessments (TA) and Travel Plan

Where developments will have the potential to have transport implications, the planning application shall be accompanied by a Transport Statement or a Transport Assessment and Travel Plan (dependent on the type and size of the development).

A Transport Assessment is a comprehensive and systematic process that sets out various transport issues relating to a proposed development. It identifies what measures will be taken to deal with the anticipated transport impacts of the scheme in relation to all forms of travel.

Sustainable travel should take precedent over measures to increase traffic capacity and increased use of vehicles.

In some cases, the transport issues arising out of development proposals may not require a full Transport Assessment. In these instances a simplified report in the form of a Transport Statement may be more appropriate.

For major development the Transport Assessment is normally accompanied by a Travel Plan, which is a report containing a package of measures tailored to the

transport needs of the development aimed at increasing travel choices and reducing reliance on the private car.

Planning applications for the following types and size of developments shall include either a Transport Statement or Travel Assessment and Travel Plan (**PLEASE NOTE:** These thresholds are for guidance purposes and should not be read as absolutes as some parts of the local highway network will be more sensitive to change than others. Early pre-application consultation with Lancashire County Council as the Highway Authority is recommended to determine the level and scope of the assessment that may be required):

Land use	Unit measure	Transport Statement	Transport Assessment and Travel Plan
Food retail (A1)	GFA	>250 <800sq.m	>800sq.m
Non-food retail (A1)	GFA	>800 <1500sq.m	>1500sq.m
Financial and professional services (A2)	GFA	>1000 <2500sq.m	>2500sq.m
Restaurants and cafes (A3)	GFA	>300 <2500sq.m	>2500sq.m
Drinking establishments (A4)	GFA	>300 <600sq.m	>600sq.m
Hot food takeaway (A5)	GFA	>250 <500sq.m	>500sq.m
Business (B1)	GFA	>1500 <2500sq.m	>2500sq.m
General industrial (B2)	GFA	>2500 <4000sq.m	>4000sq.m
Storage or distribution	GFA	>3000 <5000sq.m	>5000sq.m
Hotels (C1)	Bedroom	>75 <100 bedrooms	>100 bedrooms
Hospitals and nursing homes (C2)	Beds	>30 <50 beds	>50 beds
Residential education (C2)	Students	>50 <150 students	>150 students
Institutional hostels (C2)	Residents	>250 <400 residents	>400 residents
Dwelling houses (C3)	Unit	>50 <80 units	>80 units
Non-residential institutions (D1)	GFA	>500 <1000sq.m	>1000sq.m
Assembly and leisure (D2)	GFA	>500 <1500sq.m	>1500sq.m
Any development which it is considered would have a significant impact on the highway network			

Full details of what should be included within a Transport Statement and Transport Assessment can be found at:

<https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements>

Lancashire County Council's Sustainable Travel Team will be able to advise on the requirements for a Travel Plan Tel (01772 530201) or Email sustainabletravel@lancashire.gov.uk

Affordable Housing Statement

For housing schemes which require an element of affordable housing (in accordance with Policy DMH1 of the Adopted Core Strategy) the planning submission will be required to detail how the required percentage of affordable housing will be achieved on site, the tenure of the proposed affordable units, the number of bedrooms of the proposed affordable units and details of the Registered Provider / Housing Association who will manage the affordable units (if applicable). The scheme should demonstrate how the split responds to local needs.

For proposed affordable discount sale housing units within a development the following calculation will be utilised to set a maximum sales value for these units:

The average weekly fulltime income in the borough x 1.5 = for weekly household income x 52 for the annual income X 4 for the which is the standard mortgage calculation.

Unless otherwise agreed with the Council, a relaxation of the Policy requirements of Policy DMH1 of the Adopted Core Strategy will only be considered if it is demonstrated that this would result in the development being financially unviable based on the findings of an economic viability assessment submitted to and approved by the Council. The Assessment should include the following:

- Value of the land (2/3 different estate agents valuations)
- Abnormal development costs
- Construction costs
- Price Registered Provider will pay for the units
- Open market value of the dwellings
- Developer return
- Details of the percentage of affordable units which can be accommodated on the site

Where the Council is not in agreement with the findings of the assessment an independent auditor will be appointed, at the cost of the applicant, to undertake a site-specific economic viability assessment.

Affordable housing will be provided on-site as part of a suitable mix of housing for the site. In rare situations the Council may assess a locations as unsuitable for affordable housing. In those cases financial contributions, instead of on-site affordable housing, may be considered acceptable.

Land Stability Report

A Land Stability Report is required where development is proposed on or adjacent to unstable or potentially unstable land. The report should establish the nature and extent of the instability and any gas emissions that might be associated with any land filling.

Statement of Community Involvement

Planning applications for major development should include a Statement of Community Involvement [**PLEASE NOTE:** Other types of application may benefit from pre-application community involvement and this should be discussed at pre-application stage]. The aim of the Statement of Community Involvement is to ensure that all sections of the community, from individual members of the public through to representative organisations, have the opportunity to participate in the preparation of planning proposals for the Borough's towns, villages and countryside.

Developers are encouraged to incorporate community involvement into their development programme to allow for enough time to be devoted to involve the community in a particular scheme. Options for involvement include

- Arrange a meeting with relevant Ward Councillors and Parish/ Town Council;
- Circulate a letter and statement in the locality explaining proposals with plans or a diagram;
- Circulate a specially prepared leaflet;
- Arrange an exhibition and invite local people;
- Arrange a press release/advertisement in local newspapers;
- Arrange a public meeting;
- Arrange a meeting with particular groups in the community.

The Localism Act 2011 proposed mandatory pre-application consultation with local communities for major applications and although to date this has not been activated (apart for Wind Energy Proposals as set out above) more formal pre-application consultation is encouraged where the proposal constitutes “major development”. “Major development” is defined as:

- the provision of dwellinghouses where —
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development will provide 10 or more dwellinghouses;
- the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- development carried out on a site having an area of 1 hectare or more.

The omission of pre-application consultation may result in a major planning application being invalid on receipt where there is likely to be significant public interest in the proposals.

For small-scale proposals such as house extensions or advertisements applicants are encouraged to discuss their proposals with the occupiers of any neighbouring property(ies) who will be affected and to take account of their concerns where possible. This can reduce the need for changes after the application has been submitted to the Council, increase the prospect of planning permission being granted and speed up the time taken for proposals to be dealt with.

Flood Risk Assessment

A flood risk assessment (FRA) will be required to accompany most planning applications for development proposals within one of the flood zones.

This includes development:

- in flood zone 2 or 3 including minor development and change of use
- more than 1 hectare (ha) in flood zone 1
- less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (for example from commercial to residential), where they could be affected by sources of flooding other than rivers and the sea (for example surface water drains, reservoirs)
- in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency

A sequential test will be needed if the development is in Flood Zone 2 and 3. However one is not required if the development is a minor development as defined by the Environment Agency; the development is for a Change of Use or a test has already been undertaken for a development of the same type. Furthermore if the test demonstrates that the use of an alternative site is not possible an exception test is required if the development is:

- Highly vulnerable and in flood zone 2
- Essential infrastructure in flood zone 3a and 3b
- More vulnerable in flood zone 3A

For more information on submitted a sequential or exception test please see guidance on below link.

<https://www.gov.uk/guidance/flood-risk-assessment-the-sequential-test-for-applicants>

Further information on whether your site is located within a flood zone found at <https://flood-map-for-planning.service.gov.uk/>

For householder applications located within a Flood Risk Zone the planning application shall be accompanied by a simple flood risk assessment. Further guidance can be obtained at: <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#what-to-include-in-your-assessment>

Drainage

The following drainage options must be considered and discounted in the following order in accordance with national guidance:

1. Connection to the public sewer
2. Package sewage treatment plant(which can be offered to the sewerage undertaker for adoption)
3. Septic Tank
4. If none of the above are feasible, a cesspool

Options 2) and 3) should only be considered if it can be clearly demonstrated by the development that a connection to the public sewer is not feasible.

Non-mains drainage falls under the Environment Agency's remit and the Environment Agency require that any such proposals ensure they do not pose an unacceptable risk of pollution to the water environment.

Further information is available within the National Planning Policy Practice Guidance at: <https://www.gov.uk/guidance/water-supply-wastewater-and-water-quality>

For additional information regarding septic tanks please see guidance at: <https://www.gov.uk/permits-you-need-for-septic-tanks>

If an application proposes to connect a development to the existing drainage system then details of the existing system should be shown on the application drawing(s) along with full details of the proposed drainage arrangements within the site.

It should be noted that in most circumstances surface water is not permitted to be connected to the public foul sewers. Where the development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, then a fuller foul drainage assessment will be required including details of the method of storage, treatment and disposal. A foul drainage

assessment should include a full assessment of the site, its location and suitability for storing, transporting and treating sewage.

Where connection to the mains sewer is not practical, then the foul/non-mains drainage assessment will be required to demonstrate why the development cannot connect to the public mains sewer system and show that the alternative means of disposal are satisfactory.

If the proposed development results in any changes or replacement to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will also need to be provided. This will include a location plan, cross sections/elevations and specification. Drainage details that will achieve Building Regulations Approval will be required. If connection to any of the above requires crossing land that is not in the applicant's ownership, other than on a public highway, then notice may need to be served on the owners of that land.

Applications should include details of the disposal of surface water run-off. Where it is proposed to drain this to existing drains the location of those drains should be indicated and where Sustainable Drainage Solutions (SuDS) are proposed there should be sufficient engineering, geotechnical and hydrological information provided to demonstrate the feasibility and suitability of the proposed solution

Applicants shall be aware that where necessary, regard shall be given to the impact of the development on sensitive ecological receptors, as well as human receptors. Assessments of potential impacts from drainage to ecological receptors would fall under the Habitats Regulation Assessment process (please refer to the Biodiversity section of this document).

Land Contamination Assessment

Where there is reason(s) to suspect contamination of land, controlled waters, property or ecological systems (such as the existence of former industrial uses, infilled ground, or other indications of potential contamination) and for particularly sensitive end-uses such as a day nursery or housing likely to be used by families with children, a planning application shall be accompanied by either a Desk study or a Land Contamination Assessment.

Initially a desk study should be undertaken of the readily-available records assessing the previous uses of the site and their potential for contamination in relation to the proposed development. If the potential for contamination is confirmed, further studies by the intending developer to assess the risks and identify and appraise the options for remediation will be required.

Where the potential for contamination is confirmed a Land Contamination Assessment shall be submitted which includes: an assessment of ground contamination (The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary), and any necessary remediation proposals to render the site capable of development (the remediation proposals shall include an implementation timetable and monitoring proposals). Upon completion of the remediation works, a validation report containing any validation sampling results shall be submitted to and approved in writing by the Local Planning Authority.

For small scale housing developments (no more than 3 houses) the Assessment form found at Appendix C can be should be completed and submitted as part of the planning application

With regards to the protected of controlled waters the applicant shall be aware of the Environment Agency's approach to ground water protection:

<https://www.gov.uk/government/collections/groundwater-protection>

Noise Impact Assessment

Proposals which are likely to generate noise located close to noise sensitive areas (e.g. close to residential areas) are required to be accompanied by a Noise Impact Assessment. The assessment shall indicate the levels of noise expected to be created and methods for mitigating any impact.

Similarly proposals for noise sensitive developments within areas of noisy development (e.g. adjacent to a railway line/ motorway) will be required to detail measures to protect the new development from noise.

For developments located close to existing residential dwellinghouses the planning application shall be accompanied by full details of the proposed construction hours, full details of the access arrangements during construction and full details of the site compound and parking for construction traffic during the construction period.

Applicants shall be aware that where necessary, regard should be given to the impact of the development on sensitive ecological receptors, as well as human receptors.

Planning Statement

For major planning applications a Planning Statement will be required as part of the submission. Planning Statement's may also be useful for minor planning applications, where the development is likely to be controversial or to enable the case for the development to be put forward, this can be identified at pre-application stage. The Statement shall provide an explanation of and justification for the proposals in the context of relevant national and local planning policies affecting the site. The Statement shall include: an assessment of the site and its context, a description of the development proposal, an assessment of the planning policy context and an appraisal of the proposed development against relevant planning policies affecting the site

Tree Survey

For proposals which have the potential to impact on trees (either within the application site or adjacent to the application site) the planning application shall be accompanied by a Tree Survey.

The survey shall indicate on a plan all of the trees and vegetation present within/ adjacent to the application site, shall indicate the species and height of the trees/ vegetation plus canopy diameter, shall indicate which trees/ vegetation will be

retained as part of the development and shall indicate, including justification, which trees/vegetation are proposed to be removed.

The survey shall also incorporate a tree constraints plan, a tree retention plan and a root protection plan in accordance with BS5837:2012

The applicant shall be aware of the standing advice on Ancient Woodlands and Protected species written by Natural England.

<https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences#ancient-woodland>

<https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications>

Tree Works

For applications which relate to works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in a conservation area the following information will be required:

- Sufficient evidence to support the case for works to trees protected by a TPO in the form of a report from a qualified expert or diagnostic information (**PLEASE NOTE:** failure to provide sufficient information may result in the application being invalidated/ rejected/ refused.)
- A sketch plan clearly identifying the trees subject to the application (the plan should also identify other trees on the site clearly marked that they are not subject to the application). The sketch plan should include the site boundaries, the adjacent properties (including house names/ numbers), distances between the trees and nearby features on the site, an arrow indicating north, the position of the trees in relation to nearby buildings and the individual trees/ groups of trees should be numbered. (Please see appendix D for a suitable example).
- If individual trees cannot be clearly identified (i.e. they are part of a woodland/ group on trees) the approximate location should be marked on the plan and identified as part of a site visit with the case/ tree officer.
- Photographs can be utilised to identify the trees subject to the application and/ or specific features of the trees which directly relate to the application.
- Full details of the condition of the trees and/ or the damage they are causing
- The presence and impact of pests, diseases or fungi that require work to be carried out to the trees should be described in written evidence or diagnostic information from an arboriculturist or other appropriate expert. Arboricultural evidence must be provided to support applications that suggest the tree has defects that may be of concern to the future or future safe retention of the tree or parts of the tree.

Full details as to whether a tree is subject to a TPO can be found by contacting planning@ribblevalley.gov.uk or 01200 414499.

Waste Management Strategy (Bin store/refuse disposal/recycling details)

All proposals which will include the creation new dwellings or extensions to existing ones, or new retail, business, industrial developments will be required to submit details of the proposed facilities for the storage & collection of refuse, as well as for the provision of recycling facilities. Hot food takeaways should indicate the provision of litter bins along with a regime for litter picking associated with the hot food takeaway use.

Landscape

The Council requires the inclusion of basic information, including provision of levels at an early stage. Landscape strategies may be required for especially complex or phased developments where an overview or framework is needed.

It is recommended that landscape strategies are included either as supporting information or as part of Design and Access Statements or EIAs.

For sites that are considered to be particularly sensitive in landscape or visual terms Landscape and Visual Impact Assessment (LVIA) will be required. For example:

- where large scale developments are proposed, particularly vertical developments;
- where developments are within areas with a national or international landscape or landscape heritage designation (eg AONB);
- where developments may affect the settings of the above areas; or
- where developments will be particularly visible from publicly accessible viewpoints.

LVIAs should be carried out by qualified landscape professionals in accordance with the Landscape Institute and Institute of Environmental Management and Assessment's Guidelines for Landscape and Visual Assessment (GLVIA) 3rd Edition (2013) or any subsequent amendment.

Certificate of Lawfulness

The burden of proof in a Lawful Development Certificate is firmly with the applicant and therefore sufficient and precise information should be provided.

In accordance with article 39 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as a minimum this should include:

- a) a plan identifying the land to which the application relates drawn to an identified scale and showing the direction of north;
- b) such evidence verifying the information included in the application as the applicant can provide; and
- c) a statement setting out the applicant's interest in the land, the name and address of any other person known to the applicant to have an interest in the land and whether any such other person has been notified of the application.

This evidence required in respect of criteria (b) above may include the following:

- Existing and Proposed floor plans (for all applications involving use of a building) to a scale not less than 1:100
- Existing and proposed extensions (for all proposed building works) to a scale not less than 1:100
- Sworn affidavit(s) from people with personal knowledge of the existing use or works carried out
- Description of all uses of land within the site (if relevant)
- Supporting Planning Statement (to include statement of grounds on which the Certificate is sought)

Access Ramp Details

Applications which include a new external access ramp shall include floor plans detailing the position and gradient of the ramp along with a plan detailing any handrails/ barriers and anti-skating measures.

Flues & Ventilation extraction details

All applications which involve the sale or preparation of cooked food, launderettes and other uses which require air conditioning or extraction and filtration equipment shall be accompanied by full details of the proposed equipment. The details shall include the manufacturer's specifications, plans detailing the location of the equipment and the dimensions of the proposed equipment.

Shopfront Details

Applications for new shopfronts shall be accompanied by:

- A section plan detailing the projection of any signage, canopies and roller shutters,
- Elevation plans detailing the existing and proposed shopfront, at a scale of 1:10 or 1:20, and
- A section plan of proposed shopfront, at a scale of 1:1 or 1:2

Telecommunications Development

Applications incorporating telecommunications shall be accompanied by:

- Standard application forms
- Layout Plan (scale 1:100/1:200) detailing the position of the structure
- Elevation Plan (scale 1:50/ 1:100) detailing height and design of the structure
- Section through structure (scale 1:10/1:20) detailing width of structure
- Elevation and layout plan (scale 1:100/1:200) of associated equipment
- Certificate/ Statement confirming compliance with ICNIRP and diagram indicating beam of greatest intensity
- Existing and proposed coverage maps
- Details of alternative sites rejected (including existing masts, structures and other buildings) with justification for rejecting them.

Lighting Assessment

Planning applications which include new external lighting shall be accompanied by a Lighting Assessment.

A lighting scheme should include the following:

- Plans detailing the location of the lighting
- Specific Site survey – including District Ambient Brightness Category
- Calculations – determining Glare, Intensity and Spill and recommendations to control these
- Risk assessment – in relation to crime and disorder and impact on light sensitive premises
- Schedule of installation
- Equipment design – must be identified & used to determine aim, glare and overspill
- Measured luminance of the proposed scheme
- Hours of illumination

Applicants shall be aware that where necessary, regard should be given to the impacts of the development on sensitive ecological receptors, as well as human receptors.

Sequential Assessment and Impact Assessment

A sequential assessment will be required for main town centre uses that are not proposed in an existing centre and are not in accordance with an up-to-date Local Plan. Proposals for main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available will out of centre sites be considered.

The assessment shall demonstrate:

- that sites have been assessed for their availability, suitability and viability.
- that all in-centre options have been thoroughly assessed before less central sites are considered
- that there are no town centre sites to accommodate a proposed development, (in these circumstances preference will be given to edge of centre locations which are well connected to the centre by means of easy pedestrian access)

For proposals on the edge of existing centre developers shall demonstrate flexibility in terms of:

- scale: reducing the floorspace of their development;
- format: more innovative site layouts and store configurations such as multi- storey developments with smaller footprints;
- car parking provision; reduced or reconfigured car parking areas; and
- the scope for disaggregating specific parts of a retail or leisure development, including those which are part of a group of retail or leisure units, onto separate, sequentially preferable, sites.

PLEASE NOTE: This sequential approach will not be applied to applications for small scale rural offices or other small scale rural development.

Applications for retail, office and leisure development outside of town centres, which are not in accordance with an up-to-date Local Plan, will be required to be

supported by an impact assessment if the development is over 1,000m² (200m² in the case of extensions to existing premises).

The assessment shall include:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

Air Quality Assessment

Regard must be had for the impact on Air Quality as a result of the development and where the development will worsen the air quality for those already living in the area mitigation measures will be required. Any such application shall be accompanied by an Air Quality Assessment setting out the identified impacts and the suggested mitigation measures.

In 2015 Central Government released the damage costs associated with Nitrogen Dioxide levels, with the document “Valuing Impacts on Air Quality – Updates in valuing changes in emissions of Oxides of Nitrogen (NOX) and concentrations of Nitrogen Dioxide (NO₂) (September 2015). Within this document it is suggested that there are health effects associated with the Nitrogen Dioxide levels below those targets set by the National Air Quality Objectives.

Additionally in accordance with National Guidance the Council is keen to promote the use of alternative fuels for transport purposes.

One suggested form of mitigation is the inclusion of electric vehicle charging within schemes for new residential dwellings.

Demolition of Buildings (including conservation areas)

Following the Court of Appeal Judgement *SAVE Britain’s Heritage v SSCLG*, the demolition of buildings is now classed as ‘development’. As such an application is required to the planning authority to ascertain whether the authority requires prior approval of the method of demolition along with details of the future use/ restoration of the site.

Applications for prior approval shall be accompanied by:

- Details of the method of demolition
- Details of the proposed restoration of the site
- Confirmation from a licenced Ecologist that the demolition will not adversely impact on any ecological assets or protected species
- Confirmation from an accredited archaeologist that the demolition will not adversely impact on any items of archaeological significance at / adjacent to the site.

If you live in a conservation area, you will need planning permission for relevant demolition in a conservation area to do the following:

- Demolish a building with a volume of more than 115 cubic metres.
- To demolish a gate, fence, wall or railing over 1 metre high next to a highway (including a public footpath or bridleway) or public open space; or over 2 metres high elsewhere
- Any building erected since 1 January 1914 and in use, or last used, for the purposes of agriculture or forestry.

The application shall be accompanied by:

- Floor Plans and Elevations of the building/ structure to be demolished
- A structural survey.
- An Ecological survey and report (to include where necessary a bat survey).
- A tree survey/Arboricultural implication where trees exist on the site or are immediately adjacent to areas of work.

Agricultural applications

Applications for new agricultural buildings/ horticultural enterprises/ agricultural workers dwellings will be required to be accompanied by the following information in respect of the existing and proposed site arrangements:

- Full details of all the land which forms part of the agricultural holding
- Full details of the business enterprise
- Full details of the employees of the business
- Financial details directly linked to the proposed development
- Full details of existing farm buildings and their uses

The Council have produced a pro-forma document which can be found at https://www.ribblevalley.gov.uk/download/downloads/id/10001/agricultural_information_form.pdf which should be completed and attached to any application for new agricultural buildings/ agricultural workers dwellings (including prior notification applications)

S73 Applications and Minor Non-material amendments

Applications for removal/ variation of condition(s) (submitted under S73 of the Town and Country Planning Act 1990) or applications for minor non-material amendments will be required to be accompanied by the following information:

- The description of the development on the application forms (question 5 on the application forms for removal or variation of a condition and question 7 on the application forms for a non-material amendment) shall list all of the amendments proposed.
- A supporting statement which specifically details all of the amendments proposed.
- A copy of the originally approved plan(s) and a copy of the amended plan(s) with the amendments clearly identified on the plan(s).

Mineral resource assessment

Proposals located with a mineral safeguarding area should be accompanied by a minerals resource assessment. This is to ensure sufficient information is available on mineral resources to enable Ribble Valley Borough Council to determine the application.

The mineral resource assessment should specify whether there are minerals present and, if so, whether it is practicable or sustainable to extract them.

Information could be provided on:

- the depth of overburden,
- the quantity and quality of any mineral present,
- the height of the water table,
- the proximity and nature of any surrounding land uses,
- the size of the site.

The level of detail should be appropriate to the scale and nature of the proposed development. Details of whether a site is located within a mineral safeguarding area can be downloaded at

<https://www.lancashire.gov.uk/media/305791/Proposals-Map-2-MSA-A0.pdf>

Crime Impact Statement

A Crime Impact Statement may be required to support the following types of application (a CIS can be obtained from Lancashire Constabulary Designing Out Crime Officers by e-mailing the request to alo@lancashire.pnn.police.uk):

- Residential developments (25 or more dwellings),
- Retail schemes (100sqm or more/more than 3 units),
- Office and Commercial developments,
- Educational premises,
- Hotels,
- Nursing/care homes,
- Religious buildings,
- Hospitals and other medicinal premises (including veterinary buildings and chemists),
- Banks and other financial institutions,
- Licensed premises - alcohol,
- Student accommodation (20 units or more),
- ATM's (new, replacement and retrospective),
- Events and leisure premises likely to attract large groups of people.

The process should 'design out' potential crime risks and 'design in' security measures for the development to mitigate against crime, prior to planning decisions being taken. It is imperative that applicants demonstrate what crime issues have been considered and what security measures have been incorporated to the mitigate risk during the early design phase, which should be highlighted within the Design & Access Statement, Planning Statement or separate document.

Developers should consider applying for Secured by Design accreditation, which supports crime prevention at the design, layout and construction stages of developments and promotes the use of recognised security standards for a wide range of applications and approved products. Further information and interactive design guides can be accessed at www.securedbydesign.com.

Prior Approval Applications- Part 3, Classes C, J, M, N, O, P, PA, Q, R, and S of the Town and Country Planning (General Permitted Development) Order

The Town and Country Planning (General Permitted Development) Order 2015 includes provisions to change the use of a building without the need to apply to the Local Planning Authority for planning permission (Part 3 of the GPDO, Classes C, J, M, N, O, P, PA, Q, R, and S) however prior to undertaking the development a developer is required to make an application to a local planning authority for a determination as to whether the prior approval of the authority will be required.

The application must be accompanied by—

- a written description of the proposed development, which, in relation to development proposed under Class C, M, N or Q of this Part, must include any building or other operations;
- a plan indicating the site and showing the proposed development- floor plans and elevations of the existing and proposed development, preferably at a scale of 1:50/ 1:100 or with the written dimensions on the plans, should be provided.
- in relation to development proposed under Classes M, N, O, P, PA and Q of this Part, a statement specifying the net increase in dwellinghouses proposed by the development
- the developer's contact address;
- the developer's email address if the developer is content to receive communications electronically;
- a site specific flood risk assessment (where the site is in an area within Flood Zone 2 or Flood Zone 3; or in an area within Flood Zone 1 which has critical drainage problems)
- The required fee.

PLEASE NOTE: The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application, which may include—

- (a) assessments of impacts or risks;
- (b) statements setting out how impacts or risks are to be mitigated; or
- (c) details of proposed building or other operations.

Wind Energy Applications²

All wind energy applications will be required to meet the requirements listed within Appendix F. Additional information may also be requested by Ribble Valley Borough Council prior to the validation of wind energy applications depending on the specific details and nature of the application or the nature or character of the area within which the application site is situated. Applicants or their agents are advised to seek advice on the need for such additional information from the Council at pre-submission stage.

PLEASE NOTE: In accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015 applicants/ developers carry out consultation on a proposed application for planning permission, prior to the submission of the planning application to the Local Authority, for any development involving an installation for the harnessing of wind power for energy production where—
(a) the development involves the installation of more than 2 turbines; or
(b) the hub height of any turbine exceeds 15 metres.

(The above requirements do not apply to applications made pursuant to section 73 of the 1990 Act or applications of the description contained in article 20(1)(b) or (c) (consultations before the grant of a replacement planning permission subject to a new time limit))

The application for planning permission to the Local Planning Authority must be accompanied by particulars of—

- (a) how the applicant complied with section 61W(1) of the 1990 Act;**
- (b) any responses to the consultation that were received by the applicant;**
- and**
- (c) the account taken of those responses by the applicant.**

Please note that turbine height should be taken as the maximum height to the blade tip, rather than just the height of the mast or tower.

The following information expands on some of the requirements of the validation checklist listed in Appendix F which are specific to these types of applications:

FEE: To calculate the fee, you must work out the total land area over which the blades of the turbine(s) can rotate (the total swept area), plus the area of any ancillary structures, engineering works and newly constructed access roads. As the fee for wind turbine developments is based on the area covered by the sweep of the turbine blades, the red line on the site location plan only needs to encompass this along with the ancillary works and new access tracks, rather than the whole site (please see appendix F)

Transport Statement shall include:

- The proposed total number of lorry and crane movements and routes of travel
- Details of what measures will be required to accommodate oversize loads on the road network

² PLEASE NOTE: All references to distances from the wind turbine etc. within this section are applicable unless a different approach is fully justified by the applicant.

- Details of the proposed engineering design and construction of access tracks, including details of their permanence or removal once the wind turbine(s) are erected, and source of materials.
- Details of crane hard standings
- Details of any concrete mixing to be carried out on site, and details of disposal of excess concrete and washing out of equipment
- Location and design of construction compound where appropriate
- Design and location of any electricity transmission equipment
- Proposed hours of construction

Landscape and Visual Impact Assessment

A landscape and visual impact assessment which demonstrates how visual impacts have been minimised / mitigated and how the proposed turbine(s) will fit into the landscape. The assessment should include details of the following:

- Alternative sites which have been considered for the development
- Alternative turbine amounts / layouts / configurations which have been considered
- Alternative turbine heights / models / appearances which have been considered
- Alternative access arrangements / routes which have been considered
- Landscaping arrangements which have been considered to mitigate the visual / landscape impact of the proposed turbine(s)

For the above, it should be clearly demonstrated why the chosen arrangements represent the best option in terms of visual and landscape impact minimisation. The cumulative visual impact of the proposed turbine(s) with other existing operational or permitted turbines, or turbines currently subject to a planning application should be fully addressed in the Landscape and Visual Impact Assessment.

Heritage Statement (which can be incorporated into the required Planning Statement):

Applications shall include an assessment of the impacts of the proposed turbine(s) on significant cultural, recreational or heritage assets which could potentially be affected. This should include any potential sub-surface archaeological issues. For turbines with a total height of under 40m, this should cover assets within a minimum radius of ten times turbine height (the Council reserves the right to request an assessment of the impacts on significant assets outside this radius if it is deemed necessary). For proposed turbines with a total height of 40m or above, the assessment should extend to significant assets within a radius of 5km of the nearest boundary of the site. For schemes of greater than 100 metre total height the 5km distance may be extended.

Photomontage and/or Wireframe Diagrams: The Council will expect all wind turbine applications to be accompanied by a representative range of photomontages and/or wireframe diagrams to demonstrate how the proposed turbine(s), ancillary equipment and access roads will fit into the landscape. Photomontages and wireframe diagrams should be created by a suitably qualified person or organisation. Locations for photomontage and wireframe diagram viewpoints should be agreed with the Council at the pre-submission stage.

Zone Theoretical Visibility Maps: Unless the application is for a single turbine with a height of 25m or less (which is not within 1km of any other operational or permitted turbines, or turbines currently subject to a planning application), the Council will expect applications to be accompanied by two Ordnance Survey based maps showing the Zone Theoretical Visibility (ZTV) of the proposed turbine(s):

- The first of the maps should show the ZTV of the proposed turbine(s) only.
- The second map should show the cumulative ZTV of the proposed turbine(s) along with any other operational and permitted turbines (and those currently subject to a planning application). Applicants should contact the Council to obtain an up to date list of such turbines.

The radius of the ZTV maps required depends on the proposed height of the turbine(s) in the application and other factors- please see Appendix F.

Public Rights of Way Map: The Council will expect a plan to be submitted which identifies all Public Rights of Way within a radius of 10 times turbine height from the centre of the turbine. The impact on locally and sub-regionally significant or recreational routes or long distance trails should be fully addressed where the turbine(s) will be located within 1km of such a route applicants are advised to contact the Council's Development Control department for clarification where they are unsure if such a route exists in proximity to the proposed turbine(s).

Noise & Shadow Flicker Assessment: For all wind energy applications the Council will expect that a plan is submitted which identifies any occupied buildings situated within a radius of ten times turbine height from the centre of the proposed turbine. In exceptional circumstances a greater distance may be prescribed. Site-specific noise assessments for all buildings within the identified radius should be carried out and full details and recommendations included within a report accompanying the planning application. The report should demonstrate that any noise is compliant with ETSU-R-97, as amended. Depending on the size of the proposed turbine(s) and the proposed location, submission of manufacturers' standard noise output specifications for a given turbine model may or may not be sufficient, as such specifications do not generally address site-specific conditions. Applicants should contact the Council at pre-application stage to confirm the likely requirements for information relating to noise.

In terms of shadow flicker effect, the Council will expect a report to be submitted which demonstrate that the impact on occupied properties within a radius of 10 times turbine height and if necessary any mitigating measures. The effects of Shadow flicker on the users of bridleways within a 10 times turbine height radius should also be addressed. Such reports should be carried out by a suitably qualified person or organisation, and set out clear recommendations.

Details of Decommissioning Bond / Arrangements: An indication of how decommissioning will be undertaken shall be provided. For all single wind turbines over a height of 40m (or multiple turbines of any height), the Council will expect that evidence is provided to demonstrate that a bond has been put in place with the Local Authority to cover the entire costs of decommissioning and removing the wind turbine(s) from site once they have reached the end of their 25 year operational period. This should be done through a Unilateral Undertaking. This is necessary to prevent redundant wind turbines from remaining in the landscape once the end of their operating life has been reached, and acts as a

safeguard in case of any financial constraints which may prevent the owner / operator of the turbine(s) from carrying out decommissioning works in future.

Details of proposed Community Benefits: Applicants for wind energy developments with a total generating capacity of 250kW or above should indicate how consideration has been given to compensating the community for the negative effects of the proposal. Provision of a community benefit scheme to compensate the communities likely to be most heavily impacted by proposed turbines will be expected for proposals generating 1Mw of power or greater.

Details of impacts on communications / broadcast equipment: The Council will consult the Ministry of Defence (Defence Infrastructure Organisation) and National Air Traffic Services (NATS) on wind turbine applications. As such, there is no requirement for applicants to consult with these two bodies prior to submission of an application. However, it is the responsibility of the applicant to demonstrate that the proposed turbine(s) will not cause any interference to the operation of any communications or broadcast equipment, through consultation with the operators of any masts or antennae which may be subject to adverse effects from the proposed turbine(s). Consultation responses from any such individuals or organisations should be submitted to the Council alongside the planning application.

Applicants should also demonstrate that any possible effects on telecommunications equipment, including television reception, have been considered and if necessary mitigation measures taken.

Appendix A

Timetable for works involving protected species, habitats and vegetation

Part 1 Local Requirements For Protected Species

If the application involves any of the development proposals shown in Table 1 (Column 1), a protected species survey and assessment must be submitted with the application. Exceptions to when a survey and assessment may not be required are also explained in this table. The Survey should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available*. The survey may be informed by the results of a search for ecological data from a local environmental records centre. The survey must be to an appropriate level of scope and detail and must:

- Record which species are present and identify their numbers (may be approximate);
- Map their distribution and use of the area, site, structure or feature (e.g. for feeding, shelter, breeding).

The Assessment must identify and describe potential development impacts likely to harm the protected species and/or their habitats identified by the survey (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternative designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to features or habitats used by protected species. The Assessment should also give an indication of how species numbers are likely to change, if at all, after development e.g. whether there will be a net loss or gain.

The information provided in response to the above requirements are consistent with those required for an application to Natural England for a European Protected Species Licence. A protected species survey and assessment may form part of a wider Ecological Assessment and/or part of an Environmental Impact Assessment.

Exceptions for When a Full Species Survey and Assessment may not be Required:

- a) Following consultation by the applicant at the pre-application stage, the LPA has stated in writing that no protected species surveys and assessments are required.
- b) If it is clear that no protected species are present, despite the guidance in the above table indicating that they are likely, the applicant should provide evidence with the planning application to demonstrate that such species are absent (e.g. this might be in the form of a letter or brief report from a suitably qualified and experienced person, or a relevant local nature conservation organisation).
- c) If it is clear that the development proposal will not affect any protected species present, then only limited information needs to be submitted. This information should, however,
 - demonstrate that there will be no significant effect on any protected species present and

- Include a statement acknowledging that the applicant is aware that it is a criminal offence to disturb or harm protected species should they subsequently be found or disturbed.

In some situations, it may be appropriate for an applicant to provide a protected species survey and report for only one or a few of the species shown in the Table above e.g. those that are likely to be affected by a particular activity. Applicants should make clear which species are included in the report and which are not because exceptions apply.

TABLE 1

Proposals for Development that will trigger a Protected Species Survey	Species likely to be affected and for which a survey will be required									
	Bats	Barn Owls	Breeding Birds	Great Crested Newts	Otters	Water Vole	Badger	Reptiles	Amphibians	Plants
<p>Proposed development which includes conversion, modification, demolition or removal of buildings (including hotels, schools, hospitals, churches, commercial premises and derelict buildings) which are:</p> <ul style="list-style-type: none"> • agricultural buildings (e.g. farmhouses, barns and outbuildings) of traditional brick or stone construction and/or with exposed wooden beams; • buildings with weather boarding and/or hanging tiles that are within 200m of woodland and/or water; • pre-1960 detached buildings and structures within 200m of woodland and/or water; • pre-1914 buildings within 400m of woodland and/or water; • pre-1914 buildings with gable ends or slate roofs, regardless of location; • located within, or immediately adjacent to woodland and/or immediately adjacent to water; • Dutch barns or livestock buildings with a single skin roof and board-and-gap or Yorkshire boarding if, following a preliminary roost 	•	•	•							

assessment (see Chapter 8 for details) the site appears to be particularly suited to bats.										
<p>Development affecting built structures:</p> <ul style="list-style-type: none"> tunnels, mines, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures; unused industrial chimneys that are unlined and brick/stone construction; bridge structures, aqueducts and viaducts (especially over water and wet ground). 	•									
<p>Floodlighting of:</p> <ul style="list-style-type: none"> churches and listed buildings, green space (e.g. sports pitches) within 50m of woodland, water, field hedgerows or lines of trees with connectivity to woodland or water; any building meeting the criteria listed in (1) above. 	•	•	•							
<p>Felling, removal or lopping of:</p> <ul style="list-style-type: none"> woodland; field hedgerows and/or lines of trees with connectivity to woodland or water bodies; old and veteran trees that are more than 100 years old; mature trees with obvious holes, cracks or cavities, or which are covered with mature ivy (including large dead trees). 	•		•				•			•
	•		•				•			•

Proposals affecting water bodies: <ul style="list-style-type: none"> in or within 200m of rivers, streams, canals, lakes, reed beds or other aquatic habitats. 	•		•		•	•			•	•
Proposals located in or immediately adjacent to: <ul style="list-style-type: none"> quarries or gravel pits; natural cliff faces and rock outcrops with crevices or caves and swallets. 	• •		• •					• •		
Proposals for wind farm developments of multiple wind turbines and single wind turbines	•									
Proposed development affecting any type of buildings, structures, feature or location where protected species are known to be present	•	•	•	•	•	•	•	•	•	•
	Bats	Barn Owls	Breeding Birds	Great Crested Newts	Otters	Water Vole	Badger	Reptiles	Amphibians	Plants

Part 2 Local Requirements for Designated Sites and Priority Habitats

If the application is likely to affect any of the designated sites, priority habitats or biodiversity features listed in Table 2 a survey and assessment for the relevant feature must be submitted with the application. Exceptions to when a survey and assessment may not be required are also explained in these tables. The Survey should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available*. The survey may be informed by the results of a search for ecological or geological data from a local environmental records centre. The survey must be to an appropriate level of scope and detail and must:

- Record which habitats and features are present on and where appropriate around the site;
- Identify the extent/area/length present;
- Map their distribution on site and/or in the surrounding area shown on an appropriate scale plan.

The Assessment should identify and describe potential development impacts likely to harm designated sites, priority habitats, other listed biodiversity features or geological features (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternatives designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to designated sites priority habitats, other biodiversity features or geological features. The Assessment should give an indication of likely change in the area (hectares) of priority habitat on the site after development e.g. whether there will be a net loss or gain. An ecological/geological survey and assessment may form part of a wider Environmental Impact Assessment.

Exceptions When a Full Survey and Assessment May Not Be Required

International and National Sites: A survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence with Natural England, where the latter confirms in writing that they are satisfied that the proposed development will not affect any statutory sites designated for their national or international importance.

Regional and Local Sites and Priority Habitats: A survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence with the Local Planning Authority's ecologist (where employed), or ecological advisor and/or the local Wildlife Trust that they are satisfied that the proposed development will not affect any regional or local sites designated for their local nature conservation importance or any other priority habitats or listed features.

Table 2

<p>1. Designated Sites</p> <p>Nationally designated sites</p> <p>Regionally/ Locally designated sites</p>	<p>Sites of Special Scientific Interest (SSSI)</p> <p>Historic Parks and Gardens</p> <p>Biological Heritage Site (BHS)</p> <p>Geological Heritage Site</p> <p>Ancient Woodland</p> <p>Ancient Woodland buffer zone</p>
<p>2. Priority Habitats</p> <hr/> <p>Arable field margins</p> <hr/> <p>Traditional orchards</p> <hr/> <p>Hedgerows</p> <hr/> <p>Aquifer-fed naturally fluctuating water bodies</p> <hr/> <p>Eutrophic standing waters</p> <hr/> <p>Mesotrophic lakes</p> <hr/> <p>Oligotrophic and dystrophic lakes</p> <hr/> <p>Ponds</p> <hr/> <p>Rivers</p> <hr/> <p>Lowland calcareous grassland</p> <hr/> <p>Lowland dry acid grassland</p> <hr/> <p>Lowland meadows</p> <hr/> <p>Purple moor-grass and rush pastures</p> <hr/> <p>Upland calcareous grassland</p> <hr/> <p>Upland hay meadows</p> <hr/> <p>Lowland heathland</p> <hr/> <p>Mountain heaths and willow scrub</p> <hr/> <p>Upland heathland</p> <hr/> <p>Calaminarian grasslands</p> <hr/> <p>Inland rock outcrop and scree habitats</p> <hr/> <p>Limestone pavements</p> <hr/> <p>Open mosaic habitats on previously developed land</p> <hr/> <p>Blanket bog</p> <hr/> <p>Lowland fens</p> <hr/> <p>Lowland raised bog</p> <hr/> <p>Reedbeds</p> <hr/> <p>Upland flushes, fens and swamps</p> <hr/> <p>Lowland beech and yew woodland</p> <hr/> <p>Lowland mixed deciduous woodland</p> <hr/> <p>Upland mixed ashwoods</p> <hr/> <p>Upland oakwood</p> <hr/> <p>Wet woodland</p> <hr/> <p>Wood-pasture and parkland</p>	

Table 3 Ecological Survey Seasons

Optimal Time



Extending Into



	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Badgers		Optimal Time			Extending Into					Optimal Time	Extending Into	
Bats (Hibernation Roosts)	Optimal Time										Optimal Time	
Bats (Summer Roosts)				Extending Into	Optimal Time				Extending Into			
Bats (Foraging/ Commuting)				Extending Into	Optimal Time				Extending Into			
Birds (Breeding)			Optimal Time			Extending Into						
Birds (Over-Wintering)	Optimal Time										Optimal Time	
Great Crested Newts			TERRESTRIAL Optimal Time							Extending Into		
			AQUATIC Optimal Time									
Otters	Optimal Time											
Reptiles				Optimal Time					Optimal Time			
Water Voles			Extending Into	Optimal Time					Extending Into			
White Clawed Crayfish							Optimal Time					

Habitats/ Vegetation			WOODS			
-------------------------	--	--	-------	--	--	--

Points to note regarding surveys are as follows:

- For certain species and habitats surveys can be carried out at any time of year, but for other species, particular times of year are required to give the most reliable results, as indicated in Table 3
- Surveys conducted outside of optimal times (Table 3) may be unreliable. For certain species (e.g. Great Crested Newt) surveys over the winter period are unlikely to yield any useful information. Similarly negative results gained outside the optimal period should not be interpreted as absence of a species and further survey work may be required during the optimal survey season. This is especially important where existing surveys and records show the species has been found previously on site or in the surrounding area. An application may not be valid until survey information is gathered from an optimum time of year.
- Species surveys are also very weather dependent so it may be necessary to delay a survey or to carry out more than one survey if the weather is not suitable, e.g. heavy rain is not good for surveying for otters, as it washes away their spraint (droppings). Likewise bat surveys carried out in wet or cold weather may not yield accurate results.
- Absence of evidence of a species does not necessarily mean that the species is not there, nor that its habitat is not protected (e.g. a bat roost is protected whether any bats are present or not).
- Local Biological / Environmental Records Centre may have useful existing information and records.
- Competent ecologists should carry out any surveys. Where surveys involve disturbance, capture or handling of a protected species, then only a licensed person can undertake such surveys (e.g. issued by Natural England). Surveys should follow published national or local methodologies.

Appendix B

Small scale residential development Contamination Assessment Form

Site Description (including grid reference)

Include details of layout and ground covering, any evidence of former buildings or site activities, any evidence of made/ filled ground, any signs of subsidence or contamination (e.g. ground staining/ discolouration, odours, vegetation distress/ dieback)

--

Site History (tick all that apply)

	Domestic	Agricultural	Commercial	Industrial	Other (give details)
Proposed Land Use					
Current Land Use					
Past Land Use- last 150 years					

If the past land use has changed, please give date of changes (please use category types from previous table)	From	To	Land Use

What have the existing buildings on site been used for?		
Are there any buildings constructed from suspected asbestos containing material?	Yes	No

	Yes	No
Have any fuels been stored onsite?		
Have there been any fuel/chemical spills or leaks?		
If 'Yes' to either of the above, please state fuel./chemical, storage method and location, and details of any spillages		

Have there been any pollution incidents, either reported or unreported?	Reported		Unreported	
	Yes	No	Yes	No

Provide details of any surface water present onsite (including drains, ponds, streams and rivers)	
Provide details of any groundwater or surface water abstractions (including wells and boreholes)	

	Yes	No
Have any waste disposal activities (including the burning of waste) been carried out on site?		
Have any waste disposal activities been carried out on surrounding land within 250m of the site?		
Is there any evidence of demolition activities (e.g. rubble) onsite?		
If 'Yes' to any of the above, please provide details		

Adjacent Land Use

	Domestic	Agricultural	Commercial	Industrial	Other (give details)
Current Land Use					
Past Land Use- last 150 years					

Provide details of any surface water present onsite (including drains, ponds, streams and rivers)	
Provide details of any groundwater or surface water abstractions (including wells and boreholes)	

Previous Land Contamination Reports

Have any land contamination reports previously been completed for the site	Yes (please provide a copy)	No
--	-----------------------------	----

Imported Soil

Do you intend to import and soil or soil forming materials onto the site for use in garden areas, soft landscaped areas or to raise ground levels?	Yes (if so please refer to the YAHPAC guidance on Verification Requirements for Cover Systems)	No
--	--	----

Suspected Contamination

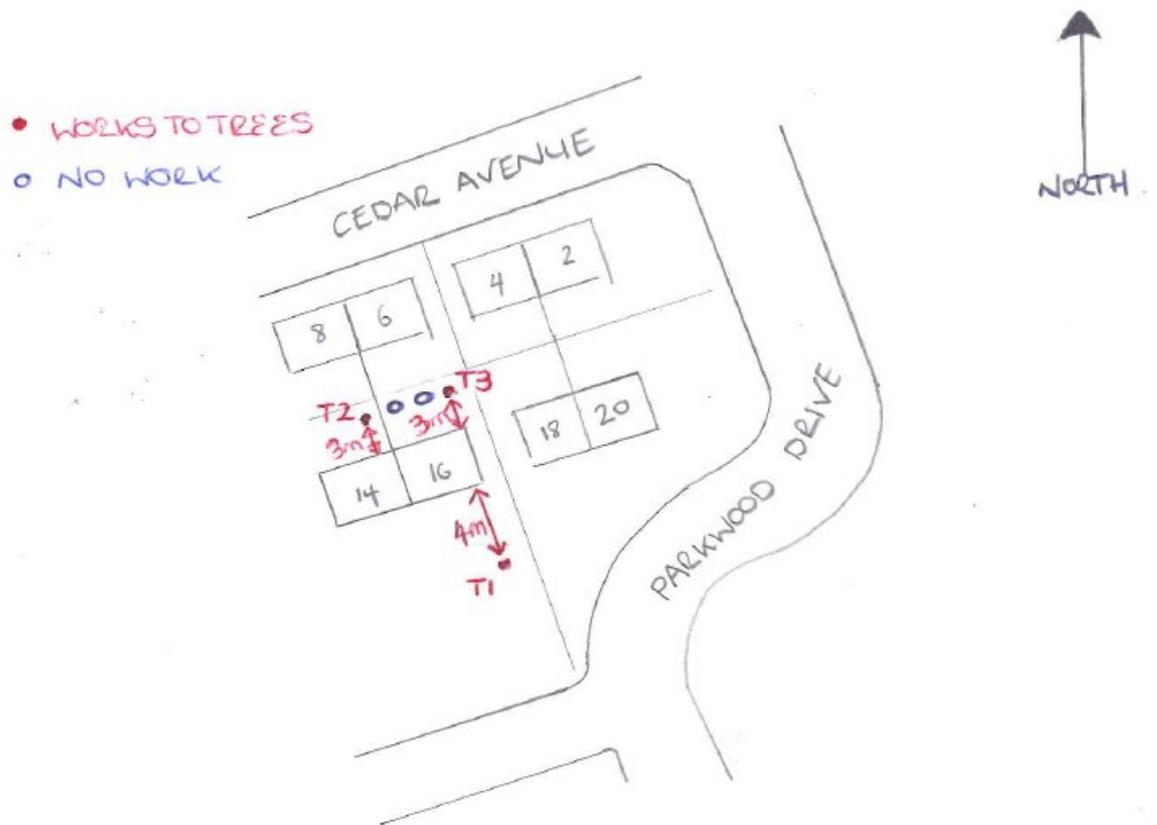
Based on the information you have provided in this form, do you think that contamination could be present at the site?	Yes	No
If 'yes' please provide details		

Please provide details of the sources of information you have used to complete this form

Signed..... Date.....

Appendix C

Example sketch plan for applications with works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in a conservation area



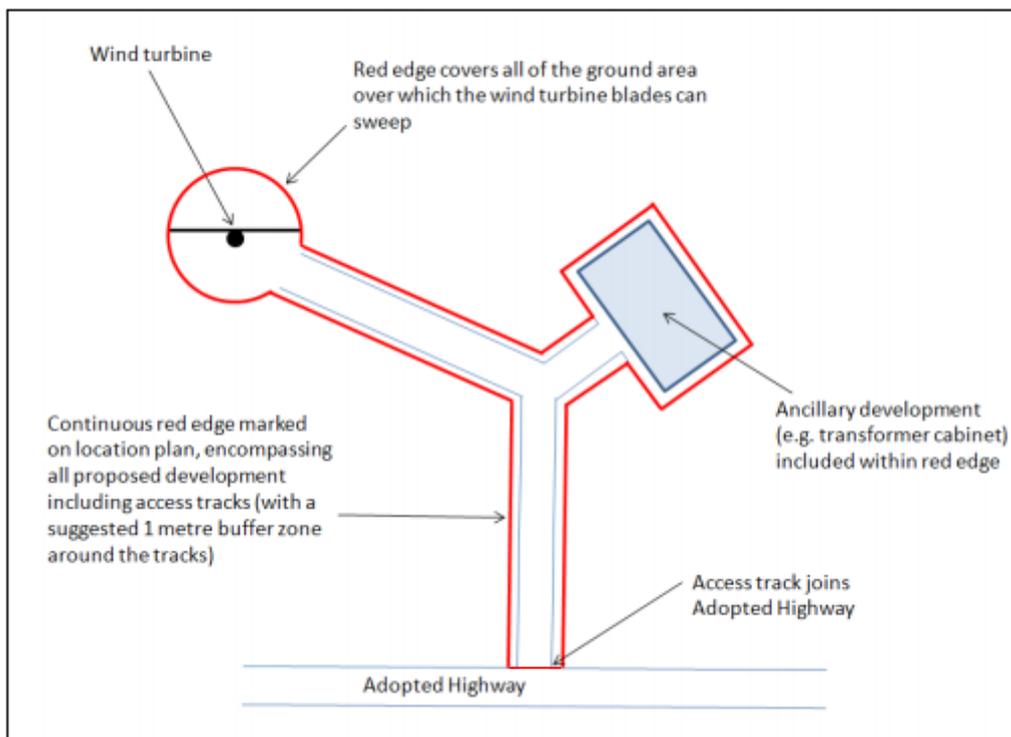
Appendix D

Wind Energy Applications

Applicants should ensure that applications include each of the items contained in the following table:

1.	A completed application form and the correct certificates
2.	The correct planning application fee
3.	Location Plan at 1:1250 or 1:2500 scale
4.	Site / Block Plan at 1:250 or 1:500 scale
5.	Elevation Plans of Turbines and Ancillary Equipment at 1:50 or 1:100 scale
6.	Transport Statement
7.	Landscape and Visual Impact Assessment
8.	Planning Statement/ Heritage Statement
9.	Photomontage and/or Wireframe Diagrams
10.	Zone of Theoretical Visibility (ZTV) Maps
11.	Public Rights of Way Map
12.	Ecological Assessment
13.	Noise & Shadow Flicker Assessment
14.	Pre-application Community Consultation (IF REQUIRED)
15.	Coal Mining Risk Assessment (IF REQUIRED)
16.	Details of Decommissioning Bond / Arrangements (IF REQUIRED)
17.	Details of proposed Community Benefits (IF REQUIRED)
18.	Environmental Statement / Environmental Impact Assessment (IF REQUIRED)
19.	Details of impacts on communications / broadcast equipment (IF REQUIRED)

Example of a Correctly Drawn Red Edge on Location Plan



ZTV Maps

The radius of the ZTV maps required depends on the proposed height of the turbine(s) in the application and other factors. The following table sets out the Council's general requirements:

Turbine Height (to blade tip)	Number of Turbines	Is the site within 1km of any other operational or permitted turbines, or turbines currently subject to a planning application?	Required Radius of ZTV Maps
0-25m	1	No	Not required
0-25m	1	Yes	2km
0-25m	2-5	No	10km
0-25m	2-5	Yes	15km
0-25m	6-10	No	20km
0-25m	6-10	Yes	20km
0-25m	10+	No	20km
0-25m	10+	Yes	30km
26-60m	1	No	20km
26-60m	1	Yes	30km
26-60m	2+	No	30km
26-60m	2+	Yes	30km
Over 60m	1	No	30km
Over 60m	1	Yes	30km
Over 60m	2+	No	30km
Over 60m	2+	Yes	30km

Appendix E

Householder Checklist

National Requirements	
<input type="checkbox"/>	Completed application form, signed and dated
<input type="checkbox"/>	Completed ownership certificate and agricultural land declaration (A, B, C or D) as required by Article 14 of the Town and Country Planning (Development Management Procedure) Order 2010
<input type="checkbox"/>	Where Ownership Certificates B, C or D has been completed, the Householder Notice to Owners must also be submitted and/or published in accordance with Article 13 of the Town and Country Planning (Development Management Procedure) Order 2010.
<input type="checkbox"/>	Site location plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of north (at a scale of 1:1250 or 1:2500)
	Plans, drawings and information necessary to describe the development which is the subject of the application, which can include:
<input type="checkbox"/>	Site plan (at a scale of 1:100 or 1:200) showing any site boundaries
<input type="checkbox"/>	Existing and proposed elevations (at a scale of 1:50 or 1:100)
<input type="checkbox"/>	Existing and proposed floor plans (at a scale of 1:50 or 1:100)
<input type="checkbox"/>	Existing and proposed site sections and finished floor and site levels (at a scale of 1:50 or 1:100)
<input type="checkbox"/>	Roof plans (at a scale of 1:50 or 1:100)
<input type="checkbox"/>	Design and Access Statement (for listed buildings or properties in a conservation area)
<input type="checkbox"/>	The appropriate fee

--

Ribble Valley Local Information Requirements – Supporting Information	
The following supporting documents (where relevant):	
<input type="checkbox"/>	Bat Survey
<input type="checkbox"/>	Flood Risk Assessment
<input type="checkbox"/>	Heritage Statement
<input type="checkbox"/>	Details of existing and proposed parking arrangements where the proposal will affect existing arrangements or include the creation of additional bedrooms.

Appendix F

Proof of Marketing

The Proof of Marketing should include as a minimum:

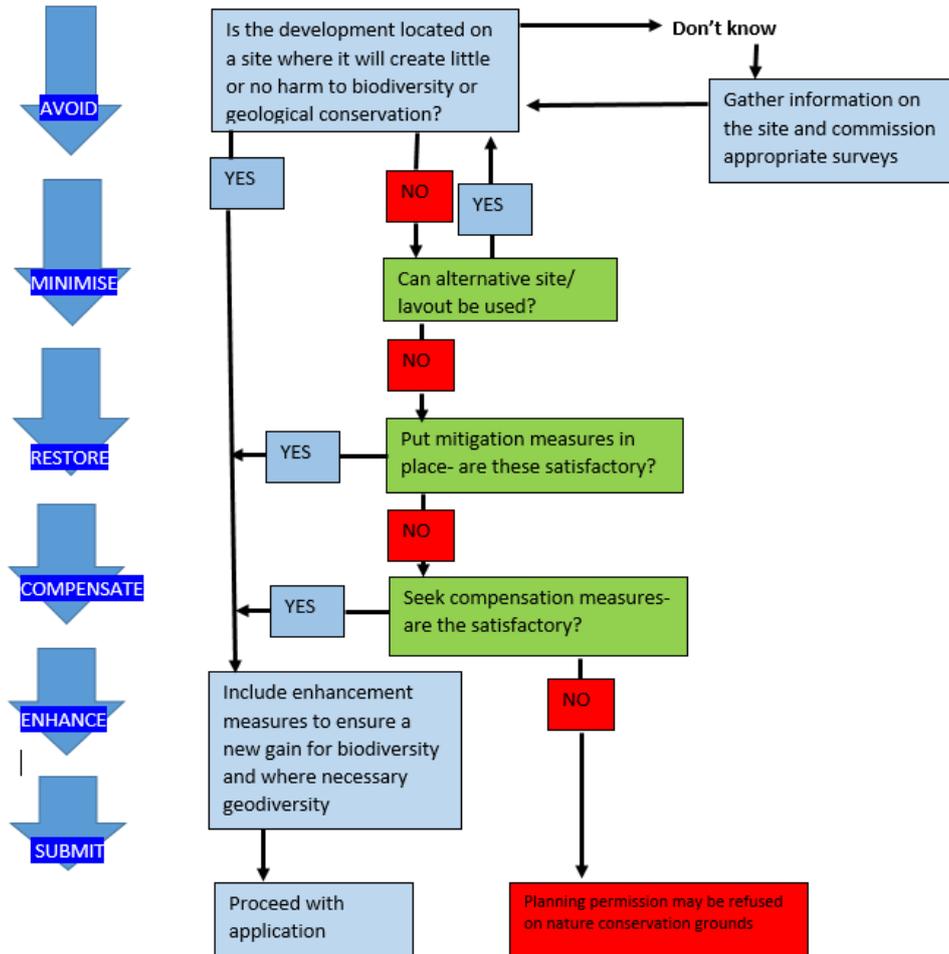
- a) The market price of the site/premises and an indication of this price relative to those prevailing for similar sites/premises in the local market, including details of an independent valuation;
- b) Details of any reductions in market price made during the course of marketing;
- c) The marketed use of the site which should include options for retaining the premises in commercial use including:
 - the potential for refurbishment;
 - redevelopment for new commercial uses;
 - sub-division,
 - amalgamation or selective demolition, in order to improve the format, layout and access arrangements;
- d) Details of the site particulars prepared, which should include the following information as a minimum:
 - Good quality internal and external photographs
 - A description of the site / premises
 - The current permitted use and all potential employment uses, subject to planning permission
 - Dimensions of the building / internal rooms / eaves height / door widths, if relevant/gross internal area / total size of the site, including any land. (Note: Any residential element to the property should be removed or subordinate to the commercial particulars.)
 - Extent of site, shown on a site plan
 - Site location, including map – the map extract should show the property in relation to the road network
 - Services e.g. electricity, gas, water and any other relevant information
 - Asking price & tenure – including both leasehold and freehold
 - All restrictions, conditions and covenants
 - Known costs, such as service charges, rateable value and any other known items
 - Terms and conditions associated with the sale
 - Parking availability and access to public transport
 - Contact details for viewing and more information
- e) The site should be continuously advertised by way of a commercial agent's advertisement board (minimum size 0.5 square metres in area) on each site frontage to the main highway throughout the period;
- f) The site should be continuously included on the commercial agent's website, the Councils' commercial property database/website and commercial property search sites, together with the agents own property papers and/or lists of commercial premises. Circulation should be undertaken to other local commercial agents, by way of mail shots

and/or hard copies of sales particulars, and circulated again if any significant details change;

- g) The site should be advertised in the regional and local press, including the property press and specialist trade papers, on a frequent basis (minimum 6 adverts) throughout the marketing period. Details of where and how often the site was advertised, with copies of all advertisements placed, including dates, must be produced;
- h) A monthly breakdown should be compiled, detailing contact details of interested parties in the property. All expressions of interest / offers received, including rental interest should be shown and progress with negotiations, including any offers rejected and the reasons for this. Where possible the applicant should obtain from interested parties the reasons why they were not able or willing to proceed. It is not sufficient evidence to just quote the number of viewings and generalise on the feedback;
- i) Details should be shown of any variations in the marketed use of the site / premises that were introduced in the course of marketing;
- j) Details should be provided of any variation in terms and conditions on which the site is being made available.

Appendix G

Biodiversity Hierarchy



Appendix H

Guideline list of where bats are likely to be present and where developers can reasonably be expected to submit a bat survey.

- a) Proposed development which includes the modification, conversion, demolition or removal of buildings and structures (especially roof voids) involving the following:
 - all agricultural buildings (e.g. farmhouses and barns) particularly of traditional brick or stone construction and/or with exposed wooden beams greater than 20 cm thick;
 - all buildings with weather boarding and/ or hanging tiles that are within 200 m of woodland and/or water;
 - pre-1960 detached buildings and structures within 200 m of woodland and/ or water;
 - pre-1914 buildings within 400 m of woodland and/or water;
 - pre-1914 buildings with gable ends or slate roofs, regardless of location;
 - all tunnels, mines, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures; - all bridge structures, aqueducts and viaducts (especially over water and wet ground); and
 - all developments affecting buildings, structures, trees or other features where bats are known to be present.
- b) Proposals involving lighting of churches and listed buildings or floodlighting of green space within 50 of woodland, water, field hedgerows or lines of trees with obvious connectivity to woodland or water.
- c) Proposals affecting quarries with cliff faces with crevices, caves or swallets.
- d) Proposals affecting or within 400 m of rivers, streams, canals, lakes, or within 200 m of ponds and other aquatic habitats.
- e) Proposals affecting woodland or field hedgerows and/or lines of trees with obvious connectivity to woodland or water bodies.
- f) Proposed tree work (felling or lopping) and/or development affecting:
 - old and veteran trees that are older than 100 years;
 - trees with obvious holes, cracks or cavities; and
 - trees with a girth greater than 1 m at chest height.
- g) Proposed development affecting any feature or locations where bats are confirmed as being present, revealed by either a data trawl (for instance of the local biological records centre) or as notified to the developer by any competent authority (e.g. planning authority, Statutory Nature Conservation Organisation or other environmental or conservation organisation).

Remember this is intended as a guide only and bats may be found in other situations beyond those listed above. For example, pipistrelle and brown long eared bats will frequently occupy modern buildings and built

structures. You may therefore be asked to submit a bat survey prior to determination even if your development type is not shown on this trigger list. Developers, and those acting for them, should be mindful that disturbance of any roosts or harm to a bat or bats is a criminal offence.

Appendix I



Ribble Valley Borough Council

ADDITIONAL INFORMATION REQUIRED FOR AGRICULTURAL APPLICATIONS

Applicant Name: _____

Application Site: _____

Holding Number: _____

Proposed Development: _____

Please answer all parts to this form

1. Land

Total Area of Holding: (Hectares) _____

Owned: (Hectares) _____

Rented: (Hectares) _____

If rented, type of tenancy: (AHA, FBT) _____

Land Use: (Hectares) Pasture: _____ Meadow: _____

Crop: _____

Land Quality: (DA/SDA/NVZ) _____

2. Enterprise

Dairy Cows: _____

Sheep (ewes): _____

Dairy cattle in calf: _____

Other Sheep: _____

Beef Cows: _____

Location of Lambing: _____

Bulls: _____

Sows: _____

Other Cattle: _____

Other Pigs: _____

Poultry: _____

Other Livestock: _____

Crops (Type): _____

3. Farm Buildings & Machinery

Existing Farm Buildings:
(sizes, type and use) _____

Farm Machinery:
(type and use) _____

Existing Slurry Capacity: _____

4. Details of the proposed development

Is the proposal reasonably required for the purposes of agriculture? (Please explain why) _____

Appendix J

Sports England Checklist.

Checklist of Recommended Information Requirements

In addition to the national validation requirements set out within the Government's [Planning Practice Guidance](#), Sport England recommends that planning applications affecting playing field land should provide sport specific information in line with the below checklist. This information will enable Sport England to provide a substantive response to applications on which it is consulted. It will also aid the LPA to assess an application in light of [paragraph 74 of the NPPF](#) and relevant Local Plan policies.

The checklist presents the recommended requirements for all applications. It also indicates the information that Sport England recommends should be submitted where an applicant feels their development may meet with one of the exceptions to Sport England's [Playing Fields Policy](#).

Document	Presenting details on.....	
Required for all applications		
Consultation Notice	1. The development proposed (description), timescales, case officer contact details and how information can be viewed.	
Existing site plan	2. Extent of the playing field as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015	
	3. Location and nature of existing buildings.	
	4. Location and nature of existing sports facilities (including the layout of summer and winter playing pitches).	
	5. Significant features (e.g. trees, slopes, paths, fences, sewers) ¹ .	
	6. Existing levels across the site ¹ .	
Proposed site plan	7. Location and nature of the proposed development.	
	8. Extent of playing field area to be lost (including the area covered by the proposed development and any associated works e.g. landscaping).	
	9. Location and nature of all existing sports facilities (clearly showing any revised locations from the existing plan).	
	10. Any changes to existing features and levels ¹ .	
Supporting Statements	11. Extent of playing field area to be lost (area in hectares and see point 8 above).	
	12. Reason for the chosen location and alternatives considered.	
	13. Any proposed changes in the provision of indoor and outdoor sports facilities on the site (including ancillary facilities).	
Required in relation to specific policy exceptions		Exceptions
Drawings	14. Internal layouts and elevations for proposed new, extended or enhanced sports facilities (including relevant ancillary facilities) ¹ .	2, 4 & 5
Supporting Statements	15. Current and recent users of the playing field and the nature and extent of their use.	1,4 & 5
	16. How the development fits with the findings of any relevant assessment of need and/or sports related strategy (a copy of, or a web link to, the assessment or strategy should be provided) ^{1 2} .	1, 4 & 5
	17. How the development will be of benefit to sport (including benefit to existing and potential users) ² .	2, 4 & 5
	18. The specification of any ancillary facilities e.g. floodlights ¹ .	2, 4 & 5
	19. The specification of any Artificial Grass Pitch and reason for the chosen surface type ² .	4 & 5
	20. How any replacement area of playing field and ancillary facilities will be delivered (including to what timescale).	4
	21. How, for any replacement area of playing field, equivalent or better quality will be achieved and maintained, including ³ : a. An assessment of the performance of the existing area; b. The programme of works (including pitch construction) for the creation of the proposed replacement area; c. A management and monitoring plan for the replacement area.	4

¹. Level of detail to be proportionate to the nature of the development and its impact on the playing field.

². Relevant for Exception 4 where the loss of an area of playing field with a natural grass surface is proposed to be replaced elsewhere by a new area of playing field with an artificial surface.

³. All details should be undertaken and developed by a suitably qualified and experienced sports turf consultant, satisfy appropriate [Sport England and NGB design guidance](#), and have regard to Sport England's '[Equivalent Quality Assessment of Natural Turf Playing Fields](#)' briefing note.

Note: As set out within the Government's Planning Practice Guidance any plans or drawings must be drawn to an identified scale, and in the case of plans, must show the direction of north. Although not a requirement of legislation, the inclusion of a linear scale bar is also useful, particularly in the case of electronic submissions.



Appeal Decision

Site visit made on 23 April 2019

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 12th June 2019

Appeal Ref: APP/T2350/W/19/3221743

Land Adjacent Glenetta, Parsonage Road, Wilpshire BB1 4AG

- 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 Graham Margerison against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2018/0651, dated 21 July 2018, was refused by notice dated 26 September 2018.
 - The development proposed is a new residential dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) Whether or not the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and relevant development plan policies;
 - ii) The effect of the proposal on the openness of the Green Belt; and
 - iii) If the proposal is inappropriate development, whether the harm by reason of inappropriateness or any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

3. The appeal site is part of the garden of the adjacent property, Glenetta. It is within a short ribbon of development to the north of Parsonage Road. It is in the Green Belt beyond the urban edge of Blackburn, which is in the adjoining administrative area. At this point, the administrative boundary coincides with the Green Belt boundary.
4. Paragraph 143 of the National Planning Policy Framework (the Framework) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
5. Key Statement EN1 of the Ribble Valley Borough Council Core Strategy 2008 – 2028 A Local Plan for Ribble Valley Adopted December 2014 (the Local Plan)

sets out the Council's intention to maintain the overall extent of Green Belt in order to safeguard the countryside from inappropriate development. In this respect, it also sets out its approach to restricting new buildings in the Green Belt unless they meet one of a limited number of specific exceptions. This is broadly consistent with the exceptions set out in paragraph 145 of the Framework, two of which appear to be relevant in this case, namely limited infilling in villages and the redevelopment of previously developed land (PDL) which would not have a greater impact on the openness of the Green Belt than the existing development. I intend to deal with both of these in turn.

a) Limited infilling in villages

6. There is no definition of a village in the Framework. However, the Local Plan glossary defines a settlement as containing at least 20 dwellings and with at least some limited services or facilities. In this case, there is only a very small number of properties on Parsonage Road near to the appeal scheme, predominantly to one side of the road only. This discrete group of dwellings along Parsonage Road is not a defined settlement for the purposes of the Local Plan.
7. The group of properties near the appeal site is separated from Blackburn by undeveloped land including the wooded and tree-lined corridor of Knotts Brook. Notwithstanding recent residential development in the adjoining administrative area, there is an abrupt change in character and appearance beyond the urban area. The group is more typical of sparsely populated rural areas and it lacks the density, uniformity and consistency of properties and streetscenes that is evident in the nearby suburbs of Blackburn. Other differences that set the immediate area apart from the settlement include the abundant trees and shrubs along the roadside, and the absence of a footway or obvious street lighting. As a result, the group is physically and visually distinct from Blackburn. It does not relate well to, and is not a direct continuation of, the more densely built form of Blackburn.
8. Future urban expansion to the administrative boundary on the north side of Parsonage Road would reduce the separation between the appeal site and Blackburn. However, there is no evidence before me of any site allocations or planning proposals that would indicate a likelihood of further residential development in this area. I therefore give this possibility little weight in my considerations.
9. I have been made aware of an appeal decision within the Green Belt on the outskirts of Blackburn¹. There, the Inspector concluded that that the site could be considered as falling within a village for the purposes of the Framework. While there are similarities, including the relationship to the administrative boundary, there are nevertheless differences between the sites. Barker Lane is a much longer ribbon of development, with a greater number of properties to both sides of the street. Moreover, while there is a change in character along the street, it is nevertheless a clear continuation of Blackburn. The appeal decision at Barker Lane is not directly comparable to the scheme before me, where the small number of dwellings on Parsonage Road are neither a clear continuation of Blackburn nor a village.

¹ APP/T2350/W/16/3164118

10. In this case, the appeal site is not within a village and the proposal would not therefore meet the test of the exception set out in paragraph 145e) of the Framework. Effects on the openness of the Green Belt are considered later in this decision.

b) Redevelopment of previously developed land which does not have a greater impact on openness

11. For the purposes of the Framework, residential gardens outside of built-up areas are included in the definition of PDL. In this case, the appeal site is part of a residential garden outside of any defined settlement limits and can therefore be considered to be PDL.

12. The existing site plan indicates former green houses and a garage. However, photographic evidence shows the green houses removed previously and replaced with a much smaller summer house. The garage also appeared to be a modest timber building that was assimilated into its surroundings. Irrespective of the extent of any former structures or their permanence, there were no buildings on the site at the time of my visit. The proposed development would introduce a significant quantum of development both in terms of its footprint and bulk. Consequently, notwithstanding its status as PDL, the proposal would have a greater impact on the openness of the Green Belt than the existing vacant site. Therefore it would not meet the exception criteria set out at paragraph 145g) of the Framework.

c) Findings

13. I have found that the proposal would be inappropriate development in the Green Belt. It would not be limited infilling in a village and it would not be redevelopment of PDL which would not have a greater impact on the openness of the Green Belt. It would be in conflict with Key Statement EN1 of the Local Plan and policies in the Framework that protect the Green Belt.

Effects on openness of the Green Belt

14. Paragraph 133 of the Framework states that the essential characteristics of Green Belts are their openness and their permanence. The assessment of openness requires a consideration of both spatial and visual aspects.

15. In this case, there would be a spatial effect on openness as a result of the dwelling and attached garage, vehicular parking and access, and associated domestic paraphernalia. The proposal would introduce a significant footprint of permanent development at this site, eroding its open character.

16. The dwelling would be between existing dwellings and it would be seen as part of a group of properties. Nevertheless, there would be a significant visual impact by virtue of the height and bulk of the dwelling and the extensive parking and manoeuvring area to the front of the site. Moreover, it would obscure and interrupt the open views across and through the site of the open countryside beyond. Consequently, there would be a harmful loss of openness of the Green Belt. While the loss would be small in the context of the Green Belt as a whole, the Framework is clear that substantial weight should be given to any harm to the Green Belt.

Other Considerations

17. Paragraph 11 of the Framework states the presumption in favour of sustainable development does not apply where specific policies in the Framework provide a clear reason for refusing the development. The footnote to this paragraph notes that the policies referred to include those that relate to land designated as Green Belt. Therefore, even if the Council's 5 year housing supply is marginal, this would not be a factor that would carry any weight.
18. The appeal site is within walking distance of facilities and services within Blackburn. Although future occupiers would therefore have access to these services, this is not a factor in the scheme's favour given the location of the site beyond the built-up area and in the Green Belt. It therefore carries little weight in my assessment.
19. I note that there are no objections to the design of the proposed dwelling, or harmful impacts on biodiversity or landscaping. However, as these are requirements of policy and legislation, the absence of harm in respect of these matters is not a positive factor in the scheme's favour.
20. The adjacent permission for a replacement dwelling (ref 3/2018/0937) in the Green Belt immediately adjacent to the appeal site has been found to be acceptable and in accordance with paragraph 145d) of the Framework. It is not comparable with a proposal for a new dwelling and therefore it is not a factor in the scheme's favour.
21. I note that the adjacent permission includes a footway along the front of that property. The appeal proposal would further extend this footway across the front of the appeal site, which would improve safety for pedestrians. However, the associated benefits would be small and only attract minimal weight in my overall assessment of the scheme.

The Green Belt Balance

22. I have concluded that the proposed dwelling would be inappropriate development in the Green Belt, and it would therefore conflict with Policy EN1 of the Local Plan and the Framework. It would result in a small loss of openness of the Green Belt. These matters attract substantial weight.
23. There are no other considerations that would clearly outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness. Therefore, the very special circumstances necessary to justify the proposal do not exist.

Conclusion

24. For the reasons set out above, and having regard to all other matters including support, the appeal should be dismissed.

Sarah Manchester

INSPECTOR