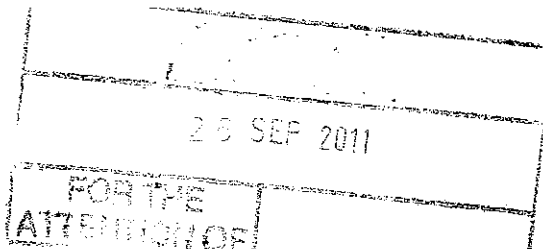




RIBBLE VALLEY
BOROUGH COUNCIL



For office use only

Application No.

Date received **320110776 P**

Fee paid £

Receipt No:

Council Offices, Church Walk, Clitheroe, Lancashire. BB7 2RA Tel: 01200 425111 www.ribblevalley.gov.uk

Application for Outline Planning Permission With Some Matters Reserved.
Town and Country Planning Act 1990

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website.

If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details

Title:	Mr	First name:	MARTIN	Surname:	KAY	
Company name:						
Street address:	CHURCH FARM		Telephone number:	Country Code	National Number	Extension Number
	THORNHAM PARVA					
			Mobile number:			
Town/City:	EYE		Fax number:			
County:	SUFFOLK		Email address:			
Country:	UK					
Postcode:	IP23 8EY					
Are you an agent acting on behalf of the applicant? <input checked="" type="radio"/> Yes <input type="radio"/> No						

2. Agent Name, Address and Contact Details

Title:	Mr	First Name:	DAVID	Surname:	BAILEY	
Company name:	LEA, HOUGH & CO					
Street address:	8 EATON AVENUE MATRIX OFFICE PARK		Telephone number:	Country Code	National Number	Extension Number
					01772 458866	
			Mobile number:			
Town/City:	BUCKSHAW VILLAGE		Fax number:			
County:	LANCASHIRE		Email address:			
Country:	United Kingdom					
Postcode:	PR7 7NA			david@leahough.co.uk		

3. Description of the Proposal

Please indicate all those reserved matters for which approval is being sought:

☒ Access ☐ Appearance ☐ Landscaping ☐ Layout ☐ Scale

Please describe the proposal:

OUTLINE PROPOSAL FOR RESIDENTIAL DEVELOPMENT OF LAND OFF WHITEACRE LANE

Has the building or works already been carried out?

☐ Yes ☒ No

4. Site Address Details

Full postal address of the site (including full postcode where available)

Description:

House:	<input type="text"/>	Suffix:	<input type="text"/>
House name:	<input type="text"/>		
Street address:	<input type="text" value="WHITEACRE LANE"/>		
	<input type="text" value="WISWELL"/>		
Town/City:	<input type="text" value="BARROW"/>		
County:	<input type="text"/>		
Postcode:	<input type="text" value="BB7 9BJ"/>		

Description of location or a grid reference
(must be completed if postcode is not known):

Easting:	<input type="text" value="373923"/>
Northing:	<input type="text" value="437888"/>

5. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title: First name: Surname:

Reference:

Date (DD/MM/YYYY): (Must be pre-application submission)

Details of the pre-application advice received:

HIGHLIGHTED ISSUES TO BE ADDRESSED, INCLUDING ECOLOGY AND HIGHWAYS. ALSO NOTED THE SHORTAGE OF HOUSING LAND SUPPLY AND THE INABILITY OF RVBC TO MEET PPS3

6. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway?

☒ Yes ☐ No

Is a new or altered pedestrian access proposed to or from the public highway?

☒ Yes ☐ No

Are there any new public roads to be provided within the site?

☐ Yes ☒ No

Are there any new public rights of way to be provided within or adjacent to the site?

☐ Yes ☒ No

Do the proposals require any diversions/extinguishments and/or creation of rights of way?

☐ Yes ☒ No

If you answered Yes to any of the above questions, please show details on your plans/drawings and state the reference of the plan(s)/drawings(s)

BS11-028/02- PROPOSED SITE PLAN

7. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste?

☒ Yes ☐ No

If Yes, please provide details:

SITE LAYOUT PLAN PROVIDES FOR A REFUSE VEHICLE TO BE ABLE TO ENTER AND TURN WITHIN THE SITE

Have arrangements been made for the separate storage and collection of recyclable waste?

☐ Yes ☒ No

8. Authority Employee/Member

With respect to the Authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you?

☐ Yes ☒ No

9. Materials

Please state what materials (including type, colour and name) are to be used externally (if applicable):

Walls - description:Description of *existing* materials and finishes:

NONE

Description of *proposed* materials and finishes:

FOR FUTURE RESERVED MATTERS APPLICATIONS

Roof - description:Description of *existing* materials and finishes:

NONE

Description of *proposed* materials and finishes:

FOR FUTURE RESERVED MATTERS APPLICATIONS

Windows - description:Description of *existing* materials and finishes:

NONE

Description of *proposed* materials and finishes:

FOR FUTURE RESERVED MATTERS APPLICATIONS

Doors - description:Description of *existing* materials and finishes:

NONE

Description of *proposed* materials and finishes:

FOR FUTURE RESERVED MATTERS APPLICATIONS

Boundary treatments - description:Description of *existing* materials and finishes:

LOW QUALITY AGRICULTURAL HEDGES

Description of *proposed* materials and finishes:

RETENTION OF HEDGEROWS WHERE POSSIBLE. ANY NEW PLANTING TO BE DETAILED IN FUTURE RESERVED MATTERS APPLICATIONS. BOUNDARY TREATMENTS GENERALLY SHOULD REFLECT THE CHARACTER OF THE AREA

Vehicle access and hard standing - description:Description of *existing* materials and finishes:

NONE

Description of *proposed* materials and finishes:

NEW ACCESS PROPOSED INTO THE SITE. THIS WILL REQUIRE PARTIAL RELOCATION OF THE EXISTING HEDGEROW.

THE INTERNAL SITE ROAD WILL BE TARMAC AND IS ENVISAGED TO BE A SHARED SURFACE, FOR USE BY PEDESTRIANS, CYCLES AND VEHICLES.

Lighting - add descriptionDescription of *existing* materials and finishes:

NONE

Description of *proposed* materials and finishes:

FOR FUTURE RESERVED MATTERS APPLICATIONS

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement?

☒ Yes ☐ No

If Yes, please state references for the plan(s)/drawing(s)/design and access statement:

LOCATION PLAN

PROPOSED SITE LAYOUT

DESIGN AND ACCESS STATEMENT

10. Vehicle Parking

Please provide information on the existing and proposed number of on-site parking spaces:

Type of vehicle	Existing number of spaces	Total proposed (including spaces retained)	Difference in spaces
Cars	0	19	19
Light goods vehicles/public carrier vehicles	0	0	0
Motorcycles	0	0	0
Disability spaces	0	0	0
Cycle spaces	0	0	0
Other (e.g. Bus)	0	0	0
Short description of Other			

11. Foul Sewage

Please state how foul sewage is to be disposed of:

Mains sewer ☒ Package treatment plant ☐ Unknown ☐
Septic tank ☐ Cess pit ☐
Other

Are you proposing to connect to the existing drainage system? ☒ Yes ☐ No ☐ Unknown

If Yes, please include the details of the existing system on the application drawings and state references for the plan(s)/drawing(s):

CONNECTION TO BE MADE INTO WHITEACRE LANE FOUL DRAINAGE SYSTEM

12. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary)

☐ Yes ☒ No

If Yes, you will need to submit an appropriate flood risk assessment to consider the risk to the proposed site

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

☐ Yes ☒ No

Will the proposal increase the flood risk elsewhere?

☐ Yes ☒ No

How will surface water be disposed of?

☐ Sustainable drainage system

☐ Main sewer

☐ Pond/lake

☒ Soakaway

☐ Existing watercourse

13. Biodiversity and Geological Conservation

To assist in answering the following questions refer to the guidance notes for further information on when there is a reasonable likelihood that any important biodiversity or geological conservation features may be present or nearby and whether they are likely to be affected by your proposals.

Having referred to the guidance notes, is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, OR on land adjacent to or near the application site:

a) Protected and priority species

☐ Yes, on the development site ☐ Yes, on land adjacent to or near the proposed development ☒ No

b) Designated sites, important habitats or other biodiversity features

☐ Yes, on the development site ☐ Yes, on land adjacent to or near the proposed development ☒ No

c) Features of geological conservation importance

☐ Yes, on the development site ☐ Yes, on land adjacent to or near the proposed development ☒ No

14. Existing Use

Please describe the current use of the site:

AGRICULTURAL

Is the site currently vacant? ☒ Yes ☐ No

If Yes, please describe the last use of the site:

THE SITE HAS, AS FAR AS THE APPLICANT IS AWARE, ALWAYS BEEN USED FOR AGRICULTURAL GRAZING PURPOSES

When did this use end (if known) (DD/MM/YYYY)?

Does the proposal involve any of the following?

If yes, you will need to submit an appropriate contamination assessment with your application

Land which is known to be contaminated? ☐ Yes ☒ No

Land where contamination is suspected for all or part of the site? ☐ Yes ☒ No

A proposed use that would be particularly vulnerable to the presence of contamination? ☐ Yes ☒ No

15. Trees and Hedges

Are there trees or hedges on the proposed development site? ☒ Yes ☐ No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?

☒ Yes ☐ No

If Yes to either or both of the above you may need to provide a full Tree Survey, at the discretion of your local planning authority. If a Tree Survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to construction - Recommendations'

6. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or waste?

☐ Yes ☒ No

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17. Residential Units

Does your proposal include the gain or loss of residential units?

☒ Yes ☐ No

Market Housing - Proposed

	Number of bedrooms				
	1	2	3	4+	Unknown
Houses					5
Flats/Maisonettes					
Live-Work units					
Cluster flats					
Sheltered housing					
Bedsit/Studios					
Unknown					

Proposed Market Housing Total

5

Intermediate Housing - Proposed

	Number of bedrooms				
	1	2	3	4+	Unknown
Houses					2
Flats/Maisonettes					
Live-Work units					
Cluster flats					
Sheltered housing					
Bedsit/Studios					
Unknown					

Proposed Intermediate Housing Total

2

Overall Residential Unit Totals

Total proposed residential units	7
Total existing residential units	0

Market Housing - Existing

	Number of bedrooms				
	1	2	3	4+	Unknown
Houses					
Flats/Maisonettes					
Live-Work units					
Cluster flats					
Sheltered housing					
Bedsit/Studios					
Unknown					

Existing Market Housing Total

0

Intermediate Housing - Existing

	Number of bedrooms				
	1	2	3	4+	Unknown
Houses					
Flats/Maisonettes					
Live-Work units					
Cluster flats					
Sheltered housing					
Bedsit/Studios					
Unknown					

Existing Intermediate Housing Total

0

18. All Types of Development: Non-residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace?

☐ Yes ☒ No ☐ Unknown

19. Employment

If known, please complete the following information regarding employees:

	Full-time	Part-time	Equivalent number of full-time
Existing employees	0	0	0
Proposed employees	0	0	0

20. Hours of Opening

If known, please state the hours of opening for each non-residential use proposed:

Use	Monday to Friday		Saturday		Sunday and Bank Holidays		Not Known
	Start Time	End Time	Start Time	End Time	Start Time	End Time	

21. Site Area

What is the site area?

00.65

hectares

22. Industrial or Commercial Processes and Machinery

Please describe the activities and processes which would be carried out on the site and the end products including plant ventilation or air conditioning. Please include the type of machinery which may be installed on site:

NONE

Is the proposal for a waste management development?

☐ Yes ☒ No

23. Hazardous Substances

Is any hazardous waste involved in the proposal?

☐ Yes ☒ No

24. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

☒ The agent ☐ The applicant ☐ Other person

25. Certificates (Certificate A)

Certificate of Ownership - Certificate A

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land or building to which the application relates

Title:

Mr

First name:

DAVID

Surname:

BAILEY

Person role:

Agent

Declaration date:

26/09/2011



Declaration made

25. Certificates (Agricultural Land Declaration)

Agricultural Land Declaration

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is, or is part of an agricultural holding. ☒

(B) I have/The applicant has given the requisite notice to every person other than myself/the applicant who, on the day 21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates as listed below: ☐

If any part of the land is an agricultural holding, of which the applicant is the sole tenant the applicant should complete part (B) of the form by writing 'sole tenant - not applicable' in the first column of the table below

Title:

Mr

First Name:

DAVID

Surname:

BAILEY

Person role:

Agent

Declaration date:

26/09/2011



Declaration Made

26. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information.



Date

26/09/2011



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Do not scale this drawing. All dimensions to be checked on site before work commences.

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REV	DESCRIPTION	DATE	APPROVED
A	SPM line & hedge row planning noted and further head incorporated.	04-07-11	GM
B	Plot two amended to a pair of semi detached to provide affordable housing.	19-09-11	GM

NOTES

LEA, HOUGH & Co.
CHARTERED SURVEYORS
Property Consultants

Blakewater House
Phoenix Business Park
Blakewater Road
Blackburn BB1 5RW
Telephone: 01254 260196
Facsimile: 01254 51905
E-mail: blackburn@leahough.co.uk
Web: www.leahough.co.uk



CLIENT

PROJECT ADDRESS

Land off Whiteacre Lane,
Barrow,
Nr. Cullinoe,
BB7 9BJ

DRAWING TITLE

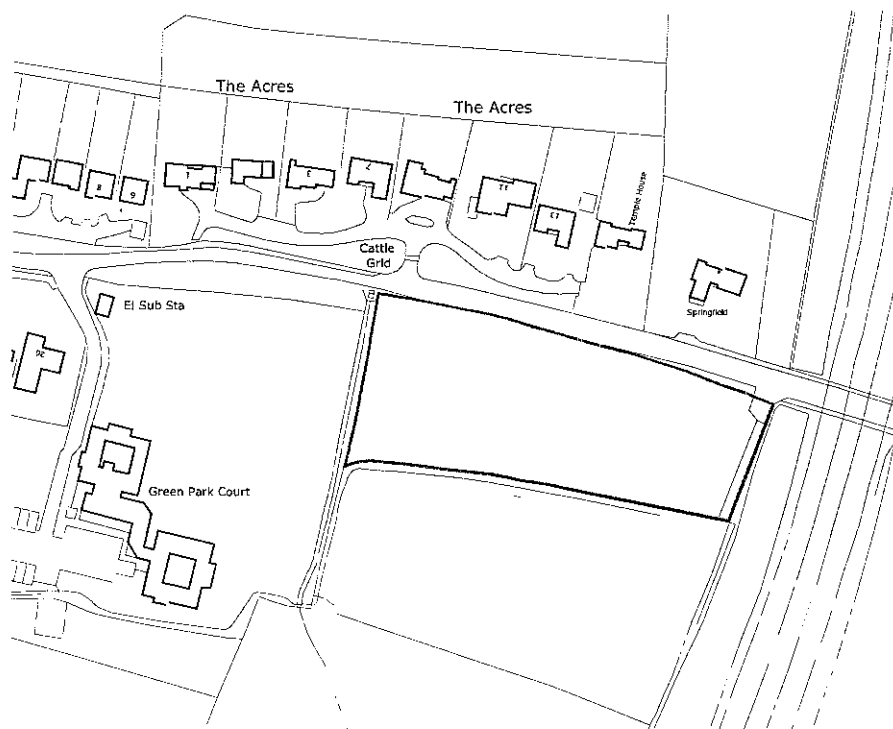
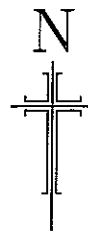
Development Proposal - Opt B
(7 No. Residential Dwellings)

DATE	DRAWING NUMBER	REV
11-02-2002	BS 11-02-2002	B
March 2011		GM

SCALE

1:1250

320110776P



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LEA, HOUGH & Co.
CHARTERED SURVEYORS
Property Consultants

Blakewater House
Phoenix Business Park
Blakewater Road
Blackburn BB1 5RW
Telephone 01254 260196
Facsimile 01254 51905

PLAN REFERRED TO:

Land off Whiteacre Lane, Barrow, Nr Clitheroe, BB7 9BJ.
(Scale 1:2500)

FOR IDENTIFICATION PURPOSES ONLY

Based on the Ordnance Survey with the sanction
of the Controller of HM Stationery Office
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DESIGN & ACCESS STATEMENT

FOR THE PROPOSED RESIDENTIAL DEVELOPMENT OF THE LAND TO THE SOUTH OF WHITEACRE LANE, BARROW

This statement is provided in support of an Outline Planning Application for the residential development of the land to the south of Whiteacre Lane, Barrow, near Whalley.

Introduction

The subject land is approximately 1.6 acres and is situated directly off Whiteacre Lane in Barrow, a village situated between Clitheroe and Whalley. The land has been used historically for agricultural purposes primarily, but it is now considered appropriate for the land to be brought forward for residential development. The indicative proposal shows five detached properties (for open market sale) and two semi-detached units for discounted sale to local people meeting eligibility criteria. This proposed provision of 28.6% of Affordable Housing on site is as a result of discussions with the appropriate officers at Ribble Valley BC.

In broad terms, whilst it is situated on the periphery of the defined settlement area of Barrow, the land is an appropriate location for the delivery of housing. The proposal seeks to reflect the style and type of development that is found to the north of Whiteacre Lane, adjacent to the site, whilst the units are set back from the road so as to ensure their impact on the existing dwellings is limited. Concerns regarding continued ribbon development are alleviated by the presence immediately to the east of the land of the A59 corridor, ensuring that the land represents a logical infilling of development within existing man-made boundaries.

The site falls slightly from Whiteacre Lane, further minimising the impact of the proposal, and it forms an excellent development parcel that will be attractive to developers and their subsequent purchasers. Fronting Whiteacre Lane is a relatively mature hedgerow, part of which will require relocation. The western and southern borders of the site are formed also

by an existing hedgerow intersected with a small number of significant trees. To the eastern boundary is located the existing agricultural access into the subject site, as well as a non-made up track that provides similar access to the fields beyond. The proposal will retain this access for continued agricultural use.

Whiteacre Lane is a relatively rural thoroughfare and the proposal looks to respect this character, as well as the importance of the land as the first element of development entering Barrow from the hamlet of Wiswell. As such, this application is for a relatively low density scheme, with an emphasis on the open areas surrounding the small number of dwellings.

The intention of this statement is to support the development of the site for residential use. Ribble Valley, at present, is not in a position to demonstrate a 5 year deliverable housing land supply, as required by Government guidance. In addition, emerging policy requires a 20% 'additional' supply to ensure competition for sites and deliverability. This site is put forward in recognition of these requirements as a deliverable site in an appropriate location for housing.

Whilst the application is made in outline, with all matters (with the exception of access) reserved for future applications, indicative layouts and house types have been provided to give insight to the likely level of site coverage and overall quantum of development.

This statement has been prepared in accordance with the requirements of Circular 01/2006 and with regard to the guidance provided in the CABI Publication "Design & Access Statement - how to write, read and use them". As such the statement will focus on the key areas of amount and use, layout, scale, landscaping and appearance, fundamental access and design issues.

Location

The land is situated immediately to the south of Whiteacre Lane, on the edge of the settlement boundary of Barrow. The formal settlement boundary runs along the western edge of the site, although the site is between this planning boundary and the man-made A59 corridor and as such it forms a parcel that could be viewed as appropriate infilling up to the logical conclusion of development that is the A59 land.

Barrow is situated centrally between Whalley and Clitheroe, within the Ribble Valley, and can generally be considered an attractive location, benefitting from excellent countryside combined with good local retail and community facilities, making it a very desirable area for residential development. The proposed scheme will provide a small number of dwellings that will blend well with the existing offer in Barrow, and in particular on Whiteacre Lane. In addition, there will be an element of on-site Affordable Housing that will be brought about by the development of the land. The delivery of this will be set out within the s106 Agreement that will be agreed between the applicant and the Local Planning Authority.

The development, for a small number of residential units in an attractive and popular location, will help sustain the village community of Barrow without having an adverse effect on the existing residents. It should be seen as utilising land efficiently and, whilst not within the settlement boundary, it relates so well and is limited as above by the A59 that it presents a logical, but restrained, extension to Barrow. As such, it will also help to provide a notable amount of housing within the Borough to help meet the required housing delivery targets, in a location which has proved popular with developers and home owners and can therefore be relied upon to deliver and therefore assist with meeting the PPS3 requirement for an identifiable five year housing land supply, which at present the Borough cannot meet.

Use

The current site has been utilised for agricultural purposes, but notice has been served on the tenant under the terms of an existing agreement. The land has predominantly been used for grazing land and, as such, has no existing buildings or structures on the land. It is understood that no fixed buildings have been erected on the site in recent memory. At present, the land's exclusion from the settlement boundary of Barrow is something of an anomaly as the only frontage land of Whiteacre Lane on the Barrow side of the A59 not included in the settlement boundary.

It was considered that this parcel of land has the inherent potential to accommodate residential development, particularly when considering factors such as the broad location, planning policy, the surrounding land uses and likely demand for any alternative use. Such a use would reflect the adjacent frontage, as well as continue the built form along Whiteacre Lane.

In planning policy terms the land is situated within the defined Village Boundary of Barrow. Under Policy G4 of the Ribble Valley Local Plan;

As defined on the proposals map, planning permission will be granted for proposals falling within the following categories:

- a) The development of sites allocated in this plan.*
- b) The use of infill sites not defined as essential open spaces.*
- c) The rehabilitation and re-use of rural buildings (subject to Policies H15, H16, H17, EMP9 and RT3).*
- d) Proposals which contribute to the solution of a particular local housing, social, community or employment problem.*

The proposed development can partially be described as "infill", and thus addressing Condition b), particularly when considering the adjacent land uses of residential and significant infrastructure, although it is accepted that there are elements which do not strictly fulfil this definition.

However, as the proposal is for residential development, Planning Policy Statement 3 must also be considered as a material planning matter. This guidance states;

*Drawing on information from the Strategic Housing Land Availability Assessment and or other relevant evidence, Local Planning Authorities should identify sufficient specific **deliverable** sites to deliver housing in the first five years. To be considered deliverable, sites should, at the point of adoption of the relevant Local Development Document:*

- Be **Available** – the site is available now.*
- Be **Suitable** – the site offers a suitable location for development now and would contribute to the creation of sustainable, mixed communities.*
- Be **Achievable** – there is a reasonable prospect that housing will be delivered on the site.*

Ribble Valley Borough Council cannot currently demonstrate a five year housing supply as required by this guidance and therefore the proposal for high quality and land efficient development ought to be considered favourable. Taking the criteria outlined above in turn:

- The land is **available** for development- vacant possession of the land can be obtained through the existing agricultural agreement with the tenant. No third party land is required to facilitate the delivery and the applicant is motivated to ensure delivery of development on the site.
- The site is **suitable** for residential use as it is adjacent to the village settlement boundary, is bounded by development, is proximate to housing and is unlikely to be appropriate for uses other than either residential or agricultural.
- The site, with planning permission for residential use, is **achievable**. Whilst the landowner has made the application independently, the Ribble Valley is a very strong residential location, with Whiteacre Lane one of the strongest road (in terms of marketability) within Barrow, which in itself is an attractive village with reasonable provision of local amenities and good access to more substantial facilities in Clitheroe and Whalley. There is little doubt that the site would be popular with residential developers and it is therefore expected that housing would be delivered on site shortly after any consent.

The adjoining land uses are predominantly residential and as such the proposal fits well in its surroundings. There are good vehicular transport links to the local service centres of Whalley and Clitheroe, which are both approximately 3-5 minutes away, and have significant provision for future resident's needs. Good access can be had to the A59, which subsequent gives access to the M65, M6 and east Lancashire and Yorkshire.

The site is less than 600m from Barrow Primary School, whilst there is also a Post Office and two public houses within the village. Within the village there is also Whalley Industrial Park and Hansons Garden Centre, as well as the emerging facilities at Barrow Brook, which include office space, a MacDonalds Restaurant and Somerfield Petrol Station and convenience shop. These facilities are within easy walking and cycling distance, allowing a reduced need for vehicular travel.

There is a regular bus route along Whalley Road, which included direct services to Clitheroe, Whalley and subsequently the rail services that can be accessed from there.

The site is well situated for residential development and benefits from good local provision of essential facilities for education, retail and leisure purposes. Taking into account the planning policy outlined above and the need to provide quality housing in good locations, it is proposed that the subject site is an ideal opportunity for residential development.

Amount

The development has been purposely designed to be low density- low impact. It is acknowledged that the site of c1.6 acres (0.65 Ha) could accommodate a greater number of units and perhaps on standard contemporary densities might be expect to achieve in the region of 18-20 units. However, Whiteacre Lane, at the point where it passes the site, has many rural characteristics and it was therefore felt that a development with relatively low site coverage, that emphasised the open nature of the scheme, was the most appropriate in this location.

The proposed dwellings and their layout (from a shared access road that runs parallel to Whiteacre Lane and forms just a single junction with the public highway) was developed in recognition of the type of development that already forms up Whiteacre Lane, including Willow Drive and the Acres.

Policy G1 of the Ribble Valley Local Plan includes some of the key features that are expected of any development proposals;

All development proposals will be expected to provide a high standard of building design and landscape quality. Development which does so will be permitted, unless it adversely affects the amenities of the surrounding area.....

(a) Development should be sympathetic to existing and proposed land uses in terms of its size, intensity and nature. – The development has utilised a low density, to reflect the existing forms to the north of Whiteacre Lane. As such, it respects the rural character of the area, but also provides a low key commencement to development in Barrow.

(b) The likely scale and type of traffic generation will be assessed in relationship to the highway infrastructure and the proposed and existing public transport network. This will include safety, operational efficiency, amenity and environmental considerations. The low density provided will result in limited traffic generation. Whilst Whiteacre Lane is a rural highway to the east of the A59 corridor, the vast majority of traffic entering and exiting the site will be coming from Barrow, where the highway infrastructure is more than capable of accommodating any additional trips generated.

(d) A safe access should be provided which is suitable to accommodate the scale and type of traffic likely to be generated. The access has been designed to ensure it provides sufficient viewing distances in both easterly and westerly directions. It has been located to the north west corner of the land to ensure not only that the amount of existing hedgerow that requires relocation is minimised, but also that it is directly opposite to the entrance to The Acres to enable maximum visibility of traffic entering and exiting this junction.

The key principles resulted in the indicative layout that accompanies this application. The house types shown, as detached family properties with attached garaging, are indicative but are likely to be appropriate for this location and the market in this area.

Layout

The proposed site layout is essentially aimed at being low key and low impact, in order to blend the site with the existing development of Whiteacre Lane. In order to do this, several features of the nearby built form have been incorporated:

- A single line of development facing Whiteacre Lane, rather than a denser layout with clusters of housing.
- A small number of units utilising a single access point- similar to The Acres and Willow Drive.
- The access point is located at one side of the development to improve sight lines and reduce the amount of existing hedgerow that is required to be removed and replanted.
- Family housing in large plots, reflective of the scale and type of dwellings currently found on Whiteacre Lane.

The internal access road is likely to be a shared surface that is usable for pedestrians, cyclists and vehicles alike. The relatively steep corner entering the site, as well as the gentle meander of this road, is intended to slow traffic entering and exiting the site to allow such communal use of the road to be safely achievable.

The hedgerow that is removed to facilitate the appropriate sight lines in an easterly direction will be replanted between Whiteacre Lane and the internal access road to ensure that the overall character of the road is not affected and the privacy of both new and existing dwellings is maintained.

Parking provision will be on the individual plots, with sufficient area for three vehicles to park and exit each property comfortably.

The site layout has been put together to reflect the character of the local environment, whilst at the same time according with necessary dwelling separation and highway safety

distances required. The site should provide a high quality entrance to the village for travellers entering from the Wiswell end of Barrow, whilst also providing a definitive edge to the settlement area.

Scale

The site itself is located at the edge of the village and as such the scale of the proposal is an important consideration of the design process. The scale of development is important to reflect, and balance, Whiteacre Lane on the entry from Wiswell, whilst at the same time ensuring that the overall rural character of Whiteacre Lane is not diminished.

The Acres, the development opposite the application site, is characterised by substantial detached properties in generous plots. Whilst the appearance of the proposed dwellings will differ from those, it has been recognised as important to reflect the type of separation and stand-off distances that can be seen at The Acres.

The location was considered unsuitable for bungalows (taking into consideration the scale of buildings adjacent), whilst three storey dwellings were deemed to be too urban to be appropriate for this location.

The proposal for seven two storey family houses (five open market detached dwellings and two semi-detached Affordable properties) is likely to be very popular with the current market, as well as fitting well with the immediate location.

It is likely that a future developer of the site will want to replace the indicative house types shown with specific dwellings from their own range, however as a general guide with regards parameters for the scale of proposed buildings, below is a list of key measurements that should be taken account of in future reserved matters applications:

Eaves height	5m – 6m
Ridge height	7.7m- 9m
Building widths	8m- 11m (excluding garages)
Building lengths	9.5m -12m

Landscaping

The positioning and type of landscaping utilised by a future developer is likely to depend on their house types and orientation and as no developer is presently in place, it would be premature to submit a finalised landscaping detail with this application. It would be envisaged that any planning consent would be conditioned such that an appropriate landscaping scheme is submitted for approval by the Local Planning Authority prior to the commencement of the development.

However, it is important to highlight some of the principles that may need to be address within such a Landscaping scheme in this document.

As discussed in the Arboricultural Impact Assessment that forms part of this submission, the site has a number of existing tree groups, but none considered to be of high quality or value. However, as many of the trees identified in the report are not within the application site boundary, it will be necessary to ensure these are appropriately protected during the construction phase of a future scheme.

The requirement, in terms of highways safety, of providing sufficient sight-line distances up and down Whiteacre Lane will require the removal of part of the hedgerow along Whiteacre Lane. This section will be replanted, using native species, between Whiteacre Lane and the onsite road, to ensure the new buildings are appropriately buffered.

It is not envisaged that any significant land forms or earthworks will be required on the site. The natural gradient is consistent with that found to either side of the development and therefore continuity with this is important.

Appearance

Whilst this application is in outline, with a view to reserving details such as layout for subsequent reserved matters applications, the general character and appearance of the development will be guided by the principles laid down in this document.

The development is intended to reflect the building form of Whiteacre Lane and a developer may want to recreate the mixed appearance of The Acres at Reserved Matters stage. Such an approach would reinforce the village character of the road, but it would also be important to establish an identity for the development and therefore any changes in house types should be closely considered.

The meander of the road alignment will slow traffic and create a safe environment which can be used as a shared surface for vehicles, cyclists and pedestrians. It will also encourage a rural feel to the development, appropriate for its general location.

Materials have yet to be finalised and are reserved for future detailed applications. However, Whiteacre Lane has buildings using a broad palette of materials, including brick, stone and render.

The orientation of the buildings looks to create an appropriate 'face' to Whiteacre Lane, but also to maximise the utility of the openness of the rear aspect. As such, the boundary treatments between and to the rear of the properties will play a key role in maintaining this rural feel and, although a matter for reserved matters applications, such boundary treatments should incorporate less urban styles.

Access

The development of the site has been designed so as to maximise accessibility and permeability both for vehicles and pedestrians. The onsite road will be utilised by vehicles, cyclists and pedestrians, whilst it is also likely to form informal, ad-hoc play space for the children of future occupiers. As such, it is important that traffic is slowed on exit and entry to the site and this has been achieved by utilising a relatively sharp corner on entering the site.

The entry point into the site has been positioned, in line with LCC Highways guidance, to maximise sight lines in both directions on Whiteacre Lane and ensure that vehicles can exit the site safely.

All the units will benefit from on plot turning and parking areas, with a view that the access road will be kept free from vehicles. The provision of double garages will also encourage homeowners to park their cars away from view.

The site is relatively level and pedestrians should have few issues entering and exiting the site. Such pedestrians could use Whiteacre Lane, although there is not a dedicated footpath for its full extent, by utilising the unmade verges if required.

All of the properties benefit from pedestrian access to the front, whilst there is also direct resident access to all the rear gardens, ensuring that waste and recycling bins can be stored either within the garage or away from the front elevations of the properties, before being brought for collection on the front boundaries by the residents. The refuse collection vehicles have sufficient space to enter and exit the site safely and away from parked cars and private curtilages, with a turning area provided to the easterly point of the onsite road.

In terms of general accessibility, the site is well located for local bus services on Whalley Road, providing excellent access to the nearby urban centres of Clitheroe and Whalley. From here, there are further bus services to eastern Lancashire, as well as good rail services to the main urban centres of the County.

There is good vehicular access to the local urban centres, as well as the main employment locations within the Borough. The A59 gives good access to the main motorway network and generally the site can be considered to be sustainably located for all types of residents and sits well within the local community as a residential development.

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Arboricultural Impact Assessment

of Proposed Development of Five Residential Properties at



Whiteacre Lane, Barrow,
Clitheroe, Lancashire, BB7

Prepared by:

Bowland 
Tree Consultancy Ltd

July 2011

**ARBORICULTURAL IMPACT ASSESSMENT
WHITEACRE LANE, BARROW**

Control sheet

Project No.: BTC218

Project Title: Arboricultural Impact Assessment at Whiteacre Lane, Barrow

Client: Mr Martin Kay

Architect: Lea, Hough & Co

Local Authority: Ribble Valley Borough Council

Date of Survey: 29/06/11

Prepared by: Phill Harris BSc(Hons) HND CEnv MArborA MICFor Chartered Arboriculturist

Date of Issue: 22/07/11

Status: Final

Version No: 1

Revisions: 0

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DISCLAIMER

Survey Limitations: Unless otherwise stated all trees are surveyed from ground level using non-invasive techniques, in sufficient detail to gather data for and inform the design of the current project only. The disclosure of hidden crown and stem defects, in particular where they may be above a reachable height or where trees are ivy clad or in areas of ground vegetation, cannot therefore be expected. All obvious defects, however, are reported. Detailed tree safety appraisals are only carried out under specific written instructions. Comments upon evident tree safety relate to the condition of said tree at the time of the survey only. Unless otherwise stated all trees should be re-inspected annually in order to appraise their on-going mechanical integrity and physiological condition. It should, however, be recognised that tree condition is subject to change, for example due to the effects of disease, decay, high winds, development works, etc. Changes in land use or site conditions (e.g. development that increases access frequency) and the occurrence of severe weather incidents are also significant considerations with regards tree structural integrity and trees should therefore be re-assessed in the context of such changes and/or incidents and inspected at intervals relative to identified and varying site conditions and associated risks.

Where trees are located wholly or partially on neighbouring private third-party land then said land is not accessed and our inspection is therefore restricted to what can reasonably be seen from within the site. Stem diameters of trees located on such land are estimated. Any subsequent comments and judgments made in respect of such trees are based on these restrictions and are our preliminary opinion only. Recommendations for works to neighbouring third-party trees are only made where a potential risk to persons and/or property has been identified during our survey or, if applicable, where permissible works are required to implement a proposed development. Where significant structural defects of third-party trees are identified and associated management works are considered essential to negate any risk of harm and/or damage then we will first attempt to inform the site occupier of the issues and, if not possible, then inform the relevant Council. Where a more detailed assessment is considered necessary then appropriate recommendations are set out in the Tree Survey Schedule.

Where tree stem locations are not included on the plan(s) provided then they are plotted at the time of the survey using, where appropriate and/or practicable, a combination of measurement triangulation and GPS co-ordination. Where this is not possible then locations are estimated. Restrictions in these respects are detailed in the report.

The potential influence of trees upon buildings or other structures resulting from the effects of their roots abstracting water from shrinkable load-bearing soils is not considered herein. The advice of a structural engineer should be sought with regard to appropriate foundation depths for new buildings with reference to NHBC Standards Chapter 4.2 (NHBC, 2008).

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**ARBORICULTURAL IMPACT ASSESSMENT
WHITEACRE LANE, BARROW**

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1.0 INTRODUCTION

Terms of Reference

- 1.1 Bowland Tree Consultancy Ltd were commissioned by Lea, Hough and Co., on behalf of their client, to:
- a) Survey from ground level all trees having reasonable potential to be adversely affected by the proposed site development;
 - b) Prepare a tabulated Tree Survey Schedule based on guidance specified in British Standard BS5837:2005 - Trees in Relation to Construction – Recommendations;
 - c) Assess the tree related impacts and potential design conflicts of the proposal;
 - d) Advise on removal, retention and management options for the trees in the current context and in the context of the proposed development;
 - e) Assess the tree protection measures required during the development;
 - f) Annotate the site proposal plan to identify tree numbers, retention categories, crown spreads and Root Protection Areas to indicate tree related constraints, along with trees proposed for retention and for removal in order to produce a Tree Impact Plan;
 - g) Produce an Arboricultural Impact Assessment (AIA) report outlining the main tree related issues and potential tree related impacts in relation to the development proposal and suitable mitigation and/or protection measures; and
 - h) Provide the completed documents as a combined report in electronic PDF format in support of the planning application.

Scope and Purpose of Report

- 1.2 By detailing foreseeable tree related issues this report is intended to assist the Local Planning Authority (LPA) in their review of the proposed development and, as such, should be supplied to them in support of the planning application to which it pertains. Essentially, the report provides a preliminary analysis of the impacts that the proposed development would potentially have on trees and, in turn, the effects that any such impacts would potentially have on the visual amenity of the local landscape. It also offers guidance on suitable tree management and mitigation and appropriate tree protection measures in the context of the proposed development.

Site Visit, Data Collection and Tree Impact Plan

- 1.3 Further to our instruction I confirm that I visited the site on 29 June 2011 and carried out an appraisal of trees, as detailed above and in accordance with the preceding disclaimer. All tree data collected on site is set out in the attached tabulated Tree Survey Schedule (TSS) at Appendix One which, for ease of interpretation, should be read in conjunction with the associated BS5837:2005 Table 1. Weather conditions during my survey were generally clear, dry and warm with no discernable wind.
- 1.4 During my survey I identified three individual trees (prefixed 'T'), five groups of trees (prefixed 'G') and two hedges (prefixed 'H') and have numbered them accordingly on the appended, Tree Impact Plan (TIP). The TIP is based on an OS site plan that was provided in electronic format by Lea, Hough and Co., and for the purpose of this report I presume the plan details to be accurate. Nonetheless, I would note that the trees' stem locations were not included on the plan and were therefore plotted using GPS and estimation. The TIP details the existing site with the readily definable tree constraints (see 1.1f) and an overlay of the proposal, thereby allowing a preliminary appraisal of the development's potential impacts on trees (see section 6) and a subsequent evaluation of protection, tree work and mitigation requirements. The constraints relating to tree RPAs and their protection requirements are discussed in detail at paragraphs 7.1 and 7.2.

2.0 STATUTORY PROTECTION IN RESPECT OF TREES AND ASSOCIATED WILDLIFE

Tree Preservation Orders and Conservation Area Designations

- 2.1 The Town & Country Planning Act (1990) (the Act) and associated Regulations empower Local Planning Authorities (LPAs) to protect trees in the interests of amenity by making Tree Preservation Orders (TPOs). The Act also affords protection for trees of over 75mm diameter that stand within the curtilage of a Conservation Area (CA). Subject to certain exemptions, an application must be made to the LPA in question to carry out works upon or to remove trees that are subject to a TPO, whilst six weeks' notice of intention must be given to carry out works upon or to remove trees within a CA that are not protected by a TPO. However, in situations where detailed planning permission has been granted and protected trees directly affect the implementation of the approved development, then it is permissible to carry out any works necessary to said trees in order to implement said development.
- 2.2 I am informed by Lea, Hough & Co that none of the surveyed trees are currently afforded protection as part of a TPO and, according to the Lancashire County Council 'Maps & Related Information Online' (Mario) website, the site itself does not stand within a CA. However, the specifics of the status of the trees with regards TPO protection should be checked with Ribble Valley Borough Council prior to scheduling or carrying out any tree works, and due consideration should be given to the points covered in 2.1, above.

Protected Species

- 2.3 Nesting birds are afforded statutory protection under the Wildlife & Countryside Act (1981) (as amended) and their potential presence should therefore be considered when clipping hedges, removing climbing plants and pruning and removing trees. Hedges provide valuable nesting sites for many birds and clipping should therefore be avoided during March to July. Trees, hedges and ivy should be inspected for nests prior to pruning or removal and any work likely to destroy or disturb active nests should be avoided until the young have fledged.
- 2.4 All bat species are protected under Schedule 5 of the Wildlife & Countryside Act (1981) (as amended) and under Schedule 2 of the Conservation of Habitats and Species Regulations 2010. In this respect it should be noted that it is possible that unidentified bat habitat features may be located high up in tree crowns and all personnel subsequently carrying out tree works at the site should therefore be vigilant and mindful of the possibility that roosting bats may be present in trees with such features. If any bat roosts are identified then it is essential that works are halted immediately and that a qualified and an experienced ecologist investigate prior to works continuing.

Felling Licences

- 2.5 Subject to certain exemptions the Forestry Act (1967) requires that a 'Felling Licence' be obtained to fell growing trees amounting to specific volumes of timber. Felling Licences are administered by the Forestry Commission and contravention of the associated controls can incur substantial penalties. However, I would note that a Felling Licence is not needed for the removal of trees immediately required for the purpose of carrying out a development authorised by detailed planning permission granted under the Act (1990).

3.0 COUNCIL POLICY IN RESPECT OF TREES AND DEVELOPMENT

- 3.1 The site stands within the administrative boundaries of Ribble Valley BC and, as such, our arboricultural appraisal considers the proposed site development against the relevant Council policies. The Ribble Valley BC District wide Local Plan (Ribble Valley BC, 1998) includes only one Policy (below) specific to trees in relation to this site; 'Policy ENV13 - Landscape Protection'. Ribble Valley BC also have a Supplementary Planning Policy for Trees, of which paragraph 5.5 states that the "Local Authority will ensure that the right trees are maintained, protected and correctly managed".

POLICY ENV13 - LANDSCAPE PROTECTION

The Borough Council will refuse development proposals which harm important landscape features including traditional stone walls, ponds, characteristic herb rich meadows and pastures, woodlands, copses, hedgerows and individual trees other than in exceptional circumstances where satisfactory works of mitigation or enhancement would be achieved, including rebuilding, replanting and landscape management

Reasoned Justification

It is important to protect the existing landscape features which add to the character of the Borough. The woodland coverage of the borough whether large woods, small groups, or individual trees, together with hedgerow coverage forms an important part of the landscape quality. In addition valuable ecological, recreational and economic functions arise from these features.

4.0 THE SITE AND THE SURROUNDINGS

- 4.1 The site, which is rectangular in shape, is an open field that is currently under use for livestock grazing. It is located to the south-eastern rural edge of the village of Barrow, approximately 4.1 kilometres due south of Clitheroe, the Council's administrative town. The site currently consists of unmaintained grass with individual trees, groups of trees and hedges to its boundaries. The site is bordered to the east by the verge to the A59 dual carriageway, to the south by an open field, to the west by a large garden to a block of residential flats and to the north by Whiteacre Lane, a moderately low usage local distributor road. Vehicular access to the site is currently available via a single point from Whiteacre Lane in the site's north-eastern corner.
- 4.2 A detailed landscape or townscape character appraisal of the locality was not considered necessary as part of this assessment. However, I did make a general appraisal of the visual amenity that the trees standing within the site confer in the locality based on their visual prominence and overall contribution to the landscape, as discussed in paragraph 5.1.

5.0 THE TREE POPULATION

- 5.1 As noted previously, three individual trees, five groups and two hedges were surveyed for the purpose of this appraisal. All the trees, excluding those along the Northern boundary, are evidently located outside the site's boundaries within neighbouring pieces of land and are therefore under third-party ownership. The majority of the trees are visible to varying degrees from the public highway and confer a low to moderate visual amenity in the immediate local landscape, dependent on the tree under consideration and where it is viewed from.
- 5.2 The surveyed trees are small to large in size and consist of a mix of native and non-native deciduous broadleaf and evergreen broadleaf species including ash, common alder and holly. They are in the young to mature age range and stand at heights of up to approximately 21 metres, have maximum diametrical crown spreads of up to approximately 21.5 metres and stem diameters of up to approximately 800 millimetres. Detailed tree dimensions and other pertinent information such as structural defects and physiological

deficiencies are included in the Tree Survey Schedule (TSS) at Appendix One. In respect of the TSS it should be noted that tree quality and value is categorised within the existing context without taking into account any site development proposals. However, the recommendations for works included in the TSS take both current site usage into consideration and the proposed site development where there are definable development related issues with regards specific trees.



Fig 1: The western section of the site, looking west, with group G2 to centre

- 5.3 The TSS includes a column ('Cat. Grade') listing the trees' respective retention values, where they are rated either 'A', 'B', 'C' or 'R', as per BS5837:2005 Table 1 (Appendix One). 'A' category trees are those considered to be of 'high quality and value' and, accordingly, the most suitable for retention and 'B' category trees are those considered to be of 'moderate quality and value'. 'C' category trees are those considered to be of 'low quality and value' which, as stated in BS5837:2005 Table 1, "*will usually not be retained where they would pose a significant constraint on development*". In turn, 'R' category trees are those that are in relatively poor condition whereby they should be removed for reasons of sound arboricultural management regardless of any plans for the site.
- 5.4 As such, only those classed either 'A' or 'B' are of a quality and value whereby they may be considered as a potential material constraint in the development process and, in this respect, BS5837:2005 states that "*Certain ['A' category] trees are of such importance and sensitivity as to prevent development occurring or to substantially modify its design*". However, it should be noted that the guidance does not state that all trees identified as 'A' or 'B' category have to be retained at all costs. Rather, a more pragmatic approach should be taken whereby the retention values of such trees are considered against the merits of the planned land use changes and they are subsequently afforded appropriate weight in the context of such proposals, with suitable compensatory planting proffered for any necessary losses should this course of action be established to be acceptable.
- 5.5 As detailed in Table One (overleaf) the three trees and two groups were allocated moderate retention values of 'B' and three of the groups and both of the hedges were allocated low

retention values of 'C'.

Table One: BS5837-2005 Retention Categories of the Surveyed Trees

	Ret. Cats.	Tree Numbers	Totals
Trees of a moderate or high quality & value that should be afforded appropriate consideration in the context of development	'A'	-	-
	'B'	T1, T2, T3, G1, G5	3 Trees 2 Groups
Trees of a low quality & value that should not be considered a material constraint to development	'C'	G2, G3, G4, H1, H2	3 Groups 2 Hedges
Trees that should be removed for sound management reasons regardless of site plans	'R'	-	-
			= 3 Trees, 5 Groups & 2 Hedges in Total

6.0 THE DEVELOPMENT PROPOSAL AND ITS PROJECTED ARBORICULTURAL IMPACTS

6.1 I am informed by the project architects, Lea, Hough and Co., that the proposal is to construct six detached properties with attached garages and associated hard-standing and gardens. The proposal is to bring a vehicular access into the site close to the western boundary and, from this, construct an internal access road to the properties. In order to identify the impacts that the proposal would potentially have upon the trees in question the tree survey and constraints information has been overlaid onto the proposal plan to produce a Tree Impact Plan (TIP) (appended at Plan One) detailing:

- The locations of the proposed properties;
- The location and route of the proposed vehicular access;
- The trees and hedges proposed for retention plus their respective RPAs and other pertinent information; and
- The trees and hedges proposed/recommended for removal.

Projected Arboricultural Losses Relating to the Proposal

6.2 As detailed on the TIP and in Table Two (below) construction of the proposal will require the removal of one low value 'C' category group and a section of one low value hedge. However, these losses are projected to have a negligible impact upon the visual amenity of the local landscape. The remainder of the trees can evidently be retained in the context of the proposal.

Table Two: Arboricultural Impacts of Proposed Development & Other Tree Removal Proposals

	Ret. Cats.	Removals necessary to implement development	Removals recommended for non-development related reasons	Total number of tree removals
Trees, groups and hedges of a moderate or high quality & value that should be afforded appropriate consideration in the context of the proposed development	'A'	-	-	-
	'B'	-	-	-
Trees, groups and hedges of a low quality & value that should not be considered a material constraint to development	'C'	G2, H2 (part)	-	1 Group 1 Hedge (part)
Trees, groups and hedges that should be removed for sound management reasons regardless of site plans	'R'	-	-	-
Totals		1 Group 1 Hedge (part)	-	1 Group 1 Hedge (part)

Mitigation for Projected Tree Losses as Part of Site Landscaping

- 6.3 The necessary development related tree and hedge removals can be adequately mitigated for through the provision of new trees on site, in particular along the road frontage. The establishment of large growing long-lived native trees of species such as common oak (*Quercus robur*) and common alder (*Alnus glutinosa*) would effectively complement the existing landscape and enhance the long-term visual amenity of the locality, as well as provide important urban wildlife habitat. New tree planting is discussed further in paragraph 8.5 and specific tree planting requirements, such as numbers, sizes and species, can be conditioned to a planning approval.

7.0 RECOMMENDATIONS FOR SUCCESSFUL TREE RETENTION IN THE CONTEXT OF DEVELOPMENT

Root Protection Areas and Construction Exclusion Zones

- 7.1 Adequate protection of the Root Protection Areas (RPAs) of retained trees during construction is essential if their long-term viability is to be assured. RPAs, which are calculated through a method provided in BS5837:2005, are ground areas that should be protected by temporary protective fencing as Construction Exclusion Zones (CEZs) throughout the development process, thereby keeping the trees' root zones free from disturbance. Consequently, the RPA distances, as detailed in the TSS (see 7.2, below), give an idea of the on-site below-ground constraints in respect of tree roots and assist in planning for appropriate tree retention in relation to feasible development. In certain situations, there is a limited degree of flexibility in the RPA and CEZ positioning.
- 7.2 The TSS includes two columns listing the RPAs of the individually surveyed trees and, where applicable, the largest of the trees in any surveyed groups as overall areas in square metres and as radial distances. The radial RPAs are indicated as magenta coloured circles on the TIP. With regards CEZs the design, materials and construction of the fencing should be appropriate for the intensity and type of site construction works, should conform to section 9 of BS5837:2005 and should be agreed with the LPA. A temporary protective fencing specification is included at Appendix Two and the extents of the RPAs should dictate locations of the CEZs.

Arboricultural Method Statement and Tree Protection Plan

- 7.3 BS5837:2005 recommends that, where considered expedient, an AMS and a TPP be prepared detailing "special mitigation construction", such as the construction of walls and hard surfaces within tree RPAs using special methods. Essentially, the AMS and TPP describe the procedures, working methods and protective measures to be used in relation to retained trees in order to ensure that they are adequately protected during the construction process. Production of and adherence to an AMS and TPP can be conditioned to a planning approval if considered necessary.

8.0 OTHER RECOMMENDATIONS

Non-Development Related Tree Works and Recommendations

- 8.1 Any general management pruning works for retained trees that are stated to be non-development related, as detailed in the TSS, are recommended in accordance with prudent arboricultural management and should therefore be carried out regardless of any site plans

and potential changes in land usage. All tree works should be carried out in accordance with BS3998:2010 - Tree Work – Recommendations.

Tree Work Related Consents

- 8.2 No tree pruning or removal works should commence on site until necessary consents have been obtained from the LPA as part of a planning approval or in respect of any statutory tree protection.

Arboricultural Contractors

- 8.3 All tree works should be carried out by suitably qualified and experienced arboricultural contractors carrying appropriate public liability insurance cover and be implemented to the minimum current CE and UK industry standards and in accordance with industry codes of practice. Only certificated personnel should, in accordance with The Control of Pesticides Regulations, apply any pesticides.

Contractors and Subsequently Identified Tree Defects

- 8.4 Contractors should be made aware that, should any significant tree defects become apparent during operations that would not have been immediately obvious to the surveyor, then such defects should be notified immediately to the client and subsequently confirmed to the consultant within five working days.

New Tree Planting

- 8.5 New tree planting proposals should be included as part of the landscape design plan for the site. All tree planting should be carried out in accordance with BS4428:1989 - Code of Practice for General Landscape Operations, BS3936-1:1992, Nursery Stock – Part 1: Specification for Trees and Shrubs and BS4043:1989, Transplanting Root-Balled Trees where applicable.

Retained Tree Management

- 8.6 Any tree risk management appraisal and subsequent recommendations made in this report were based on observations and site circumstances at the time of my survey. Trees are dynamic living organisms whose structure is constantly changing and even those evidently in good condition can succumb to damage and/or stress. In this respect I would note that, under the Occupiers' Liability Act (1957 & 1984), site occupants have a duty of care to take reasonable steps to prevent or minimise the risk of personal injury and/or damage to property from any tree located within the curtilage of the land they occupy. It is accepted that these steps should normally include commissioning a qualified and experienced arboriculturist to survey their trees in order to identify any risk of harm to persons or damage to property that they may present and, where unacceptable risks are identified, taking suitable remedial action to negate those risks.

9.0 SUMMARY AND CONCLUSIONS

- 9.1 The site in question is a field on the rural edge of the village of Barrow. Three individual trees, five groups and two hedges were surveyed in respect of a proposal to construct five new detached residential properties with an associated vehicular access at the site.
- 9.2 The trees are small to large in size and confer a low to moderately high visual amenity in

the local landscape dependent on the tree(s) under consideration and where they are viewed from. The three trees and two groups were allocated moderate retention values and three of the groups and both of the hedges were allocated low retention values.

- 9.3 The removal of one low value group and part of one low value hedge will be required in order to enable the proposal. These removals are projected to have a negligible impact upon the visual amenity of the local landscape and can be more than adequately mitigated for through the provision of new large growing trees of native species.
- 9.4 The remainder of the trees can be retained in the context of the proposal providing that recommended protection measures are followed.
- 9.5 In consideration of the above I therefore conclude that the proposal complies with the requirements of relevant Council Policy and current Government guidance in respect of trees and development.

REFERENCES

- BS4428:1989 - Code of Practice for General Landscape Operations. BSI British Standards, London.
- BS3936-1:1992, Nursery Stock – Part 1: Specification for Trees and Shrubs. BSI British Standards, London.
- BS3998:2010 - Tree Work - Recommendations. BSI British Standards, London.
- BS4043:1989 - Transplanting Root-Balled Trees. BSI British Standards, London.
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AUTHOR'S QUALIFICATIONS & EXPERIENCE

Qualifications. I hold a Higher National Diploma (HND) in arboriculture at distinction level and a Bachelor's Degree (BSc(Hons)) in arboriculture at first class level, both of which were awarded at the University of Central Lancashire through Myerscough College.

As part of my continuing professional development I am currently studying towards a Master's Degree (MSc) in arboriculture and urban forestry on a part-time basis.

Professional Memberships. I am a professional member of the Arboricultural Association (MArborA), a professional member of the Consulting Arborist Society, a professional member of the Institute of Chartered Foresters and a professional member of the Society for the Environment.

Chartered Status. As a professional member of the Institute of Chartered Foresters I am a Chartered Arboriculturist (MICFor) and, as a professional member of the Society for the Environment, I am a Chartered Environmentalist (CEnv).

Experience. I have approximately 14 years practical involvement in the profession of arboriculture, with experience initially gained as a tree climber for various tree contractors in both the UK and Australia.

In 1999 I worked as an arboricultural technician for Bradford Metropolitan District Council resurveying their TPO stock and, from early 2000 to late 2001, as a surveyor for Cheshire Woodlands arboricultural consultants.

During this period I also spent several months working in the USA with HortScience Inc., a highly regarded consultancy whose proprietors have made a notable contribution to the worldwide advancement of the profession of arboriculture.

From early 2002 to late 2003 I then worked as a consulting arboriculturist with The Environment Partnership (TEP), a large multi-disciplinary environmental consultancy practice based in Warrington, gaining essential experience working alongside other professionals including foresters, ecologists, planners and landscape architects.

Following this I spent three years working as a freelance consulting arboriculturist to various UK companies, including Cheshire Woodlands, TEP and OCA UK Ltd.

Since 2007 I have worked solely as an independent arboricultural consultant, subsequently establishing Bowland Tree Consultancy Ltd in early 2010.

Throughout my varied arboricultural career I have gained widespread knowledge and experience of tree matters in relation to planning, construction and development and continue to apply these skills on a day to day basis.

Continuing Professional Development. In order to stay professionally current I regularly attend seminars, workshops, conferences and training courses relevant to my profession and scope of work.

APPENDIX ONE:

TREE SURVEY SCHEDULE & BS5837:2005 - TABLE 1

TREE SURVEY SCHEDULE FOR ARBORICULTURAL IMPACT APPRAISAL

Site: Whiteacre Lane, Barrow, Lancashire, BB7

Agent for Client: Lea, Hough & Co.

Surveyor: Phill Harris – Chartered Arboriculturist

Assessment Date: 29 June 2011

Job Reference: BTC218

Page: 1 of 2

No.	Species	Height	Stem Dim.	Branch Spread	Height of C.C.	Age	PC	Comments on Condition, etc.	Management Recommendations	ERC	Cat. Grade	RPA (m ²)	RPA Radius (m)
T1	Ash (<i>Fraxinus excelsior</i>)	14	480	N 8 E 7 S 5 W 6	4.5	SM	G	<ul style="list-style-type: none"> Located within neighbouring field to south. Not inspected in detail. Partially occluded 1m long wound to lower stem with no signs of progressive decay within. Owner should have tree inspected professionally for risk assessment purposes. 	<ul style="list-style-type: none"> Protect throughout development with Construction Exclusion Zone (CEZ) to Root Protection Area (RPA). 	>40	B1/2	104.24	5.76
T2	Common Alder (<i>Alnus glutinosa</i>)	15.5	740	N 8 E 5 S 7.5 W 3	2	M	M	<ul style="list-style-type: none"> Located within neighbouring field to south. Not inspected in detail. Crown showing signs of a minor reduction in vitality with slightly small leaves and slightly sparse foliage cover. Owner should have tree inspected professionally for risk assessment purposes. 	<ul style="list-style-type: none"> Protect throughout development with CEZ to RPA. 	20-40	B1/2	247.76	8.88
T3	Ash	15	800 (ms)	N 7.5 E 3 S 8 W 7.5	2.5	M	G	<ul style="list-style-type: none"> Located within neighbouring field to south. Not inspected in detail. Stem trifurcates into sub-stems at a height of approximately 0.5m with several partially included bark unions. Number of cankers to branches. Owner should have tree inspected professionally for risk assessment purposes. 	<ul style="list-style-type: none"> Protect throughout development with CEZ to RPA. 	20-40	B1/2	201.09	8
G1	2no. Ash	≤ 21	≤ 780	N ≤ 9 E ≤ 10.5 S ≤ 9 W ≤ 11	≥ 3	M	G	<ul style="list-style-type: none"> Evidently located on neighbouring land to west. Not inspected in detail. Very closely spaced group with interconnecting crowns. Some rapid adaptive growth to lower stem of north tree, possibly indicative of structural issues. Moderate amount of deadwood to approximately 60mm diameter. Owner should have tree inspected professionally for risk assessment purposes. 	<ul style="list-style-type: none"> Protect throughout development with CEZ to RPAs. 	20-40	B1	≤ 275.27	≤ 9.36

HEADINGS & ABBREVIATIONS

No. Common and botanical name in brackets where appropriate
 Species: In metres – where possible approximately 80% are measured using an electronic clinometer and the remainder estimated against the measured trees. In the case of Groups and Woodlands the measurement listed is that of the highest tree
 Height: Stem diameter in millimetres – measured or estimated at a height of approximately 1.5 metres above ground level or just above the root flare for multi-stemmed trees. MS = multi-stemmed, TS = twin-stemmed
 Branch Spread: Crown radius measured (or estimated where considered appropriate) from the four cardinal points (north, east, south and west) to give an accurate visual representation of the crown
 Height of CC: Height of crown clearance in metres – measured at lowest point above adjacent ground level – to inform on crown to height ratio, potential for shading, etc.
 Age: Estimated age class – Y = young, SM = semi-mature, M = mature, PM = post-mature
 PC: Physiological Condition – a measure of the tree's overall vitality, i.e. D = Dead, MD = Moderately, P = Poor, M = Moderate, G = Good
 Comments on Condition, etc.: Comments relating to the tree's overall condition and any other pertinent factors including structural defects, current and potential direct structural damage, physiological decline, poor form, etc.
 Management Recommendations: Either Preliminary or In Consideration of the Proposal. In the case of Arboricultural Consultants Surveys the recommended management works only take existing site and tree circumstances and conditions into account and not proposed developments. Arboricultural Impact Assessment and Method Statement related Surveys
 ERC: Take the proposed development into consideration with recommendations made accordingly. More than one option may be given if considered appropriate
 RPA m²: Estimated Remaining Contribution – in years as per BS5837:2005 (i.e. less than 10, 10-20, 20-40, more than 40)
 RPA Radius (m): Root Protection Area in m² – calculated area around the tree that must be appropriately protected through the development process in order avoid root damage
 RPA Radius (m): Root Protection Area Radius – in metres measured from the centre of the stem to the line of tree protection

TREE SURVEY SCHEDULE FOR ARBORICULTURAL IMPACT APPRAISAL

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Job Reference: BTC218

Page: 2 of 2

No.	Species	Height	Stem Diam.	Branch Spread	Height of CC	Age	PC	Comments on Condition, etc.	Management Recommendations	ERC	Cal. Grade	RPA Radius (m)	RPA Radius (m)
G2	2no. Hazel (<i>Corylus cornuta</i>), 1no. Holly (<i>Ilex aquifolium</i>)	≤ 8.5	≤ 400 (ms)	N ≤ 4 E ≤ 3 S ≤ 1.5 W ≤ 2	≥ 1	EM	M-G	<ul style="list-style-type: none"> Loose group of small multi-stemmed trees located in hedge along road frontage. Likely originally formed part of 	<ul style="list-style-type: none"> Remove in order to form access. Grub out stumps. 	10-20	C1	≤ 50.27	≤ 4
G3	approx. 6no. Ash	≤ 9.5	≤ 150	N ≤ 2.5 E ≤ 2.5 S ≤ 2.5 W ≤ 2.5	≥ 3	Y	G	<ul style="list-style-type: none"> Loose group of very young trees located in hedge along road frontage. 	<ul style="list-style-type: none"> Thin group by removal of 50%. Protect throughout development with CEZ to RPAs. 	>40	C1/2	≤ 10.18	≤ 1.8
G4	2no. Grey Poplar (<i>Populus canescens</i>)	≤ 18.5	≤ 700 (ms)	N ≤ 4 E ≤ 4 S ≤ 4 W ≤ 4	≥ 4	EM	G	<ul style="list-style-type: none"> Closely spaced group located on neighbouring verge to A59 to east. Not inspected in detail. Stem of tree to north divides into multiple sub-stems at a height of approximately 0.5m with included bark unions. 	<ul style="list-style-type: none"> Protect throughout development with CEZ to RPAs. 	10-20	C1	≤ 153.96	≤ 7
G5	Field Maple (<i>Acer campestre</i>), Ash, Hawthorn (<i>Crateagus monogyna</i>), etc.	≤ 12	≤ 350	N ≤ 3 E ≤ 3 S ≤ 3 W ≤ 3	≥ 1	Y-SM	G	<ul style="list-style-type: none"> Closely spaced group located on neighbouring verge to A59 to east. Not inspected in detail. 	<ul style="list-style-type: none"> N/A. 	>40	B2	≤ 55.42	≤ 4.2
H1	Hawthorn, Elder, etc.	≤ 8	≤ 250 (ms)	≤ 5 wide	≥ 0	M	G	<ul style="list-style-type: none"> Overgrown hedgerow located within neighbouring field to south and extending to land to west. Large spaces between plants. 	<ul style="list-style-type: none"> N/A. 	10-20	C2	≤ 19.64	≤ 2.5
H2	Hawthorn, Elder, Holly, Hazel, etc.	≤ 8	≤ 250 (ms)	≤ 5 wide	≥ 0	M	G	<ul style="list-style-type: none"> Partially maintained hedgerow along road frontage to Whiteacre lane. 	<ul style="list-style-type: none"> Remove sufficient length to form vehicular access. Grub out stumps. 	10-20	C2	≤ 19.64	≤ 2.5

BS5837:2005 Table 1 – Cascade Chart for Tree Quality Assessment

Trees for removal		Criteria			Identification on plan
Category and definition	Criteria				
Category R Those in such a condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management	<ul style="list-style-type: none">Trees that have serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other R category trees such as where, for whatever reason, the loss of companion shelter cannot be mitigated by pruningTrees that are dead or are showing signs of significant, immediate, and irreversible overall declineTrees infected with pathogens of significance to the health and/or safety of other trees nearby, for example Dutch Elm Disease, or very low quality trees suppressing adjacent trees of better quality <p>Note – Habitat reinstatement may be appropriate. For example R category tree used as a bat roost: installation of bat box in nearby tree.</p>				Dark Red
Trees to be considered for retention					
Category – Subcategories					
Category and definition	1. Mainly arboricultural values	2. Mainly landscape values	3. Mainly cultural values, including conservation	Identification on plan	
Category A Those of high quality and value: in such a condition as to be able to make a substantial contribution. A minimum of 40 years is suggested.	Trees that are particularly good examples of their species, especially if rare or unusual, or essential components of groups, or of formal or semi-formal Arboricultural features for example the dominant and/or principal trees within an avenue	Trees, groups or woodlands which provide a definite screening or softening effect to the locality in relation to views into or out of the site, or those of particular visual importance for example avenues or other arboricultural features assessed as groups	Trees, groups or woodlands or significant conservation, historical, commemorative or other value for example veteran trees or wood-pasture	Light Green	
Category B Those of moderate quality and value: those in such a condition as to make a significant contribution. A minimum of 20 years is suggested.	Trees that might be included in the high category, but are downgraded because of impaired condition. Examples include the presence of remediable defects including unsympathetic past management and minor storm damage	Trees present in numbers, usually as groups or woodlands, so they form distinct landscape features which attract a higher collective rating than they might as individuals. But which are not, individually, essential components of formal or semi-formal arboricultural features. For example, trees of moderate quality within an avenue that includes better, A category specimens. Or trees which are internal to the site, therefore individually having little visual impact on the wider locality	Trees with clearly identifiable conservation or other cultural benefits	Mid Blue	
Category C Those trees of low quality and value: currently in adequate condition to remain until new planting could be established - a minimum of 10 years is suggested - or young trees with a stem diameter below 150 mm	Trees not qualifying in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater landscape value, and/or trees offering low or only temporary screening benefit	Trees with very limited conservation or other cultural benefits	Grey	
Note – Whilst C category trees will usually not be retained where they would impose a significant constraint on development, young trees with a stem diameter of less than 150mm should be considered for relocation					

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APPENDIX TWO:

**TEMPORARY PROTECTIVE FENCING &
GROUND PROTECTION SPECIFICATION**



- TEMPORARY PROTECTIVE FENCING & GROUND PROTECTION SPECIFICATION -

Construction Exclusion Zones (CEZs), enclosed by Temporary Protective Fencing, as detailed below and to be agreed with the Local Planning Authority (LPA), shall:

1. be protected throughout the development process, as specified in the 'Temporary Protective Fencing Construction' section below and detailed in BS5837:2005 Fig. 2 (overleaf) and, if applicable, as defined by area on the Tree Protection Plan (TPP);
2. be erected prior to any construction, demolition or excavation works and remain in place for the duration of the project;
3. preclude any delivery of site accommodation and/or materials and/or plant machinery;
4. preclude all construction related activity, with the sole exception of specified arboricultural works and any other works to be carried out under supervision that have been agreed by all parties; and
5. preclude the storage of all development related materials and substances including fuels, oils, additives, cement and/or any other deleterious substance.

Any incursion into CEZs must be by prior arrangement, following consultation with the LPA.

Temporary Protective Fencing Construction

1. Temporary protective fencing panels shall be of at least 2.1 metres in height and, in agreement with the LPA, be either weldmesh "Heras" panels or 18mm thick exterior grade plywood boards.
2. The panels shall butt together and be securely fixed to a scaffold framework, as per 3 to 5 below.
3. The scaffold framework shall comprise of upright poles of at least 3.0 metres in length driven no less than 0.6 metres into the ground at maximum 3.0 metre centres with horizontal and diagonal poles fixed to the uprights, as per 4 to 5 below.
4. The two horizontal rail poles shall be attached to the uprights at heights of 0.6 and 1.8 metres with 3 no. clamps to each joint.
5. The diagonal scaffold pole struts be clamped to the top rail of the scaffold framework at a 45° angle and extend back into the CEZ and clamped to a 0.7 metre length of scaffold tube that shall be driven no less than 0.5m into the ground.
6. No fixing shall be made to any tree and all possible precautions shall be taken to prevent damage to tree roots when locating posts.
7. A 600mm x 300mm warning sign reading "TREE PROTECTION AREA KEEP OUT" (see Fig. 1, overleaf) shall be fixed to every 10.0 metre length of protective fencing.
8. On completion and prior to any demolition or construction works, site preparation, excavation or delivery of plant and materials, the Consulting Arborist shall inspect the Temporary Protective Fencing.

Temporary Ground Protection

1. Any necessary Temporary Ground Protection shall conform to Figure 3 of BS5837:2005 (see overleaf).
2. The Ground Protection Area shall be left undisturbed and covered by a semi-permeable geotextile membrane which shall, in turn, be covered by a compressible layer consisting of a material such as woodchip.
3. Side-butting scaffold boards shall then be fitted to cover the Ground Protection Area.
4. Prior to any demolition or construction works, site preparation, excavation or delivery of plant and materials, the Arboricultural Consultant shall inspect the Temporary Ground Protection.
5. The Temporary Ground Protection shall remain in place until completion of the project and only removed following receipt of written permission from the LPA.

– CONSTRUCTION EXCLUSION ZONE – KEEP OUT!

(TOWN & COUNTRY PLANNING ACT 1990)
THE TREES ENCLOSED BY THIS FENCE ARE PROTECTED BY
PLANNING CONDITIONS AND/OR SUBJECTS OF A 'TREE
PRESERVATION ORDER', THE CONTRAVENTION OF WHICH MAY
LEAD TO CRIMINAL PROSECUTION

THE FOLLOWING **MUST** BE OBSERVED BY **ALL** PERSONNEL:

- THE PROTECTIVE FENCING MUST **NOT** BE MOVED
- NO PERSON SHALL ENTER THE CONSTRUCTION EXCLUSION ZONE
- NO MACHINE, PLANT OR VEHICLES SHALL ENTER THE EXCLUSION ZONE
- NO MATERIALS SHALL BE STORED IN THE EXCLUSION ZONE
- NO SPOIL SHALL BE DEPOSITED IN THE EXCLUSION ZONE
- NO EXCAVATION SHALL OCCUR IN THE EXCLUSION ZONE
- NO FIRES SHALL BE LIT IN THE EXCLUSION ZONE

ANY INCURSION INTO THE EXCLUSION ZONE MUST BE WITH THE
WRITTEN PERMISSION OF THE LOCAL PLANNING AUTHORITY

Fig 1: CEZ Warning Sign

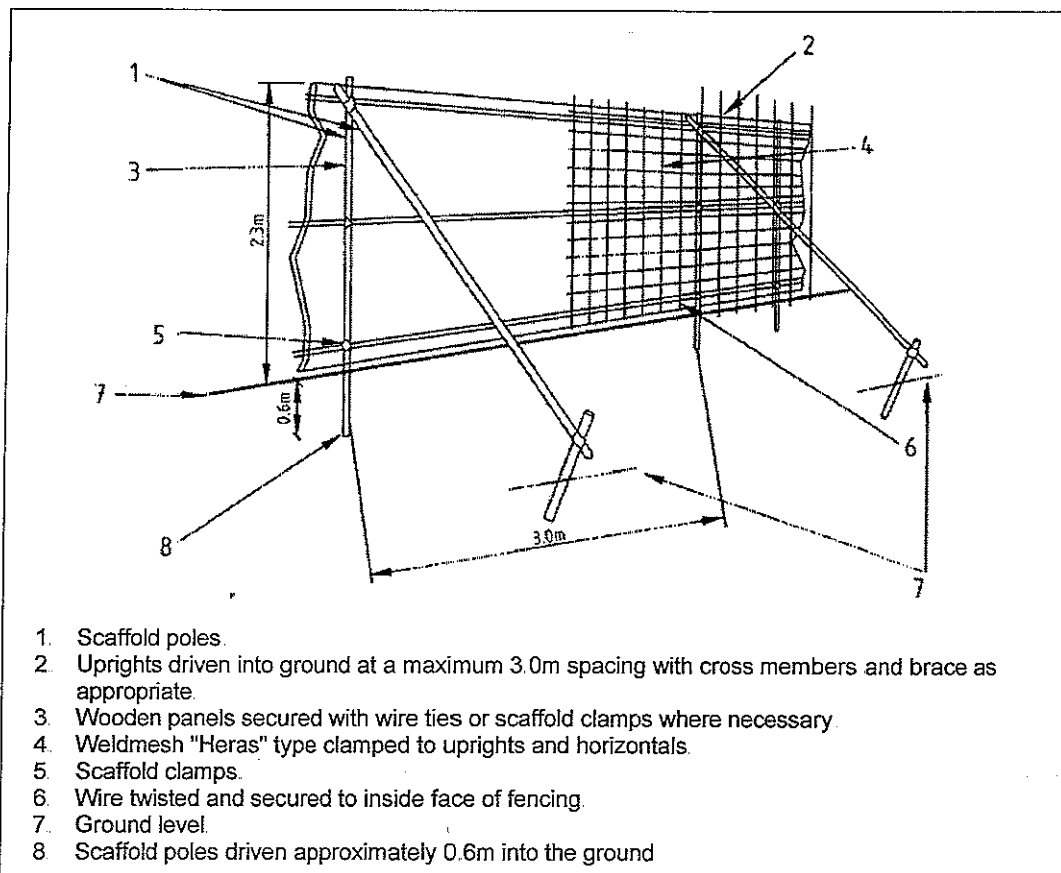


Fig 2: BS5837:2005 Temporary Protective Fencing – Recommended Construction

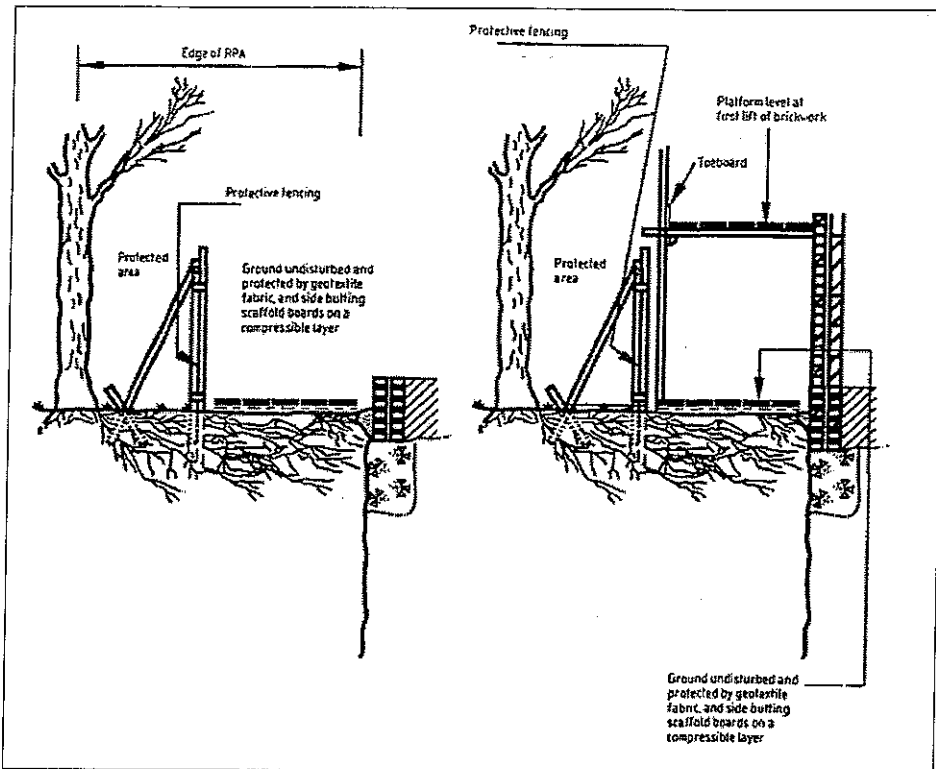


Fig. 3: BS5837:2005 Temporary Ground Protection – Recommended Construction

KEY

T = Surveyed Individual Tree
G = Surveyed Group of Trees
H = Surveyed Hedge

Please refer to Appendix A for detailed information on the assessment for specific sites & proposed trees detailed below.

Tree Categorisation:

Notes of a High and Moderate Quality Tree Value

Category 'A' Tree/Group/Hedge
High Quality/Value with Estimated Remaining
Lifespan of Over 40 Years

Category 'B' Tree/Group/Hedge
Moderate Quality/Value with Estimated Remaining
Lifespan of Between 20 & 40 Years

Notes of a Low Quality Tree Value

Category 'C' Tree/Group/Hedge
Low Quality/Value with Estimated Remaining
Lifespan of Between 10 & 20 Years

Category 'R' Tree/Group/Hedge
Not Surveyed/Tree/Group - Observed Through
the Course of the Survey. The Assessment will
be Considered for the Assessment of the
Project Archaeological Management.

Notes: All tree locations shown above on the plan are GPS and
the location measurements were taken on the ground. As such, the plan
may not be sufficiently accurate to be used for detailed planning
considerations.

Root Protection Areas (RPA):

Radial Root Protection Area (RPA)
(Area that should be Protected Throughout
the Life Span of the Tree with Protection Fencing in
Place at Construction Zone)

Project:
WHITEACRE LANE
BARROW
CLITHEROE
LANCASHIRE
BB7

Agent for Client:
LEA, HOUGH & CO.

Title:
TREE IMPACT PLAN

In Relation to Proposed Construction of 6no.
Detached Residential Properties

Scale:
1:200@A3

Date:
July 2011

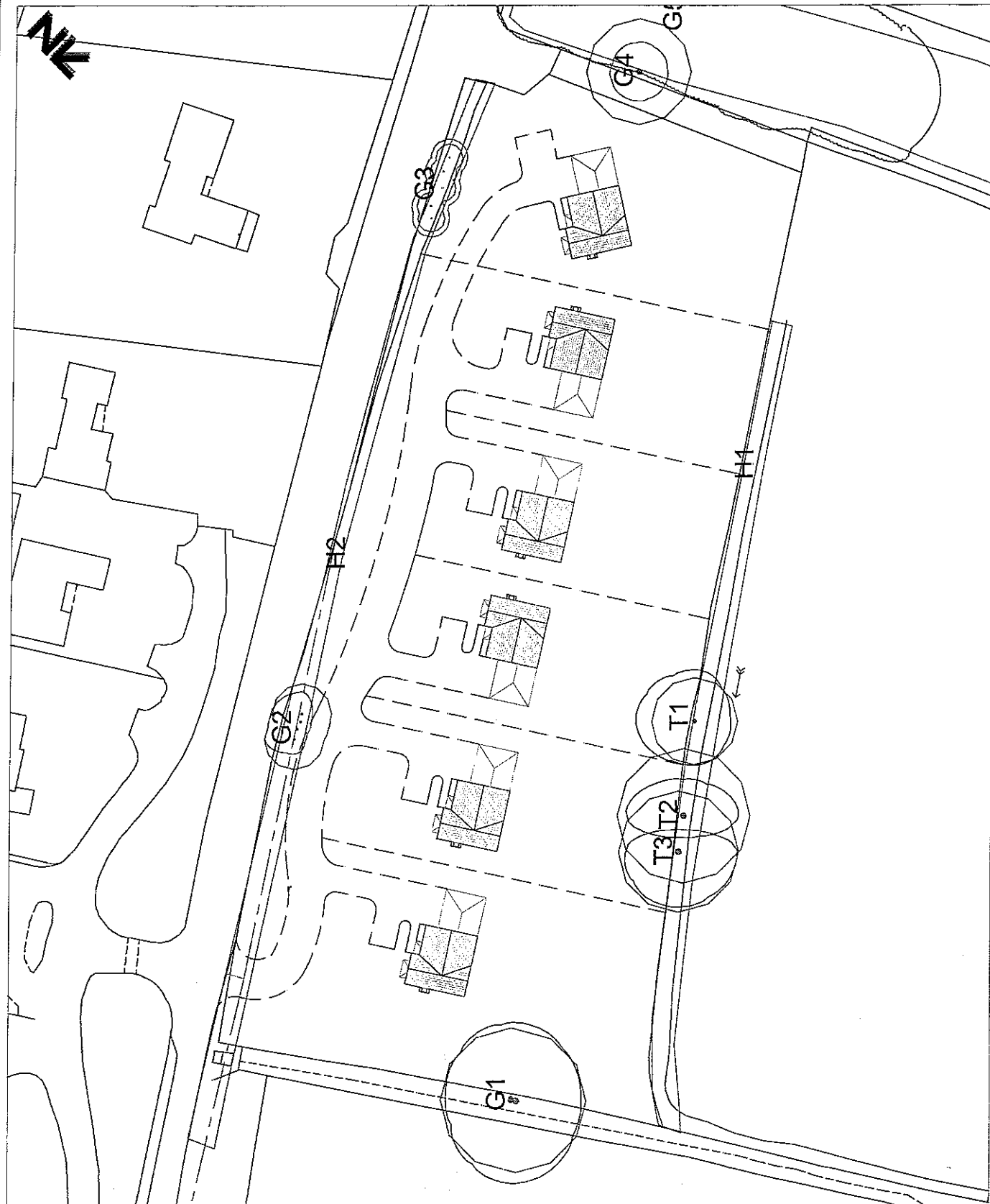
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Rev:



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Whiteacre Lane, Barrow
Extended Phase 1 Habitat Survey

July 2011

Control sheet

Project No & Title: BOW0017/331, Whiteacre Lane, Barrow – *Extended Phase 1 Report.*

Client: Martin Kay

Prepared by: James Segar *Ecologist*

Checked by: Alice Helyar *Senior Ecologist*

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1. Introduction

- 1.1 Bowland Ecology Ltd was commissioned by Martin Kay to undertake an Extended Phase 1 Habitat survey and desk study of a site at Whiteacre lane, Barrow (SD 740 378). The proposals include the construction of a small group of houses along with the associated infrastructure.
- 1.2 The aim of the surveys and desk study was to make an assessment of wildlife interests at the site with particular reference to legal requirements and potential development constraints.
- 1.3 This report includes a description of survey methods; a summary description of habitats and fauna; and outlines recommendations to provide protection and enhancements for biodiversity and protected species.

2. Methodology

Desk Study and Data Search

- 2.1 A targeted desk study was undertaken of the site and a 1km buffer zone to search for records of statutory and non-statutory wildlife sites, legally protected and notable species, involving an online search of the MAGIC website (<http://magic.defra.gov.uk/>) and the National Biodiversity Network (www.nbn.org.uk). A search of BAP habitats was made using Nature on the Map (www.natureonthemap.naturalengland.org.uk) and the UK and Local Biodiversity Action Plans were consulted.

Extended Phase 1 Survey

- 2.2 The extended Phase 1 Habitat survey was undertaken on the 28th June 2011 by James Segar MSc, BSc (Hons). The weather was warm and clear.
- 2.3 The survey followed Phase 1 Habitat survey methodology (JNCC, 1993) and involves walking the whole site, mapping and describing different habitats (for example: woodland, grassland, scrub). A colour coded map of the habitats on site is produced, with corresponding target notes of ecologically interesting features.
- 2.4 The survey was extended such that evidence of fauna and faunal habitat is also recorded (for example droppings, tracks or specialist habitat such as ponds for breeding amphibians). The Extended Phase 1 Habitat survey is a modified version of the Phase 1 Habitat survey and follows the approach recommended by the Guidelines for Baseline Ecological Assessment (IEA, 1995).

3. Results

Extended Phase 1 Survey

- 3.1 Target notes summarising key interest features recorded during the Extended Phase 1 survey are included as Appendix 1. The Phase 1 Habitat plan for the site is presented in Appendix 2, which also includes the locations of the target notes.
- 3.2 The site comprises a neutral semi improved grassland field with a poor semi improved track to the east along with hedgerows and fences forming the field boundary. The field itself has moderate species diversity, dominated by common agricultural floral species. There is a small damp area with a number of wetland species. Surrounding the field are more grassland fields along with residential buildings and areas of disturbed ground dominated by tall ruderal and ephemeral species.

Habitat descriptions from field survey

- 3.3 The following Phase 1 habitats are present within the survey area;

Neutral Semi-Improved Grassland

- 3.4 The majority of the site is comprised of neutral semi improved grassland (Target Note 1). The species diversity is moderate, dominated by common species such as perennial rye grass (*Lolium perenne*), Yorkshire fog (*Holcus lanatus*), cock's foot (*Dactylis glomerata*), creeping buttercup (*Ranunculus repens*) and white clover (*Trifolium repens*). Other species include crested dog's tail (*Cynosurus cristatus*), meadow foxtail (*Alopecurus pratensis*), common sorrel (*Rumex acetosa*), common mouse ear (*Cerastium fontanum*), self heal (*Prunella vulgaris*), hard rush (*Juncus inflexus*) and soft rush (*Juncus effusus*). A small damp area to the western end of the field has dense stands of rush present and additional species including floating sweet grass (*Glyceria fluitans*) and common sedge (*Carex nigra*). These wetland species were not dominant enough for the area to be categorised as marshy grassland.

Poor Semi Improved Grassland

- 3.5 A strip of poor semi improved grassland is present along the eastern edge of the site, currently forming an access track into the fields. Species recorded include perennial rye grass (*Lolium perenne*), cock's foot (*Dactylis glomerata*) and white clover (*Trifolium repens*).

Hedgerow

- 3.6 Hedgerows are present along the majority of boundaries around the grassland field at Target Note 1. The hedgerows are species poor but differ in density, continuity and height. The hedgerow at Target Note 2 forms part of the northern boundary of the field. It is dominated by hawthorn (*Crataegus monogyna*) and is tall with gaps and dense ground flora dominated by ivy (*Hedera helix*) and dog's mercury (*Mercurialis perennis*). The remaining length of hedgerow at Target Note 3 has been laid in the past, has higher species diversity than Target Note 2 and is dense and stock proof. The hedgerow at Target Note 5 is defunct, with a similar composition to Target Note 2, however, the hawthorn (*Crataegus monogyna*) is very tall and gappy and there are a number of mature trees present. The hedgerow with trees at Target Note 6 contains a large number of mature trees including ash (*Fraxinus excelsior*) and alder (*Alnus glutinosa*) along with hawthorn (*Crataegus monogyna*), hazel (*Corylus avellana*) and dog rose (*Rosa canina*).

- 3.7 The hedgerows are not considered to be 'important' under The Hedgerow Regulations 1997 as they do not meet the necessary criteria outlined in Schedule 1 Part II of The Hedgerow Regulations 1997. They do, however, provide suitable breeding bird habitat.

Faunal description from field survey

- 3.8 The proposed application site is located within a neutral semi improved grassland field which provides limited wildlife value, however, at the edges of the field, hedgerows provide suitable habitat to support breeding birds.
- 3.9 During the survey two bird species were recorded using the hedgerows; blue tit (*Cyanistes caeruleus*) and blackbird (*Turdus merula*).
- 3.10 The hedgerows within the survey area provide suitable bat commuting habitat for local bat populations. The hedgerows on site also provide suitable habitat for a range of small mammals, such as field vole, shrew and wood mice.
- 3.11 No ponds were recorded within 250m of the proposals.
- 3.12 No other protected/notable species issues were identified during the survey.

4. Evaluation and Recommendations

- 4.1 The current proposals will impact upon hedgerows. The clearance work should occur outside the bird breeding season, which runs from late February to September.
- 4.2 If any hedgerow is to be cleared during the breeding bird season it should be preceded by a pre-clearance nesting bird survey by an experienced ecologist. If nesting birds are found an exclusion zone should be maintained around any occupied nest and these areas should not be cleared until declared free of nesting birds by the ecologist.
- 4.3 Mitigation for any loss of breeding bird habitat should include the planting of native tree or scrub species of local provenance to replace any losses on a 'like for like' basis.
- 4.4 The hedgerows on site provide suitable habitat for a range of small mammals, however, no evidence of small mammals was recorded during the survey and the proposals is unlikely to have any significant negative impact on any small mammal populations.
- 4.5 Although the hedgerows provide suitable commuting and foraging habitat for bats, the proposals are unlikely to have any significant negative impact on any local bat populations.
- 4.6 The current proposals do not impact any mature trees (Target Note 6); however, if mature trees are to be impacted, they should be subject to a bat inspection survey prior to removal or arboricultural work.
- 4.7 No ponds were recorded within 250m of the proposals. It is therefore considered that there will be no significant negative impact on amphibians, particularly great crested newts.

5. Legal Status

Birds

5.1 All birds, their nests and eggs are protected by The Wildlife and Countryside Act 1981 (as amended) and it is thus an offence, to:

- Intentionally kill, injure or take any wild bird;
- Intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built;
- Intentionally take or destroy the egg of any wild bird;
- Use traps or similar items to kill, injure or take wild birds;
- Intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

Bats

5.2 All bats in the UK are listed on Schedule 5 of the Wildlife and Countryside Act (WCA) (1981, as amended), updated by the Countryside and Rights of Way Act (2000). It is therefore subject to provision 9 of the WCA which makes it an offence to;

- Intentionally kill, injure or take any wild bat,
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by any wild bat
- Intentionally or recklessly disturb any wild bat while it is occupying a structure or place which it uses for that purpose.
- Possess or control any live or dead specimen or anything derived from a UK bat species.

5.3 The Countryside and Rights of Way Act 2000 amends the Wildlife and Countryside Act to also make it an offence to intentionally or recklessly damage, destroy or obstruct a place that bats use for shelter or protection. The term 'reckless' is defined by the case of Regina v Caldwell 1982. The prosecution has to show that a person either deliberately took an unacceptable risk, or failed to notice or consider an obvious risk.

5.4 The Conservation of Habitats and Species Regulations 2010 which make provision implementing Council Directive 92/43/EEC on the conservation of natural habitats and of wild flora and fauna (the Habitats Directive). These give additional protection to bats, which are listed on Schedule 2 of the Regulations. Under Regulation 39 a person commits an offence if he;

- Deliberately captures, injures or kills any wild animal of a European protected species.
- Deliberately disturbs wild animals of any such species in such a way as to be likely significantly to affect the ability of any significant group of animals of that species to: i) to survive, to breed or to reproduce or to rear or nurture their young or ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate or the local distribution or abundance of that species

5.5 A bat roost has been interpreted by Natural England to mean any structure or place which is used for shelter or protection whether or not bats are present at the time.


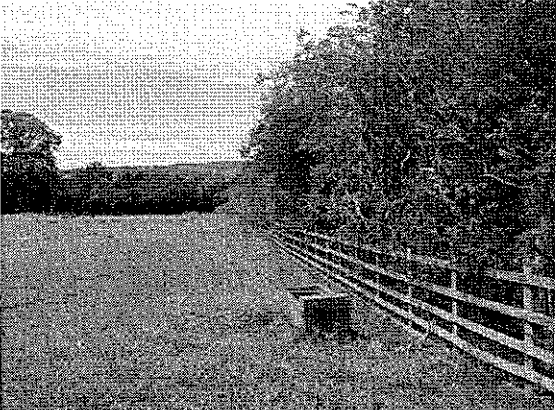
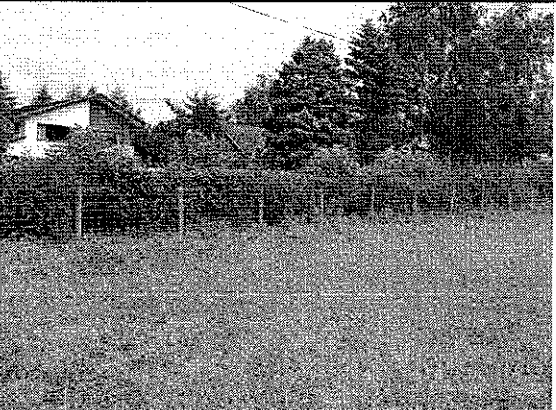
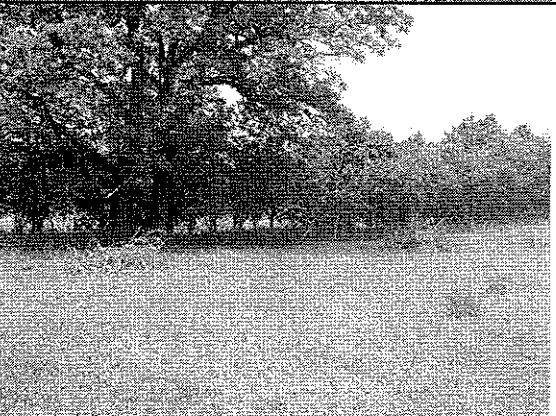
References



IEA (1995). *Guidelines for Baseline Ecological Assessment*. Chapman and Hall.

Joint Nature Conservation Committee (1993). *Handbook for Phase 1 Habitat Survey: A technique for environmental audit*. JNCC.

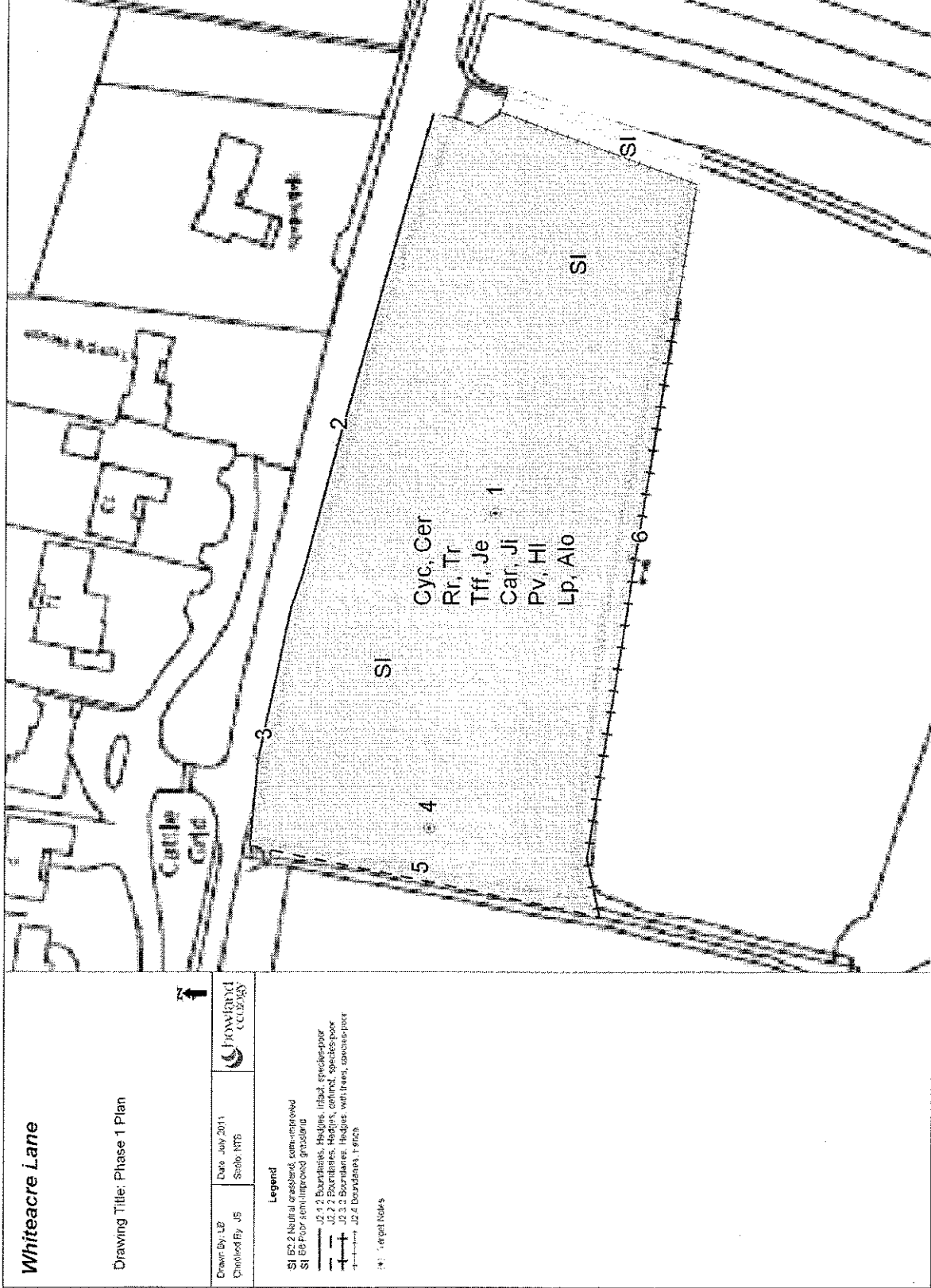
Appendix 1 – Extended Phase 1 Target Notes

Target Notes (TN) should be read in combination with and with reference to the extended Phase 1 habitat plans (Appendix 2).

TN	Description	Photograph
1	A neutral semi improved field with moderate species diversity, dominated by common species such as perennial rye grass (<i>Lolium perenne</i>), Yorkshire fog (<i>Holcus lanatus</i>), cock's foot (<i>Dactylis glomerata</i>), creeping buttercup (<i>Ranunculus repens</i>) and white clover (<i>Trifolium repens</i>). Other species include crested dog's tail (<i>Cynosurus cristatus</i>), meadow foxtail (<i>Alopecurus pratensis</i>), common sorrel (<i>Rumex acetosa</i>), common mouse ear (<i>Cerastium fontanum</i>) and self heal (<i>Prunella vulgaris</i>). Scattered throughout the field are stands of hard rush (<i>Juncus inflexus</i>) and soft rush (<i>Juncus effusus</i>).	
2	The hedgerow at Target Note 2 forms part of the northern boundary of the field. It is dominated by hawthorn (<i>Crataegus monogyna</i>) with ash (<i>Fraxinus excelsior</i>) also present. It is tall with gaps and dense ground flora dominated by ivy (<i>Hedera helix</i>) and dog's mercury (<i>Mercurialis perennis</i>). Other species include common nettle (<i>Urtica dioica</i>), cock's foot (<i>Dactylis glomerata</i>), false oat grass (<i>Arrhenatherum elatius</i>) and garlic mustard (<i>Alliaria petiolata</i>).	
3	The remaining length of hedgerow at Target Note 3 has been laid in the past, has higher species diversity than Target Note 2 and is dense and stock proof. Species include hawthorn (<i>Crataegus monogyna</i>), hazel (<i>Corylus avellana</i>), blackthorn (<i>Prunus spinosa</i>) and ash (<i>Fraxinus excelsior</i>). Ground flora is less prevalent than the hedgerow at Target Note 2.	
4	A small damp area to the western end of the field with dense stands of rush present and additional species including floating sweet grass (<i>Glyceria fluitans</i>) and common sedge (<i>Carex nigra</i>). These wetland species were present, but not dominant enough for the area to be categorised as marshy grassland.	

5	<p>The hedgerow at Target Note 5 is defunct, with a similar composition to Target Note 2, however, elder (<i>Sambucus nigra</i>) is present and the hawthorn (<i>Crataegus monogyna</i>) is very tall with little understorey growth. There are also a number of mature trees present, including horse chestnut (<i>Aesculus hippocastanum</i>) and ash (<i>Fraxinus excelsior</i>). There are also three piles of dead wood present within the field, adjacent to the hedgerow.</p>	
6	<p>The hedgerow with trees at Target Note 6 contains a large number of mature trees including ash (<i>Fraxinus excelsior</i>) and alder (<i>Alnus glutinosa</i>) along with hawthorn (<i>Crataegus monogyna</i>), hazel (<i>Corylus avellana</i>) and dog rose (<i>Rosa canina</i>). It is not stock proof but is continuous and gaps are limited. There is also a small ditch present to the south of the hedgerow, however, this is outside the site boundary and was dry at the time of the survey.</p>	

Appendix 2 – Extended Phase 1 Plan



320110776 P

DATED

OCTOBER

2011

Under Section 106 Town and Country Planning Act 1990

relating to

PROPOSED RESIDENTIAL DEVELOPMENT OFF WHITEACRE LANE, BARROW

2011

MARTIN RANDLE KAY of Church Farm Thornham Parva Eye Suffolk IP23 8EY and ANNA RANDLE
DIXON of 89 Ellerton Road Wandsworth London SW16 3NH [" the Owner"]

RIBBLE VALLEY BOROUGH COUNCIL of Council Offices Church Walk Clitheroe Lancashire BB7
2RA ("the Council")

- (1) The Council is the Local Planning Authority for the purposes of the Town and Country Planning Act 1990 as amended ("the Act") for the property shown edged red on the plan ("the Property") annexed to this Agreement
- (2) The Owner is the unregistered proprietor of the freehold estate of the Property [off Whiteacre Lane, Barrow O.S. 0785]
- (3) On the 26th September 2011 the Owner applied ["the Application"] to the Council for outline planning permission for the redevelopment of the Property for residential use ("the Proposed Development")
- (4) The Owner enters into this Deed pursuant to section 106 of the Act
- (5) In the event that the Council grants planning permission for the Proposed Development such permission will only be subject to the imposition of those obligations appearing in this Deed which the Council expressly states in its decision letter are necessary for such grant and meet the relevant tests contained in Circular 05/2005 and Regulation 122 of The Community Infrastructure Levy Regulations 2010 (as amended)

NOW THIS DEED WITNESSETH as follows:

1. DEFINITIONS

For the purposes of this Deed the following expressions shall have the following meanings:-

- a. **"AHU"** (abbreviated from Affordable Housing Unit) means subsidised housing that will be available to persons who cannot afford to buy housing generally available on the open market. Such dwellings to be available to purchase at a 40% discount of its open market value.
 - b. **"Affordable Value"** means 60% of the open market value of an AHU
 - c. **"Approved Person"** means a person falling within the criteria set out in Schedule 4 to this Agreement
 - d. **"Eligibility Criteria"** include the following financial criteria and local connections:-
 - (i) a person not having sufficient income to purchase the same type of dwelling on the open market and having a satisfactory credit history including no County Court judgements or bankruptcy proceedings within a credit history report covering the 6 years prior to the date of the proposed acquisition and who has sufficient funds to cover the legal costs and disbursements which will be incurred in such acquisition and
 - (ii) whose income per household (as verified by wage slips/ P60s) is below the upper income brackets per household imposed by registered social landlords in accordance with the Homes and Communities Agency regulations and guidance from time to time
 - e. **"Planning Permission"** means the planning permission granted by the Council or the Secretary of State for the construction of the Proposed Development on the Property as applied for in the Application
- 2. THIS Deed is made in pursuance of Section 106 of Act and contains planning obligations enforceable by the Council for the purposes of that Section with the intent to bind each and every part of the Property
 - 3. The Owner covenants to observe and perform the covenants restrictions and obligations as set out in Schedule 1 hereto

4. The expressions "the Owner" and "the Council" shall include their respective successors in title and assigns
5. NO person shall be liable for breach of a covenant in this Deed after he shall have parted with all interest in the Property or the part thereof in respect of which such breach occurs but such release shall be without prejudice to any liability for any subsisting breach of covenant arising prior to the parting with such interest
6. This Deed is a local land charge and shall be registered as such by the Council for the purposes of the Local Land Charges Act 1975
7. Unless the context otherwise requires references to statutory provisions include those statutory provisions as amended or enacted
8. References to any gender includes all genders and words denoting the singular shall include the plural and vice versa.
9. This Deed is conditional upon and shall not take effect unless and until the Planning Permission has been granted and the development commenced

AND for the avoidance of doubt such Planning Permission will only be subject to the imposition of those obligations appearing in this Deed which the Council expressly states in its decision letter are necessary to the grant of such Planning Permission and to meet the relevant tests contained in Circular 05/2005 and Regulation 122 of The Community Infrastructure Levy Regulations 2010 (as amended)
10. This Deed shall not be binding on the Owner in respect of any individual residential unit constructed on the Property once that completed unit has been purchased from the Owner save that the obligations in Schedules 2 and 3 shall be binding on any Owner of an AHU
11. A person who is not a party to this Deed shall have no right under the Contracts (Rights of Third Parties) Act 1999 to enforce any of the terms of this agreement
12. Any notice or other communication given or made in accordance with this Deed shall be in writing and may (in addition to any other effective mode of service) be sent by recorded delivery or registered post to the Strategic Housing Officer of the Council at the address of the Council shown on the first page of this Agreement or at such other address as may from time to time have been notified to the sender as being the address for service of the relevant party under this Agreement

13. The Owner shall maintain records enabling him to supply to the Council (within four weeks of the Council's written request to do so) such information as the Council may reasonably require in connection with this Agreement

IN WITNESS whereof the Owner has executed as a Deed the day and year first before written

SIGNED by Martin Randle Kay

SIGNED by Anna Randle Dixon

THE COMMON SEAL of Ribble Valley Borough Council
was hereunto affixed to this Deed in the presence of

Member

Secretary

SCHEDULE 1

Affordable Housing Units

THE Owner covenants with the Council as follows and for the purposes of this Schedule references to the Owner shall include any registered provider with whom the Owner has entered into an agreement for the provision of AHUs

1. To provide AHUs on the Property as follows:
 - 1.1 The total number of AHUs shall comprise of up to but not exceeding 30% of the total dwellings which may be constructed on the Property. In the event of any subsequent reserved matters approvals paragraph the total number of AHUs shall comprise not more than 30% of the total number of dwellings to be constructed on the Property pursuant to the Planning Permission and any subsequent reserved matters approvals
 - 1.2 The AHUs shall comprise semi-detached dwellings, or other mix and/or sizes of units as shall be agreed with the Council with the number size and tenure of units to be agreed with the Council in writing prior to commencement of development
 - 1.3 At the time of completion of all the open market housing units on the Property all the AHUs will be available for occupation.

AHU Sales

2. On each and every subsequent disposal of any individual AHU after the first disposal, the Owner of that AHU will ensure that the disposal is to a person who falls within the criteria of an Approved Person meeting the Eligibility Criteria contained in Schedules 2 and 3 herein
3. In the event that the Owner is unable to dispose of any AHU to an Approved Person because he is unable to find a person who meets such definition and willing and able to purchase then the Owner:
 - 3.1 shall market the AHU for a period of at least two months to persons falling within paragraph [] of Schedule 3. If at the end of such period no Approved Person has been identified then paragraph [] of that Schedule shall apply

3.2 shall market the AHU for a period of at least two months to persons falling within paragraph [] of Schedule 3. If at the end of such period no Approved Person has been identified then paragraph [] of that Schedule shall apply.

3.3 may with the consent of the Council not to be unreasonably withheld or delayed and in any event to be provided within two weeks of the Owner's request dispose of the AHU to a person who is not an Approved Person and without restriction as to price or purchaser.

The Council may require reasonable evidence of the marketing pursuant to paragraphs 3.1. and 3.2 of this Schedule before it will grant any such consent to a disposal.

SCHEDULE 2

Obligations of Owners of Affordable Housing Units

1. The Owner of an AHU must use and occupy the same as his only or principal home throughout his ownership. "Only or principal home" means the home is occupied for at least 9 months of any year.
2. The Owner must not let the AHU to a third party.
3. Where an Owner has applied to re-mortgage an AHU, the lender must be a recognised (by the Council of Mortgage Lenders) lender and where the Owner is proposing to increase their borrowing the new level of borrowing will be no more than the Affordable Value at that time.

SCHEDULE 3

Affordable Housing Transfer Provisions

- 1 The transfer of each and any AHU shall contain the following covenants by the transferee ('Transferee') for himself and his successors in title to the AHU for the benefit of the Council:
 - 1.1 The Transferee shall not allow the AHU to be occupied other than by himself and his immediate dependents as their primary and sole residence.
 - 1.2 The Transferee shall not dispose of the AHU except to an Approved Person and at a price equal to the Affordable Value.
 - 1.3 The Transferee shall serve written notice ('The Selling Notice') on the Council of his intention to dispose of the AHU. For the purpose of this Schedule 'dispose' shall mean the transfer sale or other disposal of the freehold or any leasehold interest for a term in excess of 7 years.
 - 1.4 The Selling Notice shall contain the Transferee's calculation of the Affordable Value for approval by the Council. Such approval is not to be unreasonably withheld.
 - 1.5 The Transferee and the Council shall use all reasonable endeavours to agree the Affordable Value of the AHU as soon as possible after the service of the Selling Notice.
 - 1.6 In the event that the Affordable Value has not been agreed within 15 working days of service of the Selling Notice the Transferee and the Council shall jointly appoint an independent chartered surveyor whose costs shall be borne equally between the Transferee and the Council to determine the open market value ("OMV") as at the date of service of the Selling Notice.
 - 1.7 In the absence of agreement as to the appointment between the Transferee and the Council the President of the Royal Institution of Chartered Surveyors ("RICS") shall be asked to appoint an independent chartered surveyor.

- 1.8 Following the determination of the Affordable Value the AHU may be placed on the market. The Transferee is then to be responsible for ensuring any prospective purchaser meets the Eligibility Criteria.
- 1.9 On receipt of an acceptable offer for the AHU the Transferee must obtain the agreement of the Council that the prospective purchaser meets the Eligibility Criteria. Such agreement is not to be unreasonably withheld.
- 1.10 In the event such approval is not received within 15 working days either party may apply to the President of RICS for the independent determination of the suitability of the prospective purchaser.
- 1.11 The Transferee shall not dispose of the AHU at a price exceeding 60% of the OMV provided that this clause shall not apply in respect of a disposal by a mortgagee in possession.
- 1.12 The Transferee shall observe and perform the provisions of Schedules 1 and 2 insofar as they relate to and affect the AHU.
- 1.13 The Transferee shall not dispose of the AHU without on each occasion procuring that any prospective purchaser covenants directly with the Council to observe and perform the covenants contained in this Schedule and must deliver a completed deed of covenant in such terms to the Council.
- 1.14 [It is agreed between the parties that an entry shall be made, if and when the Property is transferred, in the Proprietorship Register of the title that "Except under an order of the Registrar no transfer assent or other disposition leading to a change in the proprietorship of the AHU is to be registered without the certificate of the solicitor to the registered proprietor certifying that either i) the purchaser is an Approved Person or ii) clause [insert appropriate number of clause] of a transfer the Property dated [] and made between [] does not apply".]

2 The transfer of each and every AHU shall contain the following mortgagee relief provisions:

2.1 In the event that there is at any time any default under any legal charge over the AHU if the mortgagee takes possession of the same and proposes to exercise its power of sale in relation to the AHU he shall:

2.1.1 Not dispose of the AHU without first by irrevocable notice in writing informing the Council of such intention to dispose and allow the Council within 30 days to nominate an Approved Person and to offer the AHU for sale to such person at a price which is no more than 60% of the OMV

2.1.2 In the event of the Council failing to nominate any Approved Person or such person not being ready willing and able to complete the sale and purchase of the AHU within 60 days of his nomination by the Council the mortgagee may immediately dispose of the AHU on the open market without restriction in which event none of the provisions of this agreement shall be binding on the mortgagee's successor in title.

SCHEDULE 4

"Approved Person" means a person who meets the following criteria in the following order of priority:-

- 1 A first time buyer who can demonstrate a housing need for an AHU who is :
 - 1.1 currently living in either of the parishes of Wiswell or Barrow ("the Parish") for more than 10 years
 - 1.2 currently living in the Parish and has done so continually for between 5 to 10 years
 - 1.3 currently living in the Parish and has done so continually for a minimum of 12 months
 - 1.4 currently permanently employed in the Parish for a minimum of 12 months and is employed for a minimum of 18 hours per week paid or unpaid or
 - 1.5 A person who has next of kin who have lived in the Parish continually for a minimum of five years. Next of kin for the purposes of this clause shall be limited to his mother, father, brother, sister or adult dependant children.
 - ~~2.1~~ 6 A person who is a former resident of the Parish who has moved from the Parish because of a lack of affordable housing in the same.
 - 1.7 A non-first time buyer who can meet one or more of the qualification provisions set out in sub- paragraphs 1.1 to 1.4 or 3.2 to 3.3 above

- 2 A first time buyer who can demonstrate a housing need for an AHU who is
 - 2.1 currently living in the Ribble Valley Borough area ("RVBA") for more than 10 years
 - 2.2 currently living in RVBA and has done so continually for between 5 to 10 years
 - 2.3 currently living in RVBA and has done so continually for a minimum of 12 months
 - 2.4 currently permanently employed in RVBA for a minimum of 12 months and works for a minimum of 18 hours per week paid or unpaid or

- 2.5 A person who has next of kin who have lived in RVBA continually for a minimum of five years. Next of kin for the purposes of this clause shall be limited to mother, father, brother, sister or adult dependant children.
- 2.6 A person who is a former resident of RVBA who has moved from RVBA because of a lack of affordable housing in RVBA
- 2.7 A non first time buyer who can meet one or more of the qualification provisions set out in sub- paragraphs 1.1 to 1.4 or 3.2 to 3.3 above