



RIBBLE VALLEY
BOROUGH COUNCIL

17 JUL 2012

FOR THE
STATION OF

For office use only

Application No: 020120065 P

Date received

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

You can complete and submit this form electronically via the Planning Portal by visiting www.planningportal.gov.uk/apply

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.

Please complete using block capitals and black ink.

It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

1. Applicant Name and Address

Title: **MR** First name: **KEITH**

Last name: **GELDARD**

Company (optional):

Unit: House number: House suffix:

House name: **% AGENT**

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

2. Agent Name and Address

Title: **MR** First name: **K. J.**

Last name: **THOMAS**

Company (optional): **GARY HOERTY ASSOCIATES**

Unit: House number: **6-8** House suffix:

House name:

Address 1: **CHURCH STREET**

Address 2:

Address 3:

Town: **CLITHEROE**

County: **LANCASHIRE**

Country: **ENGLAND**

Postcode: **BB7 2DQ**

3. Description of the Proposal - see attached e-mail

Please indicate those reserved matters for which approval is being sought (tick all that apply):

☐ None ☒ Access ☐ Appearance ☐ Landscaping ☐ Layout ☐ Scale

Please describe the proposed works:

NEW RESIDENTIAL HOUSING DEVELOPMENT INCORPORATING TWELVE HOUSES. THREE HOUSES (PLOTS 10, 11 AND 12) ARE TERRACED PROPERTIES, NINE HOUSES (PLOTS 1-9 inc.) ARE DETACHED PROPERTIES. FOUR PROPERTIES (PLOTS 1, 10, 11 AND 12) ARE AFFORDABLE. THE REMAINING EIGHT PROPERTIES ARE AVAILABLE TO THE OPEN MARKET AT NORMAL MARKET RATES. THE DEVELOPMENT INCLUDES AN ACCESSWAY AND TURNING HEAD TO LCC CRITERIA. THE DEVELOPMENT ALSO INCLUDES A NEW ACCESS TO A NEW Foul WATER PUMPING STATION - ALL IN ACCORDANCE WITH UNITED UTILITIES REQUIREMENTS. THE EXISTING PUMPING STATION BEING DEMOLISHED SO THAT RELOCATION CAN TAKE PLACE. THE ACCURATE SITING OF THE NEW PUMPING STATION BY AGREEMENT BETWEEN THE APPLICANT AND UU, ALL WITHIN BOUNDARIES AS SHOWN ON DRAWINGS.

Has building or works already been carried out? ☐ Yes ☒ No

If Yes, please state the date when building or works were started (DD/MM/YYYY):

Have the works been completed? ☐ Yes ☒ No

If Yes please state the date when the works were completed (DD/MM/YYYY):

4. Site Address Details

Please provide the full postal address of the application site.

Unit: House number: House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Postcode (optional):

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

Easting: Northing:

Description:

TRIANGULAR PARCEL OF LAND AT THE BOTTOM (TO THE NORTHWEST) OF DALEVIEW.

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)

Please tick if the full contact details are not known, and then complete as much as possible: ☐

Officer name:

MR COLIN SHARPE

Reference:

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

23/12/2010.

Details of pre-application advice received?

SITE CONSIDERED APPROPRIATE FOR RESIDENTIAL DEVELOPMENT - SEE COPY OF LETTER FROM MR SHARPE DATED 23RD DECEMBER 2010, IN THE APPENDICES OF THE PLANNING STATEMENT DOCUMENT ENCLOSED AS A PART OF THIS PLANNING APPLICATION.

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 ☐ Unknown

Is a new or altered pedestrian access proposed to or from the public highway? ☒ Yes ☐ No ☐ Unknown

Are there any new public roads to be provided within the site? ☒ Yes ☐ No ☐ Unknown

Are there any new public rights of way to be provided within or adjacent to the site? ☒ Yes ☐ No ☐ Unknown

Do the proposals require any diversions /extinguishments and/or creation of rights of way? ☒ Yes ☐ No ☐ Unknown

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)

GEL/454/1315/02

7. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? ☐ Yes ☒ No ☐ Unknown

If Yes, please provide details:

Have arrangements been made for the separate storage and collection of recyclable waste? ☐ Yes ☒ No ☐ Unknown

If Yes, please provide details:

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

If Yes, please provide details of the name, relationship and role

9. Materials

If applicable, please state what materials are to be used externally. Include type, colour and name for each material:

	Existing (where applicable)	Proposed	Not applicable	Don't Know
Walls		BRICKWORK	☐	☐
Roof		TILES	☐	☐
Windows			☐	☒
Doors			☐	☒
Boundary treatments (e.g. fences, walls)			☐	☒
Vehicle access and hard-standing			☐	☒
Lighting			☐	☒
Others (please specify)			☐	☐

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:

DESIGN & ACCESS STATEMENT
 DWG NOS: GEL/454/1315/01
 GEL/454/1315/02
 PLANNING STATEMENT

10. Vehicle Parking

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

Type of Vehicle	Total Existing	Total proposed (including spaces retained)	Unknown total proposed (including spaces retained)	Difference in spaces
Cars		2 SPACES PER PROPERTY	☐	+ 24
Light goods vehicles/ public carrier vehicles			☐	
Motorcycles			☐	
Disability spaces			☐	
Cycle spaces			☐	
Other (e.g. Bus)			☐	
Other (e.g. Bus)			☐	

11. Foul Sewage

Please state how foul sewage is to be disposed of:

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

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

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

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 a 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 | ☐ Existing watercourse |
| ☒ Soakaway | ☐ Pond/lake |
| ☐ Main sewer | |

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 LAND

Is the site currently vacant? ☐ Yes ☒ No

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

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

(date where known may be approximate)

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'.

16. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or waste? ☐ Yes ☒ No

If Yes, please describe the nature, volume and means of disposal of trade effluents or waste

17. Residential Units (Including Conversion)

Does your proposal include the gain, loss or change of use of residential units?
If Yes, please complete details of the changes in the tables below:

☒ Yes☐ No**Proposed Housing**

Market Housing	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐			7	1		8
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g)=							8

Social Rented	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐		3	1			4
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g)=							4

Intermediate	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g)=							

Key worker	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g)=							

Total proposed residential units (A+B+C+D)= **12**

Existing Housing

Market Housing	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g)=							

Social Rented	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g)=							

Intermediate	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g)=							

Key worker	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g)=							

Total existing residential units (E+F+G+H)=

TOTAL NET GAIN or LOSS of RESIDENTIAL UNITS (Proposed Housing Grand Total - Existing Housing Grand Total): **+ 12**

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

If you have answered Yes to the question above please add details in the following table:

Use class/type of use	Not applicable	Existing gross internal floorspace (square metres)	Gross internal floorspace to be lost by change of use or demolition (square metres)	Unknown	Total gross internal floorspace proposed (including change of use)(square metres)	Unknown	Net additional gross internal floorspace following development (square metres)
A1 Shops	☐			☐		☐	
Net tradable area:	☐			☐		☐	
A2 Financial and professional services	☐			☐		☐	
A3 Restaurants and cafes	☐			☐		☐	
A4 Drinking establishments	☐			☐		☐	
A5 Hot food takeaways	☐			☐		☐	
B1 (a) Office (other than A2)	☐			☐		☐	
B1 (b) Research and development	☐			☐		☐	
B1 (c) Light industrial	☐			☐		☐	
B2 General industrial	☐			☐		☐	
B8 Storage or distribution	☐			☐		☐	
C1 Hotels and halls of residence	☐			☐		☐	
C2 Residential institutions	☐			☐		☐	
D1 Non-residential institutions	☐			☐		☐	
D2 Assembly and leisure	☐			☐		☐	
OTHER	☐			☐		☐	
Please Specify	☐			☐		☐	
Total							

In addition, for hotels, residential institutions and hostels, please additionally indicate the loss or gain of rooms

Use class	Type of use	Not applicable	Existing rooms to be lost by change of use or demolition	Unknown	Total rooms proposed (including changes of use)	Unknown	Net additional rooms
C1	Hotels	☐		☐		☐	
C2	Residential institutions	☐		☐		☐	
OTHER		☐		☐		☐	
Please Specify		☐		☐		☐	

19. Employment

Please complete the following information regarding employees:

	Full-time	Part-time	Total full-time equivalent
Existing employees			
Proposed employees			

20. Hours of Opening

Please state the hours of opening for each non-residential use proposed:

Use	Monday to Friday	Saturday	Sunday and Bank Holidays	Not known

21. Site Area

Please state the site area in hectares (ha)

22. Industrial or Commercial Processes and Machinery

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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:

Is the proposal a waste management development? ☐ Yes ☐ No ☐ Unknown

If the answer is Yes, please complete the following table:

	Not applicable	The total capacity of the void in cubic metres, including engineering surcharge and making no allowance for cover or restoration material (or tonnes if solid waste or litres if liquid waste)	Unknown	Maximum annual operational throughput in tonnes (or litres if liquid waste)	Unknown
Inert landfill	☐		☐		☐
Non-hazardous landfill	☐		☐		☐
Hazardous landfill	☐		☐		☐
Energy from waste incineration	☐		☐		☐
Other incineration	☐		☐		☐
Landfill gas generation plant	☐		☐		☐
Pyrolysis/gasification	☐		☐		☐
Metal recycling site	☐		☐		☐
Transfer stations	☐		☐		☐
Material recovery/recycling facilities (MRFs)	☐		☐		☐
Household civic amenity sites	☐		☐		☐
Open windrow composting	☐		☐		☐
In-vessel composting	☐		☐		☐
Anaerobic digestion	☐		☐		☐
Any combined mechanical, biological and/or thermal treatment (MBT)	☐		☐		☐
Sewage treatment works	☐		☐		☐
Other treatment	☐		☐		☐
Recycling facilities construction, demolition and excavation waste	☐		☐		☐
Storage of waste	☐		☐		☐
Other waste management	☐		☐		☐
Other developments	☐		☐		☐

Please provide the maximum annual operational throughput of the following waste streams:

Municipal	
Construction, demolition and excavation	
Commercial and industrial	
Hazardous	

If this is a landfill application you will need to provide further information before your application can be determined. Your waste planning authority should make clear what information it requires on its website.

23. Hazardous Substances

Does the proposal involve the use or storage of any of the following materials in the quantities stated below? ☐ Yes ☐ No ☐ Not applicable

If Yes, please provide the amount of each substance that is involved:

Acrylonitrile (tonnes) Ethylene oxide (tonnes) Phosgene (tonnes)
Ammonia (tonnes) Hydrogen cyanide (tonnes) Sulphur dioxide (tonnes)
Bromine (tonnes) Liquid oxygen (tonnes) Flour (tonnes)
Chlorine (tonnes) Liquid petroleum gas (tonnes) Refined white sugar (tonnes)

Other:

Other:

Amount (tonnes):

Amount (tonnes):

24. Ownership Certificates

One Certificate A, B, C, or D, must be completed, together with the Agricultural Holdings Certificate with this application form

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

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

KJ Thomas for GHA Ltd.

12/1/2012.

CERTIFICATE OF OWNERSHIP - CERTIFICATE B

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

I certify/ The applicant certifies that I have/ the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, 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 this application relates.

Name of Owner	Address	Date Notice Served

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

CERTIFICATE OF OWNERSHIP - CERTIFICATE C

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

I certify/ The applicant certifies that:

- Neither Certificate A or B can be issued for this application
- All reasonable steps have been taken to find out the names and addresses of the other owners (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of the land or building, or of a part of it, but I have/ the applicant has been unable to do so

The steps taken were:

Name of Owner	Address	Date Notice Served

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

24. Ownership Certificates (continued)**CERTIFICATE OF OWNERSHIP - CERTIFICATE D****Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**

I certify/ The applicant certifies that:

- Certificate A cannot be issued for this application
- All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, 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 to which this application relates, but I have/ the applicant has been unable to do so

The steps taken were:

--

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

--

On the following date (which must not be earlier than 21 days before the date of the application):

--

Signed - Applicant:

--

Or signed - Agent:

--

Date (DD/MM/YYYY):

--

25. 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

Signed - Applicant:

--

Or signed - Agent:

<i>K. J. Thomas for GHA Ltd.</i>

Date (DD/MM/YYYY):

<i>12/1/2012</i>

(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:

Name of Tenant	Address	Date Notice Served

Signed - Applicant:

--

Or signed - Agent:

--

Date (DD/MM/YYYY):

--

26. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

The original and 3 copies of a completed and dated application form:



The correct fee:



The original and 3 copies of the plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North:



The original and 3 copies of a design and access statement, if required (see help text and guidance notes for details):



The original and 3 copies of other plans and drawings or information necessary to describe the subject of the application:



The original and 3 copies of the completed, dated Ownership Certificate (A, B, C, or D - as applicable):



The original and 3 copies of the completed, dated Article 12 Certificate (Agricultural Holdings):



27. Declaration

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

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

KJ Thomas for GHA Ltd.

12/1/2012

(date cannot be pre-application)

28. Applicant Contact Details

Telephone numbers

VIA AGENT

Country code:

National number:

Extension number:

Country code:

Mobile number (optional):

Country code:

Fax number (optional):

Email address (optional):

29. Agent Contact Details

Telephone numbers

Country code:

National number:

Extension number:

01200 442 301

Country code:

Mobile number (optional):

Country code:

Fax number (optional):

01200 442 976

Email address (optional):

K.John.thomas@ghaonline.co.uk

30. 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)

☒ Agent

☐ Applicant

☐ Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name:

Telephone number:

Email address:

Louise Blatchford

From: Louise Blatchford
Sent: 20 January 2012 14:43
To: 'k.john.thomas@ghaonline.co.uk'
Cc: Lesley Lund
Subject: Outline planning application - land off Dale View, Billington

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Tracking: **Recipient** **Delivery**
 'k.john.thomas@ghaonline.co.uk'
 Lesley Lund **Delivered:** 20/01/2012 14:43

Dear John

RE: Outline planning application for new residential housing development comprising 12no. houses (3no. terraced and 9no. detached)(4no. affordable housing and 8no. market housing) including accessway and turning head to LCC criteria New access to new foul water pumping station (existing pumping station to be demolished)

AT: Land off Dale View, Billington

Thank you for your application which we received on Tuesday 17th January. The application has been vetted and we will need some further information before the application can be validated:

- Please can you answer the rest of question 11 - are you proposing to connect to the existing system?
- Are you happy for the description of the proposal to read as above?
- The design and access statement details the maximum height of the proposed houses. In accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2010 where scale is a reserved matter, the application for outline planning permission shall state the upper and lower limit for the height, width and length of each building included in the development proposed. Please can you provide this information.

Once the above information has been received the application can be validated. Please quote ref. no 35 in reply.

I've spoken to Dave Hewitt and we've read through the covering letter and taken note of the information about trees. However, we would still like some information at this stage - please can you provide a proposed site plan which shows the existing trees on site and provide their species and diameters at breast height (DBH).

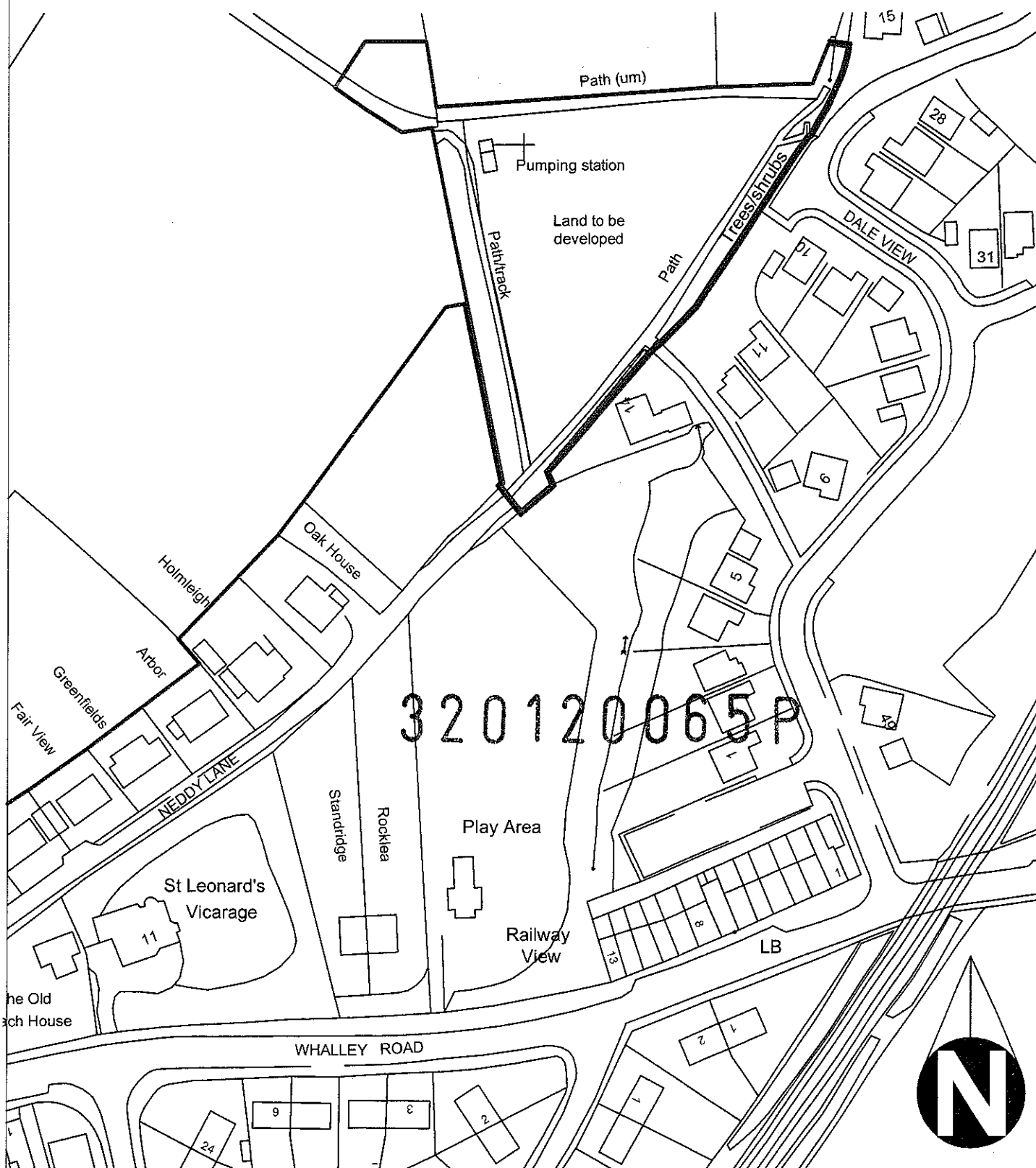
If you need any assistance please do not hesitate to contact me.

Kind regards
 Louise

Louise Blatchford
 Technical Admin Assistant
 Planning Department
 Ribbles Valley Borough Council

03/02/2012

Proposed Housing Development at Land Off Dale View, Billington, Clitheroe, BB7 9LL~



Existing Site Plan 1:1250



Gary Hoerty Associates

Chartered Surveyors
6-8 Church Street
Clitheroe
Lancashire BB7 2DG

T: 01200 442301
F: 01200 442976
Email: info@ghaonline.co.uk

Project No: Gel/454/1315/01

Title: Proposed Housing Development at
Land Off Dale View
Billington
Clitheroe
BB7 9LL

Notes:

All work is to be carried out to the latest current British standard Codes of Practice and recognised working practices. All work and materials should comply with Health and Safety legislation. All dimensions are in millimetres except where explicitly shown otherwise. The contractor should check and certify all dimensions as work proceeds and notify GHA of any discrepancies. Do not scale off the drawings, if in doubt ask.

Client: Mr & Mrs K Geldard

Drawn: RB

Date: 13 01 12

Scale: @ A4

Amendments:

Planning obligation by deed of agreement under the Town
and Country Planning Act 1990 Section 106 for use in
conjunction with an application for planning permission

320120065P

THIS AGREEMENT is made the day of

BETWEEN

- (1) **RIBBLE VALLEY BOROUGH COUNCIL** of Council Offices, Church Walk, Clitheroe, BB7 2RA ('the Council')
- (2) **LANCASHIRE COUNTY COUNCIL** of P O Box 78, County Hall, Preston, PR1 8XJ ('the County Council')
- (3) **KEITH RICHARD GELDARD and MARION GELDARD** of Acresmeade, Whittams Farm, Neddy Lane, Billington, Clitheroe, BB7 9ND ('the Owner')

RECITALS

- A The Council is the local planning authority for the purposes of the 1990 Act for the area in which the Site is situated
- B The County Council is the local highway authority and the county planning authority and the education authority for the area in which the Site is situated.
- C The Owner is the freehold owner of the Site as set out in Schedule 1

- D The Owner has submitted the Application to the Council and the Parties have agreed to enter into it in order to secure the planning obligations contained in it
- E The Council resolved on the to grant the Planning Permission subject to the prior completion of this deed

NOW THIS DEED WITNESSES as follows:

1 Definitions and interpretation

1.1 Definitions

For the purposes of this deed the following expressions shall have the following meanings:

- 1.1.1 'the 1990 Act' means the Town and Country Planning Act 1990,
- 1.1.2 'Affordable Housing' means subsidised housing that will be available to an Approved Person,
- 1.1.3 'the Affordable Housing Land' means the land occupied by plots 1,10,11 and 12 on the Plan and is the part of the Site designated for the construction of the Affordable Housing Units,
- 1.1.4 'the Affordable Housing Units' means the Affordable Housing Land comprising 4 residential units, of which 2 are Rented Units, 2 are Shared Ownership Units, and 'an Affordable Housing Unit' shall be construed accordingly,
- 1.1.5 'the Applicant' shall mean a person applying to the Owner for a Rental Agreement of a Unit and in assessing an Applicant's application and eligibility for a Rental Agreement of a Unit all due regard shall be given to the Applicant's intended household,

1.1.6 'the Application' means the application for outline planning permission for the Development dated the 12th January 2012 submitted to the Council and allocated reference number

1.1.7 'Approved Person' means a person who meets the Qualifying Criteria,

1.1.8 'Borough' means the Borough of Ribble Valley.

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1.1.9 'the Commencement of Development' means the commencement of any material operation (as defined in the 1990 Act section 56(4)) forming part of the Development other than (for the purposes of this deed and for no other purpose) operations consisting of site clearance, demolition work, archaeological investigations, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, erection of any temporary means of enclosure, the temporary display of site notices or advertisements and 'Commence the Development' shall be construed accordingly,

1.1.10 'Contributions' means the Education Contribution and Transport Contribution,

1.1.11 'the Date of Practical Completion' means the date of issue of a certificate of practical completion by the Owner's architect or, if the Development is constructed by a party other than the Owner, by that other party's architect,

1.1.12 'the Development' means the development of the Site with 12 Dwellings pursuant to the Planning Permission,

1.1.13 'Discounted Sale Unit' means the sale of an Affordable Housing Unit at a discount of 40% of the Open Market Value in perpetuity,

1.1.14 'Dispose' means each and every means by which the right of occupation of the Affordable Housing is given or transferred to another person body or company and 'Disposal' shall be construed accordingly,

- 1.1.15 'a Dwelling' means a dwelling (including a house, flat or maisonette) to be constructed pursuant to the Planning Permission and 'Dwellings' shall be construed accordingly,
- 1.1.16 'the Education Contribution' means the sum set out in Schedule 4,
- 1.1.17 'Financial Need' means an Applicant whose means are not reasonably sufficient to enable him/her to buy or rent a suitable property in the Locality or the Neighbouring Parish which is reasonably convenient and suitable for the Applicant,
- 1.1.18 'Financial Need Criteria' means:
- (a) that the Applicant cannot afford to rent suitable accommodation on the open market in the Locality or the Neighbouring Parish; or
 - (b) no suitable alternative affordable accommodation is available in the Locality of the Neighbouring Parish on the open market,
- 1.1.19 'Homes and Communities Agency' means the Homes and Communities Agency or its statutory successors,
- 1.1.20 'the Housing Corporation' means the Housing Corporation as defined in Section 56 of the Housing Act 1996 or its statutory successors,
- 1.1.21 'Independent Valuer' means an independent chartered surveyor with not less than 10 years post-qualification experience in the valuation of land and developments for use as permitted by the Planning Permission who shall be appointed by the Owner and the Council or in default of agreement within 7 working days of either party seeking the agreement of the other, to an appointment at the request of the Owner or the Council by or on behalf of the President for the time being of the Royal Institution of Chartered Surveyors,
- 1.1.22 'Interest' means interest at 1% above the base lending rate of The Royal Bank of Scotland plc from time to time,
- 1.1.23 'the Locality' means the parish of Billington and Langho,

- 1.1.24 'the Local Housing Allowance' means the Local Housing Allowance rates for the Council from time to time or any statutory replacement thereof,
- 1.1.25 'Living' means those currently living in the Locality, Neighbouring Parish of Borough (as applicable),
- 1.1.26 'the Market Housing Units' means that part of the Development which is general market housing for sale on the open market and which is not Affordable Housing,
- 1.1.27 'Neighbouring Parish' means the parishes which have a neighbouring common boundary with the Locality,
- 1.1.28 'Next of Kin' means mother, father, brother, sister or adult dependant children,
- 1.1.29 'Nominated Officer' means the Council's Housing Strategy Officer or such other officer of the Council as may from time to time be nominated by the Council to act in his place,
- 1.1.30 'Nomination Process' means the process of nominating an Approved Person as set out in Schedule 3,
- 1.1.31 'Notice' means a written notice from the Owner to the Council confirming that the Owner intends to market for sale Shared Ownership Units and in which the Owner invites the Council to agree the Open Market Value of the Shared Ownership Units,
- 1.1.32 'Occupation' means the use of a Market Housing Unit for residential purposes,
- 1.1.33 'Open Market Value' means the best price at which the sale of the freehold interest in the Shared Ownership Unit (together with any rights easements provisions covenants and other matters benefiting it but subject to any incumbrances restrictions stipulations or covenants which may affect it and which will still subsist and are capable of taking effect) would have been completed unconditionally for cash consideration by private treaty at the date of the Notice with vacant possession on completion of the sale assuming:

1.1.33.1 a willing seller; and

1.1.33.2 that prior to the date of the Notice there had been a reasonable period (having regard to the nature of the Shared Ownership Unit and the state of the market) for the proper marketing of the interest the agreement of price and terms and the completion of the sale; and

1.1.33.3 that the state of the market levels of values and other circumstances were on any earlier assumed date of exchange of contracts the same as on the date of the Notice; and

1.1.33.4 that no account is taken of any additional bid by a buyer with a special interest; and

1.1.33.5 that both parties to the transaction had acted knowledgeably prudently and without compulsion

1.1.34 'the Plan' means the plan attached to this deed,

1.1.35 'the Planning Permission' means the planning permission issued by the Council.

1.1.36 'Qualifying Criteria' means priority in which an Applicant will be allocated a Rental Agreement of a Rented Unit being first in priority order:

- (a) those currently Living in the Locality for more than 10 years;
- (b) those currently Living in the Locality and have done so continually for between 5 to 10 years;
- (c) those currently Living in the Locality and have done so continually for a minimum of 12 months or
- (d) those currently Working in the Locality to which they have applied for accommodation;
- (e) those Returning to the Locality;
- (f) those currently Living in a Neighbouring Parish for more than 10 years;

- (g) those currently Living in a Neighbouring Parish and have done so for between 5 to 10 years;
- (h) those currently living in a Neighbouring Parish and have done so continually for a minimum of 12 months;
- (i) those currently Working in a Neighbouring Parish to which they have applied for accommodation;
- (j) those Returning to the Neighbouring Parish;
- (k) those currently Living in the Borough for more than 10 years;
- (l) those currently Living in the Borough and have done so continually for between 5 to 10 years;
- (m) those currently living in the Borough and have done so continually for a minimum of 12 months;
- (n) those Working in the Borough;
- (o) those Returning to the Borough; and finally
- (p) those who are able to justify a requirement for accommodation in the Borough,

1.1.37 'the RSL' means a registered social landlord as defined in Part 1 of the Housing Act 1996, who is registered with the Housing Corporation pursuant to Section 3 of that Act and has not been removed from the register pursuant to Section 4 of that Act, and who is approved by the Council (such approval not to be unreasonably withheld or delayed),

1.1.38 'Rental Agreement' means a letting agreement for a Rented Unit granted by the RSL on its standard terms and conditions to an Approved Person in accordance with the Nomination Process as shall be appropriate for the site and subject to a rent which is accepted as affordable for the Borough by the Homes and Communities Agency provided that it does not exceed the Local Housing Allowance but which shall exclude any right which the lessee may otherwise have to acquire the freehold interest in the Rented Unit to which that rental agreement relates (as far as it is legally possible to do so),

1.1.39 'Rented Units' are Units which are available for rent only,

- 1.1.40 'Returning' means persons who at least one of the adult Applicants have Next of Kin who currently live in the Locality, Neighbouring Parish or Borough (as applicable),
- 1.1.41 'Right of Pre-Emption' is a right contained in the Shared Ownership Lease for the RSL to buy back the Shared Ownership Units,
- 1.1.42 'Shared Ownership Lease' means a lease of a Shared Ownership Unit that contains with it a Right of Pre-Emption and Shared Ownership Leases shall be construed accordingly,
- 1.1.43 'a Shared Ownership Unit' means a unit of Affordable Housing in respect of which a Shared Ownership Lease is granted by the RSL to an Approved Person and Shared Ownership Unit shall be construed accordingly,
- 1.1.44 'the Site' means the land against which this deed may be enforced shown edged red on the Plan and described in Schedule 1,
- 1.1.45 'a Social Rented Unit' means an Affordable Housing Unit which is let subject to an assured tenancy agreement with the RSL to persons identified in accordance with the nominations requirements of any funding agreement as approved by the Council in writing, at a rent not exceeding the target rent of the Housing Corporation,
- 1.1.46 'Staircase' means the exercise by the occupier pursuant to the Shared Ownership Lease of the right to acquire a greater interest in the Shared Ownership Unit by paying a percentage of the market value to the RSL after which the rent payable on the part retained by the RSL shall be reduced proportionately,
- 1.1.47 'Units' means the Affordable Housing Units and 'a Unit' shall be construed accordingly,
- 1.1.48 'Working' means a person who is permanently employed or self employed for a minimum of 18 hours per week paid or unpaid in the Locality, Neighbouring Parish or Borough (as applicable),

- 1.1.49 'Working Days' means any day of the week excluding Saturdays, Sundays and Bank Holidays

1.2 Interpretation

- 1.2.1 Reference in this deed to any recital, clause, paragraph or schedule is, unless the context otherwise requires, a reference to the recital, clause, paragraph or schedule in this deed so numbered
- 1.2.2 Words importing the singular meaning include the plural meaning and vice versa where the context so admits
- 1.2.3 Words of the masculine gender include the feminine and neuter genders and words denoting actual persons include companies, corporations and firms and all such words shall be construed interchangeable in that manner.
- 1.2.4 Wherever an obligation falls to be performed by more than one person, the obligation can be enforced against every person so bound jointly and against each of them individually unless there is an express provision otherwise.
- 1.2.5 Any reference to an Act of Parliament shall include any modification, extension or re-enactment of that Act for the time being in force and shall include all instruments, orders, plans, regulations, permissions and directions for the time being made, issued or given under that Act or deriving validity from it.
- 1.2.6 References to any Party shall include the successors in title to that Party and any person deriving title through or under that Party and in the case of the Council and the County Council the successors to their respective statutory functions.
- 1.2.7 Headings where they are included are for convenience only and are not intended to influence the interpretation of the agreement.

2 Legal basis

- 2.1 This planning obligation is made pursuant to the 1990 Act Section 106.
- 2.2 The terms of this deed create planning obligations binding on the Owner pursuant to Section 106 of the 1990 Act and are enforceable as such by the Council and the County Council as local planning authority.

3 Conditions, duration and enforcement

3.1 Conditions precedent

This deed is conditional upon:

- 3.1.1 the grant of the Planning Permission, and

- 3.1.2 the Commencement of Development

save for the provisions of clause 6, Provisions of Immediate Effect, which shall come into effect immediately upon completion of this deed.

3.2 Duration

- 3.2.1 This deed shall cease to have effect, in so far only as it has not already been complied with, if the Planning Permission is quashed, revoked or otherwise withdrawn or, without the consent of the Owner, it is modified by any statutory procedure or expires before the Commencement of Development.

- 3.2.2 No person shall be liable for any breach of any of the planning obligations or other provisions of this deed after parting with his interest in that part of the Site on which the breach occurs, but without prejudice to liability for any subsisting breach arising before parting with that interest.

- 3.2.3 Nothing in this deed shall prevent compliance with any obligation pursuant to it before that obligation comes into effect under this clause 3, and no such early compliance shall amount to a waiver of the effect of this clause 3.

3.3 Other development

Nothing in this deed shall prohibit or limit the right to develop any part of the Site in accordance with a planning permission (other than the Planning Permission) granted (whether or not on appeal) after the date of this deed.

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3.4 Non-enforcement

The obligations contained in this deed shall not be binding upon or enforceable against:

- 3.4.1 any statutory undertaker or other person who acquires any part of the Site or any interest in it for the purposes of the supply of electricity, gas, water, drainage telecommunication services or public transport services,
- 3.4.2 the Owner after he has disposed of his interest in the Site, or in the event of a disposal of part, in the part disposed of, other than disposal of an interest in the nature of an easement or the benefit of a restriction or similar, but not so as to release the Owner from any antecedent breach, non-performance or non-observance of his obligations,
- 3.4.3 any mortgagee of the RSL or any receiver appointed by such a mortgagee, or any person deriving title through such a mortgagee or receiver,
- 3.4.4 any person to whom the RSL grants a lease of a Unit to, or any successor in title to any such person,
- 3.4.5 any person to whom the RSL grants a Shared Ownership Lease
- 3.4.6 any mortgagee of a tenant under a lease of a Shared Ownership Unit or any receiver appointed by such mortgagee or any person deriving title through any such mortgagee or receiver,

- 3.4.7 any person who by virtue of the terms of the lease of a Shared Ownership Unit is granted a new lease of that Shared Ownership Unit or any mortgagee of a Shared Ownership Unit or any successor in title of such person or mortgagee,
- 3.4.8 the owners or occupiers of any Market Housing Unit or any mortgagee of a Market Housing Unit,
- 3.4.9 any mortgagee of a Shared Ownership Unit or any receiver appointed by such a mortgagee or any person deriving title through such a mortgagee or receiver;
provided that any mortgagee shall be a full member of the Council of Mortgage Lenders, unless otherwise approved in writing by the Council on a case-by-case basis.

4 Owner's covenants

- 4.1 The Owner covenants with the Council as set out in Schedule 3
- 4.2 The Owner covenants with the County Council as set out in Schedules 4 and 5.

5 Planning authority covenants

- 5.1 The Council covenants with the Owner as set out in Schedule 6 [if there are to be any].
- 5.2 The County Council covenants with the Owner as set out in Schedule 7 [as with 5.1]

6 Provisions of immediate effect

- 6.1 On completion of this deed the Owner shall pay to the Council and the County Council the reasonable legal costs incurred in the negotiation, preparation and execution of this deed of no more than £ and £ respectively

6.2 Nothing in this deed shall create any rights in favour of any person pursuant to the Contracts (Rights of Third Parties) Act 1999.

6.3 The Owner agrees with the Council to give the Council prompt written notice of any change in ownership of any of its interests in the Site occurring before all the obligations under this deed have been discharged, the notice to contain details of the transferee's full name and registered office (if a company or usual address if not) together with the area of the Site or unit of occupation purchased by reference to a plan.

7 Notices

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7.1 Any notice or other written communication to be served upon a Party or given by one Party to any other under the terms of this deed shall be deemed to have been validly served or given if delivered by hand or sent by recorded delivery post to the Party upon whom it is to be served or to whom it is to be given or as otherwise notified for the purpose by notice in writing

7.2 The address for any notice or other written communication shall be within the United Kingdom.

7.3 A notice or communication shall be served or given:

7.3.1 on the Owner at Mr and Mrs K R Geldard, Acresmeade, Whittams Farm, Neddy Lane, Billington, Clitheroe, BB7 9ND

7.3.2 on the Council at Church Walk, Clitheroe, Lancashire BB7 2RA or such other address as shall be notified in writing to the Owner from time to time, marked for the attention the Housing Strategy Officer, and

7.3.3 on the County Council at or such other address as shall be notified in writing to the Owner from time to time, marked for the attention of

8 Local land charge

- 8.1 This deed shall be registered as a local land charge by the Council, and the Council shall immediately after the date of this deed register it as such.
- 8.2 Following the performance and satisfaction of all the obligations contained in this deed, the Council shall immediately effect the cancellation of all entries made in the Register of Local Land Charges in respect of this deed.

9 Jurisdiction and legal effect

- 9.1 This deed shall be governed by and interpreted in accordance with the law of England and Wales.
- 9.2 The Courts of England and Wales are to have jurisdiction in relation to any disputes between the parties arising or related to this Undertaking.
- 9.3 In so far as any clause or clauses of this deed are found (for whatever reason) to be invalid, illegal or unenforceable, that invalidity, illegality or unenforceability shall not affect the validity or enforceability of the remaining provisions of this deed.
- 9.4 No waiver (whether expressed or implied) by the Council (or the County Council or Owner) of any breach or default in performing or observing any of the covenants terms or conditions of this deed shall constitute a continuing waiver and no such waiver shall prevent the Council (or the County Council or Owner) from enforcing any of the relevant terms or conditions or from acting upon any subsequent breach or default
- 9.5 Subject to clause 9.8, if any dispute arises relating to or arising out of the terms of this agreement, any party (which for the purposes of this clause 9.5 shall include the Council and the County Council) may serve written notice upon the other parties requiring the dispute to be determined under this clause 9.5. The notice is to propose an appropriate Specialist and specify the nature and substance of the dispute and the relief sought in relation to the dispute.

- 9.5.1 For the purposes of this clause 9.5 a "Specialist" is a person qualified to act as an expert in relation to the dispute having not less than ten years' professional experience in relation to developments in the nature of the Development and property in the same locality as the Site.
- 9.5.2 Any dispute over the type of specialist appropriate to resolve the dispute may be referred to at the request of either party to the President or next most senior available officer of the Law Society who will have the power, with the right to take such further advice as he may require, to determine the appropriate type of Specialist and to arrange his nomination under clause 9.5.3.
- 9.5.3 Any dispute over the identity of the Specialist is to be referred to at the request of either party to the President or other most senior available officer of the organisation generally recognised as being responsible for the relevant type of Specialist who will have the power, with the right to take such further advice as he may require, to determine and nominate the appropriate Specialist or to arrange this nomination. If no such organisation exists, or the parties cannot agree the identity of the organisation, then the Specialist is to be nominated by the President or next most senior available officer of the Law Society.
- 9.6 The Specialist is to act as an independent expert and:
- 9.6.1 each party may make written representations within ten Working Days of his appointment and will copy the written representations to the other party;
- 9.6.2 each party is to have a further ten Working Days to make written comments on the other's representations and will copy the written comments to the other party;
- 9.6.3 the Specialist is to be at liberty to call for such written evidence from the parties and to seek such legal or other expert assistance as he or she may reasonably require;
- 9.6.4 the Specialist is not to take oral representations from the parties without giving both parties the opportunity to be present and to give evidence and to cross-examine each other;
- 9.6.5 the Specialist is to have regard to all representations and evidence before him when making his decision, which is to be in writing, and is to give reasons for his decision; and
- 9.6.6 the Specialist is to use all reasonable endeavours to publish his decision within 30 Working Days of his appointment

9.7 Responsibility for the costs of referring a dispute to a Specialist under this clause 9, including costs connected with the appointment of the Specialist and the Specialist's own costs, and the legal and other professional costs of any party in relation to a dispute, will be decided by the Specialist.

9.8 This clause 9 does not apply to disputes in relation to matters of law or the construction or interpretation of this Undertaking which will be subject to the jurisdiction of the courts.

10 Interest and VAT

10.1 If any payment due under this deed is paid late, Interest shall be payable from the date payment is due to the date of payment.

10.2 All consideration given in accordance with the terms of this deed shall be exclusive of any value added tax properly payable.

11 Contributions

11.1 In the event that any of the Contributions shall not have been expended or contractually committed to be spent then on expiry of a five year period (to be calculated from the date that each instalment of the Contributions is paid to the Council or the County Council) the Contributions or the balance thereof (if any) together with all interest accrued upon such balance (if any) as may have arisen thereon shall be promptly repaid to the Owner identified in this document.

IN WITNESS whereof the parties hereto have set their hands and/or seals the day and year first before written

SCHEDULE 1

The Owner's Title and Site Description

All that freehold land registered at HM Land Registry under title number and known as land forming part of Whittams Farm, Neddy Lane, Billington, Clitheroe, BB7 9ND, and shown edged red on the Plan.

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SCHEDULE 2

Draft Planning Permission

***(where available insert details or attach a copy of the draft planning permission and
any conservation area or listed building consent))***

SCHEDULE 3

The Owner's Covenants with the Council

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The Owner hereby covenants and undertakes to the Council and the County Council that in the event of the Planning Permission being granted and upon commencement of Development it will comply with the following obligations:

1 Progress of development

The Owner give written notice to the Council (via the Nominated Officer) within 15 Working Days of:

- 1.1 the Commencement of Development
- 1.2 the first Occupation of a Dwelling

2 Affordable Housing

- 2.1 To build the Units in accordance with:
 - 2.2 the Planning Permission; and
 - 2.3 to use its best endeavours to Dispose of the Units to a RSL
- 2.4 Not to Dispose of:
 - 2.4.1 more than 50% of the Market Housing Units until 100% of the Units have reached the Date of Practical Completion and have been transferred to a RSL, and
- 2.5 To give notice in writing to the Council within 15 Working Days after the completion of the disposal of the Units to a RSL

Obligations of an RSL upon taking an interest in the Affordable Housing

2.6 Upon the Disposal of the Units the RSL shall:-

- 2.6.1 Not Dispose of any interest in the Units or any part thereof prior to the grant of a Rental Agreement or a Shared Ownership Lease save to another RSL who has been approved in writing by the Council (such consent not to be unreasonably withheld or delayed)
- 2.6.2 Ensure that two Units are available to rent by an Approved Person unless otherwise agreed in writing by the Council
- 2.6.3 Not permit any occupier of a Rented Unit to acquire the freehold interest of that unit and to ensure that every Rental Agreement granted contains suitable provisions to secure compliance with this covenant
- 2.6.4 The rental levels to be charged in relation to each Rented Unit shall be approved by the Council and shall not exceed those accepted by the Homes and Communities Agency as being affordable for the Borough by the Homes and Communities Agency provided that the rental levels shall not exceed the Local Housing Allowance
- 2.6.5 Ensure that two of the Units which are available to occupy are Shared Ownership Units made available to an Approved Person where each Shared Ownership Unit is occupied by someone who is part renting and part purchasing the property and where the share initially purchased by each occupier shall not be less than 30% of the interest in the Shared Ownership Unit unless otherwise agreed in writing by the Council
- 2.6.6 To permit any occupier of a Shared Ownership Unit to Staircase to 80% by increments of no less than 10% and to ensure that every Shared Ownership Lease granted contains suitable provisions to secure compliance with this covenant
- 2.6.7 The annual rent on the non-purchased share of each Shared Ownership Unit shall be in line with the prevailing normal rental levels for an RSL or such other figure as shall be approved in writing by the Council
- 2.6.8 The Disposal by the RSL (and any subsequent owners) of the Units shall be subject to the nomination rights and qualifications set out in this Schedule
- 2.6.9 Within 1 month of the transfer to a RSL of the Units the RSL shall invite in writing and permit the Council to nominate potential occupiers of the Rented Units as they become available

- 2.6.10 If the Council shall fail to nominate an Approved Person within 28 Working Days of the invitation from the RSL then the RSL shall be free to grant a Rental Agreement to an Approved Person provided always that the Council and the RSL shall in any event cooperate in the nomination process and the RSL shall consider sympathetically the Council's suggested nominations even if put forward after the aforesaid date
- 2.6.11 The RSL shall only transfer a Shared Ownership Unit to an Approved Person
- 2.6.12 The RSL shall serve notice in writing on the Council within 21 Working Days of the Disposal of a Rental Unit or a Shared Ownership Unit so that the Council is kept fully informed of tenancies and ownerships on the Site
- 2.6.13 If the RSL is minded to Dispose of the whole or any part of the Units to any other RSL then it shall serve written notice of its intention on the Council and shall obtain the prior written consent of the Council to any Disposal, such consent not to be unreasonably withheld or delayed

Obligations of the Owner if the Affordable Housing Units are not transferred to an RSL

- 2.7 In relation to the Market Housing Units the obligation in paragraphs 2.3, 2.4 and 2.5 of this Schedule to convey the Units to a RSL shall at the Owner's discretion cease to have effect upon the expiry of a period of one year from the Date of Practical Completion of the relevant Market Housing Units PROVIDED THAT:
- 2.7.1 it is demonstrated to the reasonable satisfaction of the Council that the Owner has used reasonable endeavours to conclude such an agreement with a RSL; and
- 2.7.2 The Owner shall undertake with the Council that it will comply with the obligations in clause 2.6 of this Schedule as if they were their own so far as the same relates to the Rented Units; and
- 2.7.3 in relation to the Shared Ownership Units, the following shall apply:-
- (a) they shall be offered for sale for to an Approved Person for a maximum of 60% of the Open Market Value as a Discounted Sale Unit;
 - (b) immediately upon service of the Notice the Owner and the Council shall consult together and attempt in good faith to agree the Open Market Value of the Shared Ownership Unit(s); and
 - (c) if the Owner and the Council have not agreed the Open Market Value within 5 working days of the service of the Notice each party shall be entitled to refer the matter for determination by the Independent Valuer who shall act as an expert (and not as an arbitrator).

Additional Affordable Provision

- 2.8 The transfer or letting of the Units to any RSL shall be subject to the following provisions:
- 2.8.1 a covenant providing that the Units shall only be occupied by an Approved Person meeting the Qualifying Criteria and nominated in accordance with the Nomination Process
- 2.8.2 a covenant that no disposition of the registered estate of the property (other than a charge) is to be registered at the Land Registry without a certificate signed by the solicitor to the proprietor of the registered estate that the requirements of the paragraph [] of Schedule [] of this Undertaking dated of 2011 and given by the Owner (1) to the Council (2) and the County Council (3) pursuant to Section 106 of the Act have been fully complied with
- 2.9 The provisions of paragraph 2.9 of this Schedule shall not be binding on a mortgagee in possession of the whole or any part of a Unit provided that such mortgagee or chargee in possession exercising any power of sale shall first have used reasonable endeavours over a period of four months in consultation with the Council to dispose of the Unit to an Approved Person approved by the Council (such approval not to be unreasonably withheld or delayed)

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Education Contribution

- 4.1 The Education Contribution shall mean the sum of £..... and the Owner covenants with the County Council to pay the Education Contribution in accordance with clause 4.2 of this Schedule 4. The contribution is to be applied only to schools within a five mile radius of the site.
- 4.2 All such amounts will be payable by the Owner in two equal instalments the first of which will be payable on the first occupation of any Dwelling and the second immediately after one third of the Dwellings have been occupied.

THE COMMON SEAL of

RIBBLE VALLEY BOROUGH COUNCIL

was hereunto affixed in the presence of:

Authorised Signatory

THE COMMON SEAL of

LANCASHIRE COUNTY COUNCIL

was hereunto affixed in the presence of:

Authorised Signatory

SIGNED as a DEED by

KEITH RICHARD GELDARD

in the presence of:

.....

Witness Signature

.....

Witness Name

.....

.....

Witness Address

.....

Witness Occupation

SIGNED as a DEED by

MARION GELDARD

in the presence of:

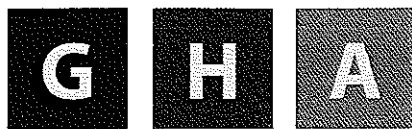
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.....
Witness Signature

.....
Witness Name

.....
Witness Address

.....
Witness Occupation



Gary Hoerty Associates

6-8 Church Street
Clitheroe
Lancashire
BB7 2DG

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Tel: 01200 442301
Fax: 01200 442976
www.ghaonline.co.uk
www.ruralproperty4sale.com
email: info@ghaonline.co.uk

DESIGN AND ACCESS STATEMENT

**IN RESPECT OF AN OUTLINE PLANNING
APPLICATION FOR THE ERECTION OF NINE
DETACHED DWELLINGS AND THREE TERRACED
DWELLINGS (FOUR BEING AFFORDABLE
PROPERTIES)**

AT

**LAND OFF DALE VIEW, BILLINGTON,
CLITHEROE, BB7 9LL**

Prepared by:	Jennifer Hindle
Our Clients:	Mr K Geldard
Our Ref:	Gel/454/1315/GH
Date:	January 2012



Chartered Surveyors ■■■■ Planning & Development ■■■■ Land Agents
Valuers ■■■■ Property Agency ■■■■ Property Management



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1. Use

- 1.1 The parcel of land which relates to this planning application is located to the north west of Dale View, Billington and is currently used as agricultural land.
- 1.2 The proposal is for the erection of a total of twelve dwellings at the application site. These will consist of eight detached dwellings which will be available on the open market (Plots 2 – 9 inc) and four affordable dwellings (Plots 1 and 10 – 12 inc) as shown on the plans submitted with this planning application.

2. Amount

- 2.1 This is an outline planning application with all matters other than access reserved and therefore the amount of development will be established at a future date. However, it has been necessary to provide an indication of the potential footprint of the proposed development which is included with the planning application.
- 2.2 There will be nine detached dwellings (Plots 1 – 9) and each will have an attached garage. Each detached dwelling (with the exception of Plot 7) will have a total footprint of 86m² which includes the attached garage. Plot 7 will have a total footprint of 116m² which includes the attached garage. Plots 10 – 12 will be affordable terraced dwellings, each of which will have a total footprint of 60m². Plot 1 is also an affordable dwelling of 86m².
- 2.3 There will be sufficient off road parking space available for each property on the proposed housing site and this can be seen on the plans submitted with the planning application.

3. Layout

- 3.1 The layout of the development is relatively straightforward with all the proposed dwellings being located off the access road (Access Way in accordance with LCC criteria) which leads into the application site from Dale View.
- 3.2 Plots 1 – 9 will have each have an attached garage and Plots 10 – 12 incl will have only private driveways. These details along with the relevant turning areas and car parking can be seen clearly on the layout plan accompanying the planning application. Adequate garden areas will be created for each dwelling as can be seen on the plans submitted with this planning application.

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- 3.3 The dwellings will provide a continuation of the existing residential development at Dale View and will form a rounding off effect of the settlement. The layout has a density comparable to Dale View.

4. Scale

- 4.1 We consider the scale of the proposed development to be appropriate for the site. The properties are very similar in type and scale to those that have been built at Dale View. The height to the underside of the eaves of the properties would be no more than 5075mm and the ridge height no more than 8075mm.

5. Landscaping

- 5.1 The planning application is an outline only and landscaping is one of the reserved matters.

6. Appearance

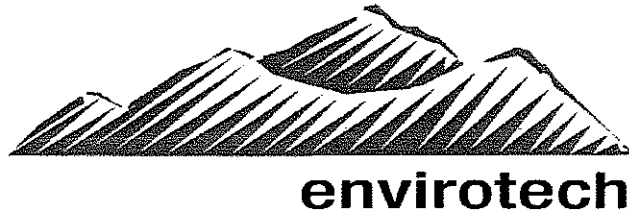
- 6.1 It is anticipated that the dwellings will be constructed from brickwork with tiled roofs and therefore will be in keeping with the development on Dale View, however this is an outline application only and these matters will be reserved for the future planning application.

7. Access

- 7.1 Access to the site will be provided from Dale View, as shown on the site plan enclosed with the planning application. All access to individual properties would comply with the building regulations at the appropriate time.

Signed J. Hindle Date 13/01/12
Jennifer Hindle BA (Hons)
For and on behalf of Gary Hoerty Associates

Stone Lea
Sedgwick
Kendal
Cumbria
LA8 0JP



Tel/Fax: 015395 61894
Mobile: 07812 081320
Email: info@envtech.co.uk
Web: www.envtech.co.uk

ECOLOGICAL SURVEY REPORT

NEDDY LANE, BILLINGTON

320'20065P

January 2011

NB. Information on legally protected, rare or vulnerable species may appear in ecological reports. In such cases it is recommended that appropriate caution be used when circulating copies

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Envirotech NW Ltd
Director: A Gardner BSc (Hons), MSc, MIEEM, MRICS, CEnv, Dip NDEA
Registered Office: Stone Lea, Sedgwick, Kendal, Cumbria, LA8 0JP
Registered in England and Wales. Company Registration Number 5028111



RICS

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COMMENTS ON CURRENT STATUS AND ANY IMMEDIATE AND FUTURE ACTIONS NEEDED:

THE DEVELOPMENT SITE SUPPORTS AN UNREMARKABLE ASSEMBLAGE OF COMMONLY OCCURRING PLANT SPECIES AND LIMITED POTENTIAL FOR PROTECTED SPECIES. BUILDINGS ADJACENT TO THE SITE PROVIDE FEW POTENTIALLY SUITABLE REFUGES FOR BATS OR BIRDS. NO AQUATIC HABITAT OCCURS ADJACENT TO THE SITE OR WILL BE AFFECTED BY WORK.

NO PROTECTED SPECIES WERE LOCATED AND NO FOLLOW UP SURVEYS ARE JUDGED AS BEING REQUIRED.

REPORT CONTROL SHEET

General Report Information	
Date of site risk assessment	31 st January 2011
Project lead signature	Andrew Gardner - Director
Date report issued	3 rd February 2011
Report approved by	Andrew Gardner - Director

Report Version Control

Whilst all due and reasonable care is taken in the preparation of reports, Envirotech accept no responsibility whatsoever for any consequences of the release of this report to third parties.

Version	Date	Author	Description
1.0	3 rd February 2011	Andrew Gardner	Proof read and issued

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RESULTS SUMMARY AND ACTIONS REQUIRED

Results

1. The sites support habitat of some, albeit, limited value to wildlife.
2. There is limited potential for use of the areas affected by work for use by protected species, there should be minimal impact on locally important habitat. There is unlikely to be extensive use of the site by bats or any other protected species.

Actions Required

These actions are to meet compliance with current legislation, planning policy and best practice as recognised by the various statutory authorities. They are intended to fulfil ecological planning formalities and facilitate the implementation of the project.

1. There is limited potential for bats to roost on the site. Bats may forage along the boundaries of the sites and over the adjacent woodland. Avoid unnecessary introduction of lighting within the development by minimising the hours when lighting is used during construction, installing directional down-lighting to avoid "spillage", and have consideration for what level of illumination is required.
2. The provision/ retention of linear landscape features such as hedgerows and tree lines around the edge of the site is encouraged. Soft landscaping and the use of native plant species in the landscape plan may in the medium to long term significantly improve the sites potential for use by bats.
3. In line with best practice and compliance with government policy on biodiversity protection and enhancement, retain features of ecological interest within the development proposals. Design and incorporate Sustainable Drainage Systems (SuDS) wherever possible.

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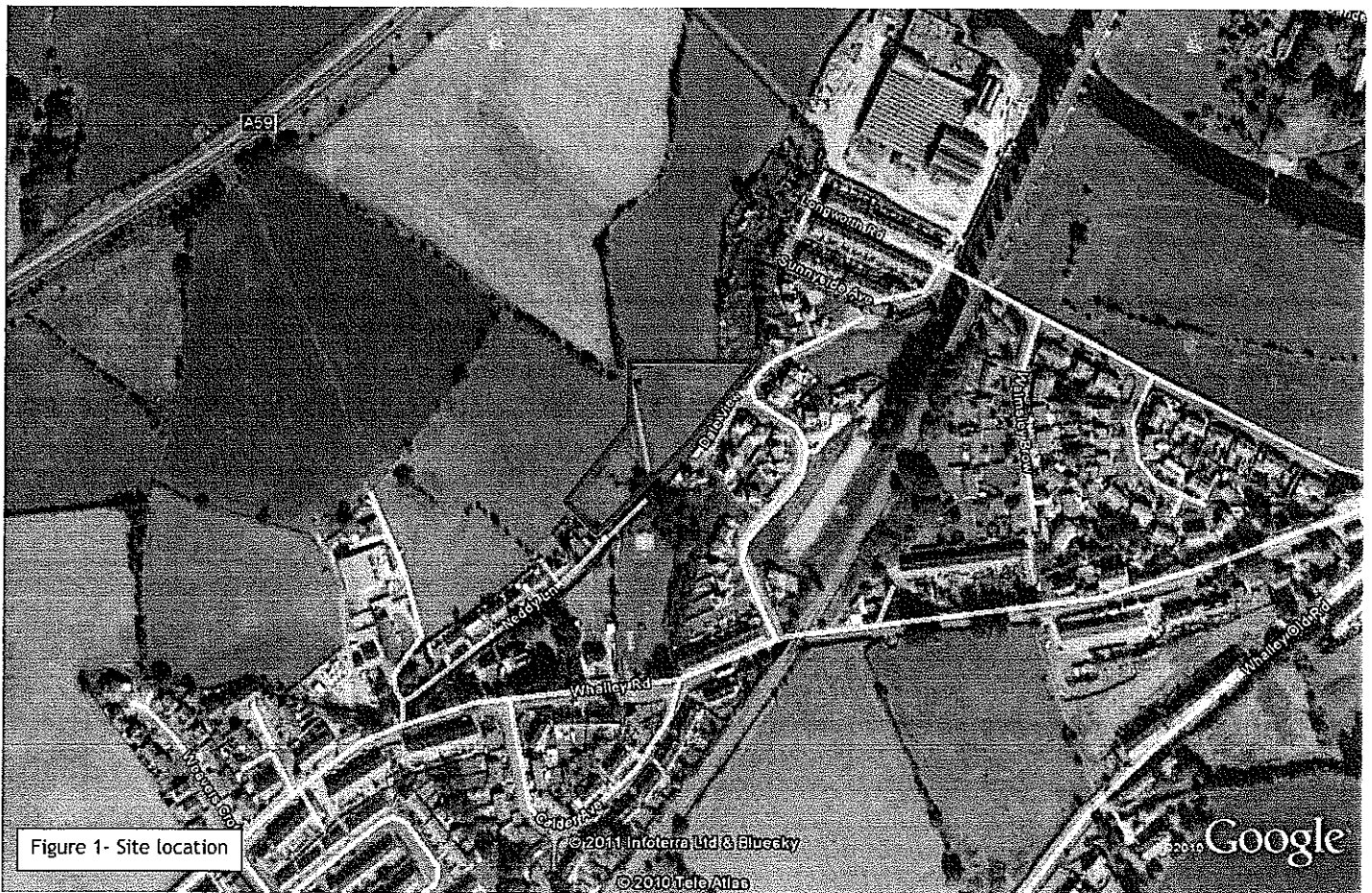


Figure 1- Site location

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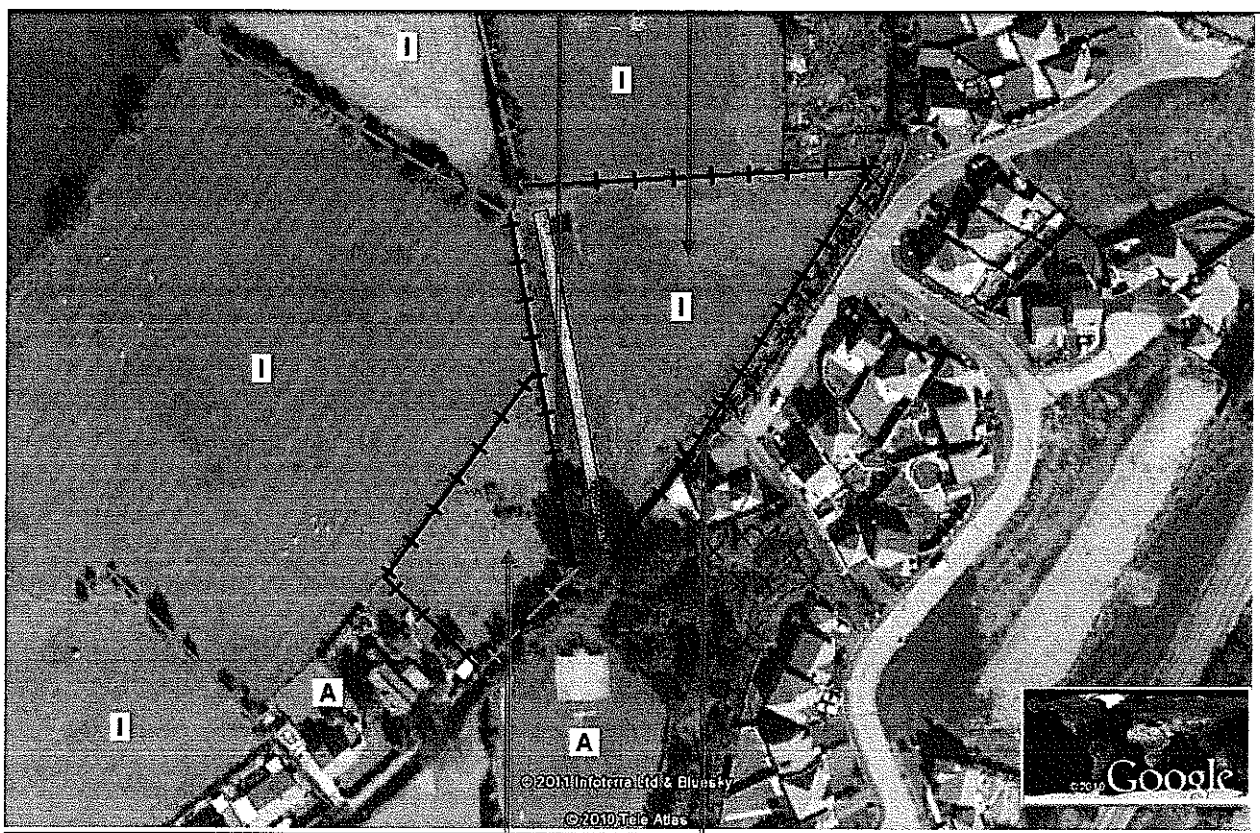


Figure 2- Site

SURVEY COMMENTARY

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The tables below provide the results of the survey in a structured format with particular reference to any notable factors or features for regulatory compliance or conservation. Please also refer to the Plans above and the Plates later in this document.

Item	Observations
General description Site 1	The site lies to the North of Billington off Neddy Lane and comprises an area of semi-improved pasture. The site is devoid of significant plant cover with common grass and agricultural weed species growing on a heavy soil substrate. There is extensive use of the site by dog walkers with indications of local nutrient enrichment from dog faecal matter. The site is bounded by fragmented hedgrows and gardens.
Target Note 1	Gappy hedge containing Hawthorn (<i>Crataegus monogyna</i>), Elderberry (<i>Sambucus nigra</i>) and Holly (<i>Ilex aquifolium</i>). Horse grazed pasture containing Common nettle (<i>Urtica dioica</i>), Yorkshire Fog (<i>Holcus lanatus</i>), Perennial Ryegrass (<i>Lolium perenne</i>), Broad-leaved dock (<i>Rumex obtusifolius</i>). Crested Dog's-Tail (<i>Cynosurus cristatus</i>).
Target Note 2	Similar species composition to adjacent field Common nettle (<i>Urtica dioica</i>), Perennial Ryegrass (<i>Lolium perenne</i>), Cocksfoot (<i>Dactylis glomerata</i>), Broad-leaved dock (<i>Rumex obtusifolius</i>), Crested Dog's-Tail (<i>Cynosurus cristatus</i>) but Yorkshire Fog (<i>Holcus lanatus</i>) dominant. Occasional Plantain (<i>Plantago major</i>) and Lesser Celandine (<i>Ranunculus ficaria</i>). Large amounts of dog faecal matter.
Target Note 3	Fence to new housing estate with newly planted trees/ shrubs. Hazel (<i>Corylus avellana</i>), Cherry (<i>Prunus Sp.</i>), Silver Birch (<i>Betula pendula</i>), Hawthorn (<i>Crataegus monogyna</i>), Ash (<i>Fraxinus excelsior</i>)
Target Note 4	Small stand of Sycamore (<i>Acer Pseudoplatanus</i>).

RECORDS

With certain exceptions, all mammals are legally protected under national nature conservation legislation, making it necessary to check all planned groundworks etc. to ensure no damage is done to any of the protected species or any additional areas of protection which may include their habitat, e.g. dormice, water voles, otters, all bats and their roosts are protected under legislation. Generally, unless a licence is issued, the law prohibits intentional killing, taking or causing loss of, or intentional damage to, or destruction of the home or nest of the animal, and interference with, or obstruction and taking of, or intentional damage to, and their nests are strictly protected under nature conservation legislation.

Bats	A specific survey for bats was undertaken which was in accordance with the recommendations of BCT (2007). This comprised a close inspection of all trees and buildings on and adjacent to the site for indications of use by a licensed bat surveyor. During the survey no evidence to suggest the presence of bats was found. None of the trees or buildings on or adjacent to the sites were considered to offer any significant bat roosting potential. The area of grassland to be lost through development was not considered to form part of an area of high quality bat foraging habitat. There are existing high levels of light spill from nearby buildings outside the site boundaries. Trees should be retained where possible around the site boundaries. Any landscaping scheme should utilise native or wildlife friendly species. There is however not considered to be any need for specific mitigation for bat species.
Badgers	No indication of this species occurring on the site was found. No requirement for additional survey work is judged as necessary.

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Common breeding birds	No indication of past bird breeding at the site was found during the survey. Based on the findings of the survey trees and hedges on the boundaries of the site are unlikely to provide suitable nesting sites for birds. No additional follow up work is required.
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The laws of the Cayman Islands, including the Companies Law, do not prohibit or restrict the international or domestic transfer of funds and equity and capital instruments. The government does not impose any exchange controls, and there are no restrictions on the ability of companies to repatriate funds. International transfers of funds, including payments of dividends, are not subject to any restrictions or controls. No restriction of circulation of any security or debt used for financial control, when such security or debt is not prohibited.

Slow-worm/ Common Lizard/ Amphibians	The grassland was found to be superficially suitable for commonly occurring reptile species. Common Lizard (<i>Lacerta vivipara</i>) and slow worms (<i>Anguis fragilis</i>) may find some of the adjacent habitat suitable for use. Given the aspect and quality of habitat on the site, the presence of reptiles on site is considered possible although unlikely. The maintenance of a short grass sward through grazing or mowing prior to the commencement of work is considered sufficient to ensure that should these species occur in the locality they will have adequate opportunity to leave site without further external intervention. There are no adjacent ponds or lakes which would not promote the sites use by amphibians. Consequently the presence of amphibians is considered unlikely. Any trenches or other excavations made on the sites which are left overnight should be left with shallow sides or ends so as to facilitate the escape of any reptiles or amphibians which may inadvertently become trapped.
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Macro-invertebrates

Several invertebrates enjoy varying degrees of legal protection including the Great Crested Newt, Lesser River Otter, Beaver, Roman Snail, Bog Beetle and some pond flies (Megaloptera, etc).

Macro-invertebrates	An examination of the site and its habitats did not reveal any features to suggest that detailed survey for invertebrates is required.
Japanese knotweed (or related Fallopia spp.)	No Japanese knotweed was identified during the field survey on the site.
Invasive species There are no known invasive plants or trees on the site, and no native or introduced animal species.	
Weeds Act natives (common ragwort, creeping and spear thistles, curled and broad-leaved docks)	No significant numbers of species covered by the Weeds Act were noted on the sites.
Other exotics that may cause problems such as Rhododendron ponticum, Buddleia davidii.	No exotic species were noted which are of concern.

SUPPORTING INFORMATION

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Scope and objectives

This report was commissioned Gary Hoerty Associates, in respect of the proposed redevelopment of the site. The objectives of this survey are:

1. To carry out an ecological assessment of the site to identify any habitats, species or features of nature conservation significance.
2. To undertake more in-depth surveys to assess the extent of any ecological risk identified.
3. To provide a concise written report of the results, making any appropriate recommendations to ensure compliance with wildlife law and recognised best practice.

General site description and methods

The site lies to the North of Billington at grid reference SD 724 358. The site largely comprises semi-improved pasture bounded by species poor hedgerows. All of the land within site ownership was assessed.

A qualified ecological consultant from Envirotech surveyed the site on the 31st January 2011. The Surveyor, Mr Andrew Gardner, is a Chartered Surveyor, Chartered Environmentalist and full professional member of the Institute of Ecology and Environmental Management.

Methodology

A consultation with the site agents was made on the 19th January 2011 following which the general site layout and adjacent environs were appraised. A search of the ecological records held by the NBN, Lancashire County Council and Envirotech was also made.

There are several records of protected or notable species within 2km of the site on the datasets searched but no specific records for the site.

No additional records searches were made or considered necessary. Records are shown at Annex 1.

The level of survey effort used for each species was derived from our assessment of the likely presence and susceptibility of each species to disturbance from the proposed development as well as its local abundance and level of protection/importance.

Bats

A survey of the site was undertaken on the 31st January 2011. This was carried out in full accordance with the recommendations in NCC (1987), Mitchell-Jones (2004) and BCT (2007).

This comprised a close inspection of all trees and buildings at and adjacent to the site. Each tree and building was closely inspected (where possible) to check for signs of roosting bats such as droppings, staining and smells of urine, feeding remains (moth or other insect wings) and chattering or squeaking noises (in winter bats can still be active).

Trees were assessed for the suitability of bat roosting according to the number of niches present such as deep cavities, flaky or deeply fissured bark, hollow stems and location in relation to potential foraging or commuting habitat. The orientation of the tree and level of shade or nearby obstruction to free flight were also considered as part of the evaluation process.

Buildings both in and adjacent to the development site, were assessed in respect of their potential for use by roosting bats according to the number of suitable gaps and cracks in the walls, eaves and roofs as well as the orientation and exposure of these locations.

In addition to the site surveys, the general habitat in the local area was evaluated in terms of its suitability to bats for foraging or commuting.

This progressive risk based approach to determining the absence of bats accords with the recommendations of BCT (2007).

All typical (Council Directive 92/43/EEC, 1992) species of bat in the UK are protected under both UK and EU legislation. They are protected from deliberate disturbance, injury or killing. Any place they use for shelter is protected from alteration, obstruction or destruction, whether bats are present at the time or not.

Badger

The survey method was a scaled down version of the standard badger survey methodology as described in Harris et al (1989). In practice this comprised a generalized search of the whole site where suitable habitat was found, to a distance of 30m from the site boundaries, where this was possible, for feeding signs, habitual runs and footprints, hairs, droppings and latrines, scratching posts and actual setts.

Badgers are protected from deliberate disturbance when in an active sett and intentional killing or injury. The badger is the only UK species to be specifically covered by its own legislation the 1992 Protection of Badgers Act.

Birds

All nesting birds, other than pest species covered by specific exemptions where they are causing damage to livestock or crops, are protected from disturbance when actively nesting or rearing dependant young. A search for past nest sites and an assessment of the sites potential to support nesting birds would reveal the level of past use of the sites and likely impact of the development on nesting/ foraging opportunities for birds. The trees and buildings were all inspected as an incidental part of the other surveys which were undertaken.

Invertebrates

The survey for these species was based on assessing the habitat type and suitability of the sites. The time of year the survey was undertaken was conducive to locating these species.

It is our opinion that the above methodology was sufficient to make a risk assessment of site works and determine the likely effect on these species. As such we consider the above methodology constitutes reasonable effort in this case.

Plants

The vegetation composition of the site was assessed with key plant and tree species being identified.

Reptiles/ Amphibians

A survey for this species was based on assessing the habitat type and suitability of the sites. This comprised an assessment of satellite imagery for the site and surrounding area as well as comparison of the results from the records searches with habitat types. The general habitat at the site was evaluated in terms of its suitability to Reptiles and Amphibians for foraging or breeding.

Limitations

Whilst the surveys were conducted in January, the risk to species which would not be identifiable at the time of year the survey was undertaken is not considered significant and as such no significant limitations were identified.

RESULTS

Bats

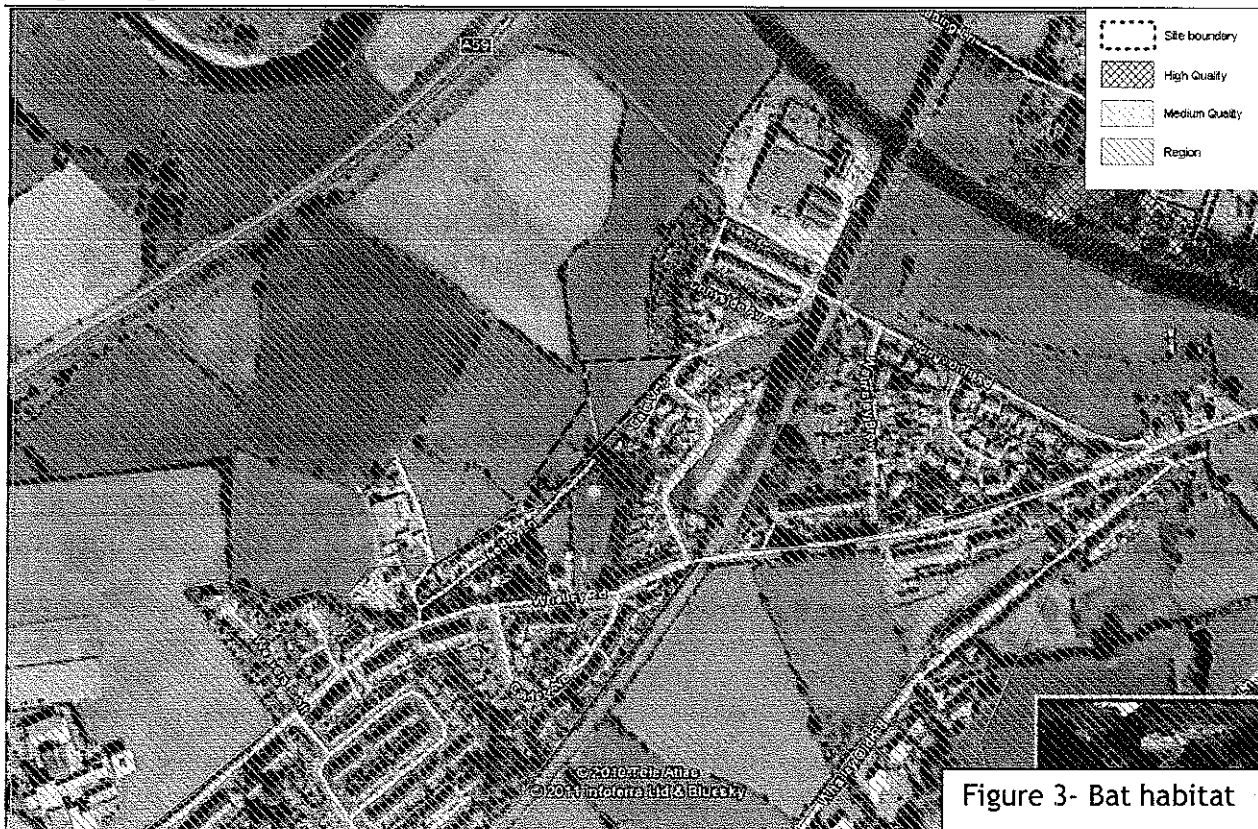
A thorough inspection of all trees on and within the site boundaries in accordance with the methods prescribed by BCT (2007) considered potentially suitable for bat roosting revealed no potential roosting sites.

In addition to the trees which were assessed for their potential for roosting, the buildings were also inspected and found to contain very few suitable bat roosting sites. The network of hedgerows, and roads in the local area however provide extensive, low to moderate quality foraging and commuting habitat for a number of bat species.

Landscapes can be divided into four categories for use by bats; open, closed, edge and water. Each type of landscape category is suitable for use by a different combination of bat species. We would classify the landscape immediately adjacent (<1km) to the site as "edge", "open" and "water"

A review of aerial photography and classification of landscape types adjacent to the site would indicate that it is suitable for Common Pipistrelle (*Pipistrellus pipistrellus*), Soprano Pipistrelle (*Pipistrellus pygmaeus*), Whiskered (*Myotis mystacinus*), Brandt's (*Myotis brandtii*), Noctule (*Nyctalus noctula*), and Daubenton's (*Myotis daubentonii*)

In accordance with BCT (2007) the habitat in the surrounding area was mapped by an experienced bat ecologist, Figure 3.



There is high quality habitat along the river the North, this is not connected with the site. Medium quality habitat occurs over the adjacent vegetated gardens to the South-east and North-east. The remainder of habitat in the local area, including the site, is low quality for foraging bats due to its low structural diversity.

No indication of roosting by bats at the site was found or is expected to occur. The habitat provided by the site is low quality but does not form part of a likely linear commuting route in the local landscape. The sites development may enhance its structural diversity and link it with medium and high quality habitat surrounding should the gardens be planted, preferably with native or wildlife friendly species.

Badger

A detailed inspection of all suitable habitat at the sites and to a distance of at least 30m from the site boundaries, where this was possible, revealed no signs of possible badger activity and no active setts were located.

A search for snuffle holes (badger feeding signs) was made across the entire site. No indication of badger feeding was found.

No clearly defined habitual paths were noted extending into and or out of the site or land surrounding.

Whilst badgers are therefore believed to occur within 2km of the site, it is reasonable to assume that they do not have an active sett within 30m of either site boundary.

The proposed development will not impact on any existing badger runs or setts. The porosity of the surrounding land to the passage of badgers will not be affected.

Birds

No old nest sites were located on and or in the hedges or trees on the sites during our survey. The nesting potential of the core development area is considered to be low. There is also considered to be a low potential for use of the hedgerows surrounding the site as these lack density.

Invertebrates

A survey for invertebrates including, but not limited to solitary and mining bees and wasps and certain butterflies was triggered as a result of this site lying in proximity to semi-natural vegetation. The method of survey for these species was to assess the habitat type affected by development and therefore its likely importance at the local level to any of these species.

Trees on and within the site boundaries contain comparatively little rotten wood in their canopies.

There are no high quality or significant numbers of flowering scrub or herb species present

We would regard the site as having some localised value in respect of invertebrates. We would not regard the site as being dominated by a substrate or plants with any more than local significance to invertebrates. The use of wildlife friendly flowering plant species in a landscaping plan would be beneficial for invertebrates adjacent to the site.

Plants

Details of the plant species found on site are included in the target notes. Only common plant species were located.

Trees on the site are all confined to the site boundaries. We do not consider any of these trees have significant ecological value.

Reptiles/ Amphibians

The site largely comprises rough pasture with a low structural diversity and has only a low value to reptiles and amphibians.

The site may provide suitable habitat for Common Lizard (*Lacerta vivipara*) and Slow Worms (*Anguis fragilis*). The potential for use of the site is however limited both in respect of the quality of substrate present and isolation and disturbance of the site.

The presence of these species is considered possible but the site would not support significant populations. Only basic precautionary mitigation is considered necessary.

No watercourses or ponds are located on or in proximity to the site which would provide suitable breeding sites for amphibians which could be affected by the proposal.

Significance of Survey Results

No conclusive signs of protected or otherwise important species were recorded on the development site. There is some albeit a low potential for reptiles and bats to be slightly affected by the proposed development.

Bats are likely to use the surrounding landscape for foraging. The focus of this activity will be correlated with the tree lines and gardens.

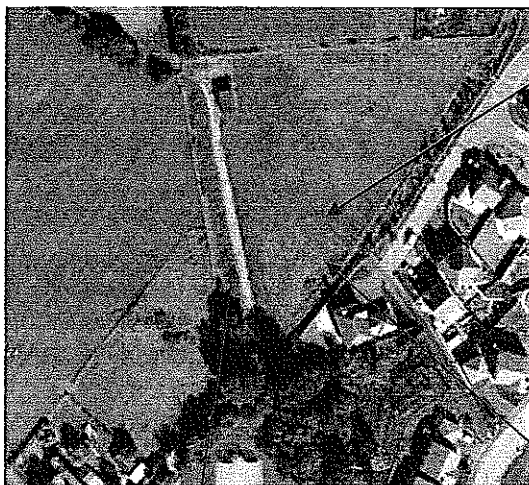
We judge the ecological significance of the vegetation at the site to be low in respect of its vegetative composition.

There is a low level of potential for use of the site by Common Lizard (*Lacerta vivipara*) and Slow worms (*Anguis fragilis*) but the risk to the species is considered to be low.

No indications of use of the site or surrounding area by badgers could be found.

We consider the site has marginal potential for use by nesting birds, the site offers few suitable nesting opportunities.

PHOTOGRAPHS



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Professional responsibility

This report has been commissioned and the actions of the surveyor have been made in accordance with the Code of Professional Conduct for the Institute of Ecology and Environmental Management. (www.ieem.org.uk) and the Royal Institution of Chartered Surveyors (www.rics.org.uk)

Accuracy of report

This report has been compiled based on the methodology as detailed and the professional experience of the surveyor. Whilst the report reflects the situation found as accurately as possible, all of the protected species this survey covers are wild and can move freely from site to site. Their presence or absence detailed in this report does not entirely preclude the possibility of a different past, current or future use of the site surveyed.

We would ask all clients acting upon the contents of this report to show due diligence when undertaking work on their site and/or in their interaction with protected species. If protected species are found during a work programme, and continuing the work programme could result in their disturbance, injury or death, either directly or indirectly an offence may be committed.

If in doubt, stop work and seek further professional advice.

Quality and Environmental Assurance

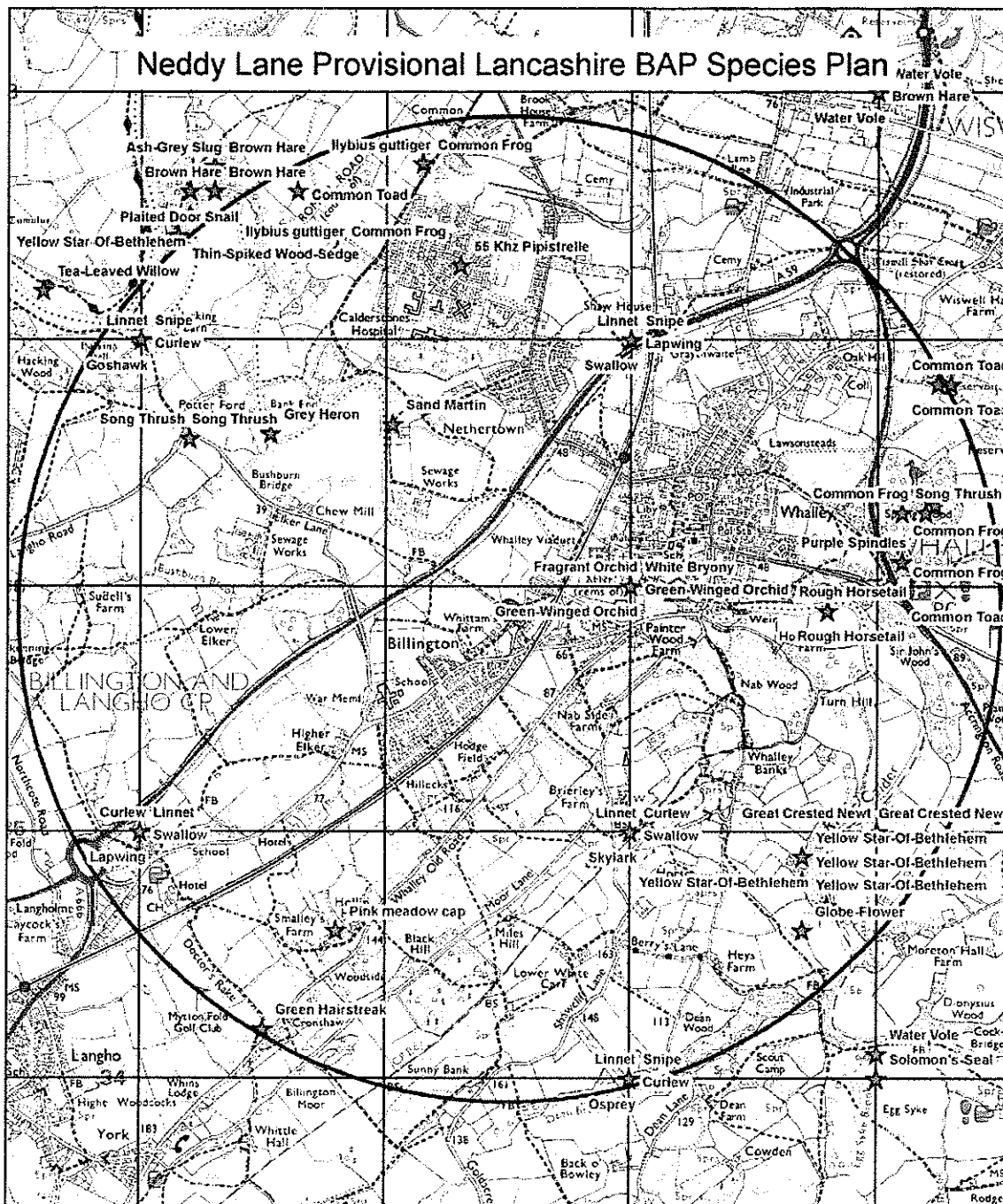
This report has been printed on recycled paper as part of our commitment to achieving both the ISO 9001 Quality Assurance and ISO 14001 Environmental Assurance standards. Envirotech have been awarded the Gold standard by the Cumbria Business Environmental Network for its Environmental management systems.

Signed



Andrew Gardner BSc (Hons), MSc MIEEM, MRICS, CEnv, Dip NDEA
Director Envirotech NW Ltd
Thursday, 03 February 2011

Annex 1



Legend

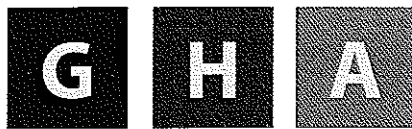
- Buffer_of_Neddly_Lane
- Neddly Lane
- Lancashire_BAP_Provisional_Long_List

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County Council





Gary Hoerty Associates

320120065P

6-8 Church Street
Clitheroe
Lancashire
BB7 2DG

Tel: 01200 442301
Fax: 01200 442976
www.ghaonline.co.uk
www.ruralproperty4sale.com
email: info@ghaonline.co.uk

PLANNING STATEMENT

**IN RESPECT OF AN OUTLINE PLANNING APPLICATION
FOR NEW RESIDENTIAL HOUSING DEVELOPMENT
INCORPORATING TWELVE NEW HOUSES. THREE
HOUSES (PLOTS 10, 11 AND 12) ARE TERRACED
PROPERTIES, NINE HOUSES (PLOTS 1-9 INCL) ARE
DETACHED PROPERTIES. FOUR PROPERTIES (PLOTS
1, 10, 11 AND 12) ARE AFFORDABLE.**

AT

**LAND OFF DALE VIEW
BILLINGTON
CLITHEROE
BB7 9LL**

FOR AND ON BEHALF OF MR K GELDARD

Prepared by
Our Ref:
Date:

Jennifer Hindle
Gel/454/1315/GH
January 2012



Chartered Surveyors ■■■ Planning & Development ■■■ Land Agents
Valuers ■■■ Property Agency ■■■ Property Management



320120065P

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1. INTRODUCTION

- 1.1 Gary Hoerty Associates has been instructed by Mr & Mrs K Geldard to submit an outline planning application on their behalf in respect of a proposed residential development on a parcel of land which is located to the north west of Dale View, Billington. The development that is proposed is for the erection of a total of twelve dwellings at the application site. Three houses (Plots 10, 11 and 12) are terraced properties and nine houses (Plots 1-9 incl') are detached properties. Four properties (Plots 1, 10, 11 and 12) are affordable and the remaining eight properties are available to the open market at normal market rates. The development includes an access way and turning head to LCC criteria. It also includes an access to a proposed re-located and re-constructed foul sewer pumping station, which would be positioned in an adjacent field. Access is provided for United Utilities requirements.
- 1.2 Pre-consultation advice has been obtained from the planning authority in relation to whether the site was considered to be suitable for residential development. A positive response was received from the planners in this respect and the site is allocated within the SHLAA, a copy of the pre-application advice is attached at Appendix 1 and the relevant extract from the SHLAA is attached at Appendix 2.
- 1.3 Included with the application are existing and proposed site plans. Please note a section through the site has not been produced as the site is relatively level and consistent throughout.
- 1.4 This Statement provides details of the proposed scheme and assesses the development against the requirements of national, regional, and local planning policy. The conclusion is that the proposal complies with planning policy and should therefore be supported by the Council.

2. THE APPLICATION SITE

- 2.1 The application site comprises a parcel of green field agricultural land extending to approximately 1.2 acres or thereabouts. The land is enclosed by stockproof fencing and there are a few small trees located along some of the site's boundaries. There are three footpaths affected by these proposals, two of which are proposed as being relocated outside the site boundary against an established fence line. The other which runs adjacent to Dale View is slightly relocated within the site. There is no intention to disrupt users of the footpaths or deny their access to areas connected to their use. We consider the changes to be modest and

appropriate approvals will be sought. Please refer to plans for details. There is an existing pumping station at the site and early consultations with United Utilities indicate that it is possible to construct a new pumping station in an adjacent field at the appropriate time as a replacement of this facility. The site is situated adjacent to the village boundary for Billington as defined within the Ribble Valley Districtwide Local Plan (Adopted 1998).

- 2.2 The application site is located to the north west of the existing small housing estate on Dale View and it is proposed that the access to the site will be via Dale View.
- 2.3 Billington has a varied range of housing, including traditional terraced cottages and more modern post-war housing which has a typical suburban character. The properties on Dale View are relatively modern detached dwellings (built in 2000). The village has a secondary school, a village shop, a church, a pub/restaurant, several businesses and a working men's club. There is a frequent bus service approximately 375 metres from the site which is located on Whalley New Road.
- 2.4 The nearby village of Whalley, approximately half a mile away, provides a wider range of services and facilities, including a choice of independent shops, a railway station, a bus station, eating establishments, public houses, three churches and a primary school. It is therefore possible to walk or catch a bus from the application site in order to reach Whalley and from there use the wider range of bus services or the train station service to Clitheroe and Blackburn.
- 2.5 As can be seen from the location plan the site has residential development adjoining it to the east and south east and there is a children's play area to the south of the site. The parcel of land to the south west of the application site has been granted outline approval for the erection of two detached dwellings. The proposed development at this application site will therefore be seen as a natural progression of the built line of development.
- 2.6 The site is relatively low lying and flat in nature.

3. PLANNING CONSIDERATIONS

- 3.0.1 Local planning authorities are required to determine planning applications in accordance with the statutory development plan unless material considerations indicate otherwise. The statutory development plan with regard to the application comprises the North West Regional Spatial Strategy (September 2008); and the saved policies of the Ribble Valley

Districtwide Local Plan (June 1998). The current local plan is thirteen years old and there is more up to date regional and national policy which will be relevant when considering applications for development.

3.1 National Planning Policy

- 3.1.1 The main national planning policy guidance of relevance to the consideration of residential development proposals is set out in PPS1: Delivering Sustainable Development, PPS3: Housing, PPG13: Transport and the draft National Planning Policy Framework (NPPF).

PPS1: Delivering Sustainable Development (February 2005)

- 3.1.2 PPS1 sets out general principles of sustainable development, and also provides general guidance on achieving appropriate planning and design. Planning is expected to facilitate and promote sustainable and inclusive patterns of urban and rural development. Good planning should also protect and enhance the natural and historic environment, the quality and character of the countryside and existing communities. High quality development is sought through good design and the efficient use of resources. Good access to jobs and services should be available to all members of the community.
- 3.1.3 PPS1 provides specific guidance on the achievement of high quality design. Paragraphs 33 to 39 deal specifically with design issues, stating *"good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development...High quality and inclusive design should create well-mixed and integrated developments which avoid segregation."*
- 3.1.4 The guidance continues by setting out factors that a good design should incorporate. These include:
- *address the connections between people and places by considering the needs of people to access jobs and key services;*
 - *be an integral part of the processes of ensuring successful, safe and inclusive villages, towns and cities;*
 - *create an environment where everyone can access and benefit from the full range of opportunities available to member of society; and*
 - *consider the direct and indirect impacts on the natural environment.*
- 3.1.5 Paragraph 27 states in respect of delivering sustainable development that planning authorities should seek to:

- (v) *Provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car, while recognising that this may be more difficult in rural areas.*

PPS3: Housing (June 2010)

3.1.6 PPS3 sets out the Government's key objectives with regard to planning for housing. It states that the key objectives are to ensure everyone has the opportunity to live in a decent home, which they can afford, in a community where they want to live. In order to achieve this, the Government sets out four strategic policy objectives:

- *To achieve a wide choice of high quality homes, both affordable and market housing, to address the requirements of the community;*
- *To widen opportunities for home ownership and ensure high quality housing for those who cannot afford market housing, in particular those who are vulnerable or in need;*
- *To improve affordability across the housing market, including by increasing the supply of housing;*
- *To create sustainable, inclusive, mixed communities in all areas, both urban and rural.*

3.1.7 PPS3 states at paragraph 38 that local planning authorities should set out the criteria to be used for identifying broad location and specific sites taking into account amongst other things, the accessibility of proposed development to existing local community facilities, infrastructure and services, including public transport. It also states that consideration must be given to:

The need to provide housing in rural areas, not only in market towns and local service centres, but also in villages in order to enhance or maintain their sustainability. This should include, particularly in small rural settlements, considering the relationship between settlements so as to ensure that growth is distributed in a way that supports informal social support networks, assists people to live near their work and benefit from key services, minimise environmental impact and, where possible, encourage environmental benefits.

3.1.8 In achieving the strategic housing policy objectives, the outcome of the planning system is envisaged to deliver:

- *High quality housing that is well designed and built to a high standard.*
- *A mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural.*
- *A sufficient quantity of housing taking account of need and demand and seeking to improve choice.*
- *Housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure.*
- *A flexible, responsive supply of land – managed in a way that makes efficient and effective use of land.*

3.1.9 On publication of PPS3, paragraph 7 requires local planning authorities *"to assess and demonstrate the extent to which existing plans already fulfil the requirement set out in this statement to identify and maintain a rolling five-year supply of deliverable land for housing, particularly in connection with making planning decisions."*

3.1.10 In relation to delivering a flexible supply of land for housing, paragraph 52 refers to the Government's objective to ensure the planning system delivers a flexible, responsive supply of land. It states that:

"Local Planning Authorities and Regional Planning Bodies should develop policies and implementation strategies to ensure that sufficient, suitable land is available to achieve their housing and previously-developed land delivery objectives."

3.1.11 Paragraph 53 states that:

"At the local level, Local Planning Authorities should set out in Local Development Documents their policies and strategies for delivering the level of housing provision, including identifying broad locations and specific sites that will enable continuous delivery of housing for at least 15 years from the date of adoption, taking account of the level of housing provision set out in the Regional Spatial Strategy..."

3.1.12 Paragraph 54 states that local planning authorities should identify sufficient specific deliverable sites to deliver housing for the first five years. To be considered deliverable sites should be available, suitable and achievable.

3.1.13 Paragraph 55 states that LPA's should also identify a further supply of specific, developable sites for years 6-10 and where possible for years 11-15.

3.1.14 Paragraph 69 identifies criterion which LPA's should have regard to in determining applications for new residential development:

In general, in deciding planning applications, Local Planning Authorities should have regard to:

- *Achieving high quality housing.*
- *Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people.*
- *The suitability of a site for housing, including its environmental sustainability.*
- *Using land effectively and efficiently.*

3.1.15 Paragraph 69 sets out the considerations for advancing sites which meet wider objectives for planning for housing.

3.1.16 Paragraph 71 states:

Where Local Planning Authorities cannot demonstrate an up-to-date five year supply of deliverable sites, for example, where Local Development Documents have not been reviewed to take into account policies in this PPS or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in this PPS including the considerations in paragraph 69.

3.1.17 Paragraph 72 states:

Local Planning Authorities should not refuse applications solely on the grounds of prematurity.

3.1.18 Paragraph 74 confirms that the Town and Country Planning (Residential Development on Greenfield Land) (England) Direction 2000 was cancelled with effect from 1 April 2007.

3.1.19 The Council does not currently have a five year housing land supply, which is the conclusion set out in the Council's Annual Monitoring Report. This means that proposals for housing development should be looked upon favourably in accordance with PPS3 in order to help address the shortfall in housing supply.

PPG13: Transport (2011)

- 3.1.20 Planning Policy Guidance Note 13: Transport has been updated and the new version was published on 3 January 2011. This document makes reference to more recent planning legislation such as The Transport Act 2000 and Transport 2010: The 10 Year Plan. The updated PPG13 sets out the objectives to integrate planning and transport at the national, strategic and local level and to promote more sustainable transport choices both for carrying people and for moving freight. This document updates PPG13 which was published on 20 April 2001 to reflect changes to parking standards and charges.
- 3.1.21 The objectives of the guidance are to promote more sustainable transport choices for both people and for moving freight, to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and reduce the need to travel, especially by car. The document acknowledges that the car will continue to have an important part to play and for some journeys, particularly in rural areas, it will remain the only real option for travel.
- 3.1.22 In order to achieve these objectives, local authorities must, when preparing development plans and considering planning applications manage urban growth and make the fullest use of public transport and locate development which is highly accessible by public transport, walking and cycling.

National Planning Policy Framework (NPPF)

- 3.1.23 On 25th July 2011, the Government published a consultation draft of a new planning policy statement which is intended to replace the current suite of PPSs and PPGs. The National Planning Policy Framework is intended to provide more concise guidance, but also set out a framework for the positive treatment of development. The Government is committed to delivering development in order to underpin economic growth, which means that a number of policy changes are required as well as a more general change in the way in which development is perceived. We consider that this new emphasis would warrant the Council being supportive of the proposed development.
- 3.1.24 In relation to housing development, local authorities are still required to maintain a five year land supply. However, a twenty per cent contingency is also expected to be maintained. The practical implication of this requirement is that local authorities are now expected to maintain a six year land supply. Local authorities will also be expected to identify sufficient land to meet the full market and affordable housing requirement. This is defined within the NPPF to be the requirement resulting from ONS

projections, as well as need identified within an up to date SHMA. The new Duty to Co-operate will also play an important role in determining the requirement, as it will require local authorities to take account of migration, wider housing market areas and economic growth across boundaries and within sub regional or regional areas.

- 3.1.25 The implication of the changes to be introduced within the NPPF is that the housing requirement for local authorities is unlikely to reduce particularly as ONS projections show only general upward trends underpinning population and household growth. In addition, the Government has at the centre of its agenda 'planning for growth' which again suggests that increased rates of housing delivery are necessary. The implication for local authorities is that housing development should be supported in order to ensure sufficient new homes are delivered.

New Homes Bonus Scheme

- 3.1.26 In addition to changes in policy, the Government has introduced a number of incentives to encourage new homes to be built. A key incentive is the New Homes Bonus Scheme whereby local authorities are awarded a bonus council tax payment for six years on completion of every new dwelling.

3.2 Regional Planning Policy

Regional Spatial Strategy for the North West (2008)

- 3.2.1 Over the last year there has been much uncertainty concerning the status of Regional Spatial Strategies, due to the widely publicised intention of the Government to repeal the legislation through the Localism Act. Following a number of legal challenges by Cala Homes against the Secretary of State, the status of RSS as part of the statutory development plan has now been confirmed. In addition, the due weighting of RSS policy in planning decisions has been clarified through the Courts, and more recently through Appeal Decisions issued by the Planning Inspectorate. A report to Ribbles Valley Borough Council's Planning and Development Committee, on 17 June 2010, confirmed that the RSS housing figures be adopted as the strategic basis for housing land provision in the Borough. Indeed, the Council supported the housing provision figures at the time of RSS preparation. However, it should be noted that the targets in RSS have more recently been found by the Planning Inspectorate to be only a starting point, as local authorities are required to confirm that the targets are still appropriate through local evidence and justification and work in this regard is ongoing. At this moment in time, RSSs will not be revoked until the EIA process has been completed for each Strategy. 30 days'

Notice will then need to be served in the Houses of Parliament before the legislation will be deleted.

- 3.2.2 The North West RSS sets out the strategic planning and development framework for the whole of the North West region, where it provides a framework for policy planning across individual local authorities, including Ribble Valley. Policy L4 (Regional Housing Provision) sets out the expectation that Councils are to manage the availability of land identified in plans and through development control decisions to achieve the housing provision levels stipulated. The provision levels required in Ribble Valley (net of clearance) for the period 2004 – 2021 is 2900. This figure equated to 161 dwellings per year. The housing targets are not intended to be a maximum, instead they serve as a minimum target.
- 3.2.3 Policy DP1 seeks more sustainable decision making in planning with better use of land, buildings and infrastructure and the promotion of an appropriate mix of uses within a site or its wider neighbourhood. Proposals should contribute towards reducing the need to travel and assist people to meet their needs locally.
- 3.2.4 In order to achieve sustainable development, Policy DP2 seeks to promote sustainable communities which foster relationships between homes, workplaces and services; consider the economic, environmental and social implications of development; improve the built environment, health and education; promote safety and exercise; and, integrate and phase the provision of public services and facilities to meet needs.
- 3.2.5 Policy DP4 seeks to make the best use of existing resources and infrastructure, through building on existing concentrations of activity and infrastructure, which does not require new infrastructure
- 3.2.6 The sub-regional priorities for Ribble Valley are set out under Policy CLCR1. The Policy expects investment and sustainable development to be focused in the City of Preston and the 3 towns of Blackburn, Burnley and Blackpool. Development in general is expected to provide for a range of good quality housing, accessible to local facilities, particularly in locations which accord with Policy RDF2.
- 3.2.7 Policy L2 requires local authorities to develop an understanding of local and sub-regional housing markets by undertaking Strategic Housing Market Assessments. This is in order to adopt a comprehensive approach to:
- Influence housing supply to achieve a better match between supply and demand across all types, sizes, tenures and values;
 - Improve the quality of the Region's housing stock;

- Support housing market restructuring and renewal, and overcome increasing issues of affordability; and
- Ensure the needs of the wider population are met, including housing need in local areas.

3.2.8 Policy L4 requires local authorities to monitor and manage the availability of land identified in Plans and through development control decisions in order to achieve the housing targets set out in Table 7.1. Table 7.1 sets out an annual average rate of 161 dwellings per year for Ribble Valley in order to meet a total net housing target of 2,900 over the period 2003 and 2021. At least 65% of development is expected to be delivered on previously developed land. The targets set out in Table 7.1 are not absolute targets and may be exceeded. The annual target is also expected to continue for some years after 2021.

3.2.9 Policies RT1 and RT2 encourage local planning authorities to make best use of existing infrastructure and develop ways in which to manage the demand for travel in the most sustainable ways.

3.3 LOCAL PLANNING POLICY

Ribble Valley Districtwide Local Plan (1998)

3.3.1 The Ribble Valley Districtwide Local Plan was adopted in 1998. The application site is shown on the Local Plan Proposals Map to be located adjacent to the development limits of Billington and within an area designated as open countryside.

General Policies

3.3.2 Policy G1 sets out general considerations for all development proposals. It states that *"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 number of detailed criteria are then set out against which proposals will be determined.

3.3.3 Policy G2 sets out a settlement hierarchy for the borough in which Billington is identified as being as a main settlement.

3.3.4 Policy G5 sets out the criteria against which proposals outside the main settlement boundaries and village boundaries will be determined. The main policy consideration is that proposals are small in scale. The policy then goes on to state that planning consent will be granted for development which is essential to the local economy or the social

wellbeing of the area, or where it is appropriate in rural areas and conforms to other policies in the Plan.

Environment

- 3.3.5 Policy ENV3 sets out the policy considerations for proposals in the open countryside but outside of AONBs. It simply states that proposals are required to be *"in keeping with the character of the landscape area and should reflect local vernacular, scale, style, features and building materials."*

Housing

- 3.3.6 Policy H2 provides criteria for the consideration of residential proposals outside of settlement boundaries. It states that residential development will be limited to proposals including those which meet a proven local need. The Policy goes on to explain that the impact of proposals on the countryside will be an important consideration. Impact is considered to encompass siting, landscaping, scale, design, materials, which are all expected to reflect the character of the area.
- 3.3.7 Paragraph 5.14.3 sets out the indicators for identifying housing need in the Borough, which includes population and household projections.
- 3.3.8 The Local Plan was prepared in accordance with the Lancashire Structure Plan, which sets out a number of key considerations, including the housing requirement for Ribble Valley. The Structure Plan and the housing target referred to in the Local Plan have now been superseded by the Regional Spatial Strategy, which is more up-to-date.

Transport

- 3.3.9 Policy T1 is a general transport policy. It states that the local planning authority will attach considerable weight to the location of the site in relation to the primary route network, including access to adequate public transport. It goes on to encourage proposals which locate developments in areas that maintain and improve choice for people to walk, cycle or catch public transport rather than drive between homes and facilities. Proposals are also supported which strengthen existing town and village centres which offer a range of everyday community shopping and employment opportunities by protecting and enhancing their viability and vitality.
- 3.3.10 Policy T7 deals with parking provision and states:

"All development proposals will be required to provide adequate car parking and servicing space"

3.4 OTHER MATERIAL CONSIDERATIONS

Affordable Housing Memorandum of Understanding (AHMOU)

- 3.4.1 An Affordable Housing Memorandum of Understanding was approved by the Council's Health and Housing Committee in July 2009. This document is in the process of being superseded by a revised document which is due to go to the Housing Committee on 19 January 2012. Currently however the original AHMOU is being used as a material consideration in determining planning applications. This Memorandum states that outside of Longridge and Clitheroe, for developments of 3 or more dwellings (or sites of 0.1 hectares or more irrespective of the number of dwellings), the Council will seek 30% affordable units on sites.

Ribble Valley Borough Council Annual Monitoring Report 2011

- 3.4.2 The Annual Monitoring Report (AMR) 2011 covers the period 1st April, 2010 to 31st March 2011. One of the Core Output Indicators addresses net additional dwellings (in previous years, for the reporting year and in future years). The housing trajectory shows that there have been 375 net additional dwellings over the previous 5-year period, there have been 69 net additional dwellings for the current year, there is a projected 1869 net additional dwellings required up to the end of the relevant development plan period, the annual net additional dwelling requirement is 161 per annum to 2021 and an annual average number of 187 net additional dwellings are needed per year to meet overall housing requirements, having regard to previous year's performance. The adjusted target of 187 per year (for the remainder of the plan period) takes into account the actual completions set against the RSS requirement to highlight the level of development that must occur for these RSS targets to be achieved.
- 3.4.3 Another of the Core Output Indicators is "*Plan period and housing targets*" and this shows that as at 31st March 2011 (taking into account permissions and completions to this date) RVBC has a 2.9 year supply of housing land. Further monitoring since this time has since shown that as at 31st October, 2011, Ribble Valley Borough Council can demonstrate a 3.3 year supply of housing.
- 3.4.4 One of the Core Output Indicators states that there remains a high percentage of dwellings being constructed at a density of 50 dwellings per hectare and above. During the monitoring period, this was inline with the aims of PPS3 as high density development makes better use of land. Since the monitoring period, the new coalition government has revised PPS3 and removed the density targets.

- 3.4.5 One of the Core Output Indicators relates to the identified supply and the supply of deliverable sites over 5 years (Housing Land Availability Survey April 2011). It shows the sites under construction to be 166 and the deliverable permissions (discounted by 10% slippage allowance but including affordable units to be 389. The total supply is 555 which equates to 2.9 years supply at a 5 year adjusted rate at 01.04.11.
- 3.4.6 A local indicator relates to the number of new dwellings approved and states that *"In 2008, the housing restraint policy was removed. This policy, which came into effect in 2002, heavily restricted open market housing. This was introduced to combat an oversupply of housing in the borough and previous AMRs shows that it was evident that this approach worked towards correcting this situation. Of the 388 dwellings that have been approved over the current monitoring period, 283 were on the open market and the remaining 55 were for affordable residential development."*

Strategic Housing Land Availability Assessment (SHLAA)

- 3.4.7 Local authorities are required to produce a SHLAA to inform preparation of LDFs. The main aim of the SHLAA is to identify the amount and the general locations of land for possible future development within the borough. It can also be used to inform the five year land supply in terms of identifying sources of supply if there are insufficient allocations, dwellings under construction or dwellings with planning permission.
- 3.4.8 The findings of the SHLAA are that there is potentially 62 years supply of residential land which is deliverable and developable over the next 15 years. The SHLAA sets out that 5,441 dwellings have the potential to be available and suitable for delivery in the next 5 years, where 70 per cent of the supply would be located within the main settlements of Clitheroe, Longridge and Whalley, and the remaining 30 per cent located within the villages.
- 3.4.9 A consultation was undertaken on the SHLAA in September 2008 where both the methodology and sites to be considered were made available for comment as part of the assessment process. The application site was included in the consultation document and was subject to an assessment at that time. A copy of the assessment sheet and the location plan are included in Appendix 2 of this supporting statement for information.
- 3.4.10 The SHLAA found that the site (Site Reference 201) is suitable and available for development in the immediate five year land supply period. The deliverability of the site states that it should be included in the 5 year supply. The sustainability score for the site is 84, which compares favourably with many of the sites within the SHLAA. The final version of

the SHLAA does not contain any changes in respect of the application site.

4 THE DEVELOPMENT PROPOSAL

- 4.1 The application seeks outline planning permission (all matters other than access reserved) for the creation of a total of twelve dwellings. Three houses (Plots 10, 11 and 12) are terraced properties and nine houses (Plots 1-9 incl) are detached properties. Four properties (Plots 1, 10, 11 and 12) are affordable and the remaining eight properties are available to the open market at normal market rates. The proposed dwellings will be two storey in height. The application is in outline and therefore any details with regard to materials will be the subject of a further application. This planning application is submitted in order to establish the acceptability in principle of residential development on the site.

5 THE PLANNING CASE

- 5.1 The site is greenfield and is outside but adjacent to the settlement boundary of Billington. It is protected from new development by Policies G5 and ENV3 of the adopted local plan unless it is an identified exception or there are other material considerations which outweigh these policies.
- 5.2 The development if approved would represent a departure from the adopted local plan and we set out below the planning case, which supports the principle of development proposed in this application.

Section 38 Planning and Compulsory Purchase Act 2004

- 5.3 Local planning authorities are required by the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the statutory development plan, unless material considerations indicate otherwise.
- 5.4 One such consideration is whether the development plan policies are relevant and up to date. The 2004 Act provides that if there is a conflict between policies in an RSS or policies in a DPD, the most recent policy will take precedence. Likewise, where national policy is more up to date than the development plan then its policies should also take precedence.
- 5.5 The Ribble Valley Districtwide Local Plan was adopted in 1998 and since then RSS for the North West was published in 2008 and PPS3 was revised in 2010. The requirements of PPS3 should therefore take precedence in the determination of any planning application, along with

the policies in the RSS. Only where Local Plan policies have not been superseded by regional or national policy should they be referred to in determining planning applications.

- 5.6 It is important to note that the draft NPPF, although it is not yet published is a material consideration in the determination of planning applications. Therefore current policy should be interpreted in light of the thrust of the draft Framework. The draft NPPF expects local authorities to be positive about development and to plan for growth. (Please refer to section 3.1.23 – 3.1.25 of this report which provides more detail with reference to the draft NPPF).
- 5.7 There has recently been some confusion as to the status of Regional Spatial Strategies and the housing targets following their temporary revocation by the Secretary of State in July. Following a successful legal challenge by Cala Homes, RSSs were reinstated and remain a material consideration in the determination of planning applications; however the second Cala judgement found that limited weight should be given to RSSs. Notwithstanding this the Members of the Council's Planning and Development Committee confirmed that the RSS represents the statutory policy for delivery of housing for development control in June 2010.
- 5.8 In December 2011 the Annual Monitoring Report for 2011 was considered at the Planning and Development Committee. This report identified that as at 31st March 2011 there is a 2.9 year supply of housing land and further monitoring showed that as at 31st October 2011 RVBC demonstrated a 3.3 year supply of housing. This document is due to go to the Housing Committee on 19 January 2012. Currently however the original AHMOU is being used as a material consideration in determining planning applications.

PPS3 and Five Year Land Supply

- 5.9 This planning application has been submitted on the basis that the Local Planning Authority cannot demonstrate a five year land supply in accordance with the requirements of paragraph 71 in PPS3.
- 5.10 As set out under paragraph 4.1.7 above, the Council has identified that as of 31st March, 2011 (taking into account permissions and completions to this date) RVBC has a 2.9 year supply of housing land. Further monitoring since this time has since shown that as at 31st October, 2011, Ribble Valley Borough Council can demonstrate a 3.3 year supply of housing. The Council is unlikely to be able to rectify the situation until an Allocations DPD has been adopted. This is expected to take at least another 2 – 3 years by which time the land supply situation is likely to be exacerbated unless sites are immediately released for development.

- 5.11 In such circumstances it is appropriate to turn to the SHLAA to identify sites which might be available and suitable for development in order to meet an identified shortfall. The SHLAA found that the site is suitable and available for development in the immediate five year land supply period. The deliverability of the site states that it should be included in the 5 year supply. The sustainability score for the site is 84, which compares favourably with many of the sites within the SHLAA. The SHLAA assessment states *'There is a reasonable prospect that housing will be developed on the site'*.
- 5.12 Paragraph 71 of PPS3 states that Local Planning Authorities should consider favourably planning applications for housing where a five year land supply cannot be demonstrated. In doing so, local planning authorities are required to consider whether granting permission would undermine achievement of their policy objectives and the considerations in paragraph 69.
- 5.13 With this in mind, pre-application discussions have already taken place with Council Officers who have indicated that the proposal would be appropriate in principle in the circumstances.

Determining Planning Applications in Accordance with PPS3

- 5.14 The matters which local planning authorities are required to consider under paragraph 69 of PPS3 are set out in turn below:
- 5.15 Achieving high quality housing: the application is for a total of twelve dwellings, nine of which will be detached dwellings with attached garages and three of which will be affordable terraced dwellings. The dwellings on Dale View are detached and therefore it is in our opinion most appropriate to develop detached properties on the site with the addition of a required number of affordable dwellings. The design of the dwellings is not yet known as the application is in outline with only access being determined and it is therefore not possible to comment in any detail at this stage with regard to the quality of the housing which will be created. However the houses will be high quality in terms of the energy efficiency, as they will be built to current Code for Sustainable Homes and Building Regulation standards.
- 5.16 Ensuring a good mix of housing: this is a relatively small scale housing development comprising of a total of twelve dwellings and nine of the dwellings will be detached with attached garages and three will be affordable terraced dwellings.

- 5.17 Suitability of the site, including environmental sustainability: the SHLAA has already found that the site is suitable for development and that it would have limited environmental impact. In addition, the site is neither in nor adjacent to any area designated for nature conservation purposes, it is therefore considered to form sustainable development given the wider policy objectives it would also address. These include its location in relation to access to services and public transport, and a wide range of facilities.
- 5.18 Use land effectively and efficiently: the site is currently a small parcel of agricultural land measuring approximately 1.2 acres and is adjacent to the settlement boundary for Billington. The site is level and the access is via the existing access at Dale View.
- 5.19 Ensure the proposed development is in line with planning for housing objectives: the objective of national and regional planning policy is to ensure there is a wide choice of housing to address the requirements of the community. Regional and local planning policy aims to ensure such development is sustainable by directing development to appropriate locations where there is access to services and facilities, and where development will support the vitality of communities.
- 5.20 The local authority currently does not have a five year land supply in order to deliver the Regional Spatial Strategy target. Planning permissions therefore need to be granted in order to increase the supply of land available to meet the identified housing need and deliver wider policy objectives. The SHLAA provides a source of sites that have been identified as being suitable and potentially available in order to meet local housing need, including the application site.
- 5.21 RSS sets out that at least 65 per cent of residential development within Ribble Valley should be delivered on previously developed land. The AMR demonstrates that in the last reporting year, 85 per cent of development was delivered on previously developed land. Whilst the proposal site is greenfield, it will not undermine the policy objective given that the Council has exceeded the target by such a margin.

Sustainable Development

- 5.22 The site is in a sustainable location which conforms with the objectives of the settlement hierarchy defined under Policy G2, and also the local policy requirements of Policy T1, which addresses accessibility to employment, facilities and services.
- 5.23 The application site is located to the north west of the existing housing estate at Dale View. Access will be gained to the site via Dale View.

There are bus stops within approximately 375m of the proposal site on Whalley New Road, which provide frequent service for residents to travel to either Clitheroe or Blackburn. In addition, there is a railway station in nearby Whalley where a service is provided to Clitheroe and Blackburn, with connections on to Manchester and the wider railway network. The application site is clearly accessible and supports policy objectives in the Local Plan as well as PPG13.

- 5.24 As well as being accessible, it is considered that the proposed development would help to strengthen the existing village centres at both Billington and Whalley in accordance with Policy RT2 in RSS. Billington has a number of services and facilities including a convenience store and a secondary school. There are complimentary and more extensive facilities and services in Whalley which is less than 1.5km from the application site.

Local Planning Policy

- 5.25 The Ribble Valley Local Plan sets out a settlement hierarchy under Policy G2 which considers Billington to be an appropriate location for development. The application site forms a parcel of land which is located adjacent to the development limits. Because the site is outside of the development limits then the Local Plan sets out that general residential development may not be appropriate in the open countryside. However, this itself is not a sufficient reason for refusal given the wider policy considerations set out above and also the detailed policy considerations for proposals in locations on the edge of existing settlement set out below.
- 5.26 Policies G5 and H2 both support small scale development where it does not impact on the character of the open countryside. As we have set out in this report this proposal is for a small scale scheme of twelve dwellings which will be in keeping with the existing development pattern at Dale View. In addition, the proposed development of this site will see a natural continuation to the existing housing estate at Dale View and as the land at the application site is relatively low lying, there will be limited visual impact which will ensure the roof line of the new dwellings would be below the ridge height of the neighbouring properties at Dale View. Whilst the materials, design and siting are matters of a reserved application, planning conditions can be employed to ensure the local authority retains control of such matters and to limit any impact.
- 5.27 We consider that the proposed development conforms with Policies G5 and H2 as not only is the proposal small in scale but it would make a valid contribution to delivering development which is essential to the local economy and the social wellbeing of the area. The Government sets out in PPS1 and PPS3 that residential development supports the economy by

providing housing in support of economic growth. Also, a key objective in supporting wellbeing is providing a variety of housing types and tenures. Furthermore, building houses provides a range of jobs in the construction process.

- 5.28 The application has been made in outline, so many of the detailed matters are the subject of a reserved matters application. We can however confirm that the scale and nature of the proposal is sympathetic to the location. It is only a small scale proposal for a total of twelve dwellings which is to be sited adjoining the estate at Dale View, as shown on the layout plan submitted with the planning application. This is in keeping with the scale of existing development to the south and south east, and it is also typical in character to the development pattern found across Billington.
- 5.29 Consideration has also been given to the height and massing of the proposed dwellings as part of this application to ensure that any concerns about visual impact and the criteria of Policy G1 are addressed. The roof heights of the proposed dwellings would not exceed the height of the neighbouring properties. This will ensure the properties accord with the policy considerations set out in Policy ENV5 in relation to wider visual impact and maintaining character of the existing area.
- 5.30 The road layout is indicated as being an 'Access Way' and it has been designed to satisfy the necessary criteria required by LCC Highways Dept. The indicative layout demonstrates that there is also sufficient space within the application site to accommodate sufficient off-street parking for the twelve proposed dwellings. The amount of traffic generated from the site is capable of being accommodated via Dale View and onto Whalley New Road and meets the required standards in terms of volume, safety and visibility.
- 5.31 As the proposal is an outline application, a number of matters are reserved. However it is not considered that any of these matters prevent the application from being determined, as the matters which are pertinent to the proposal have been included.

6 SIMILAR DEVELOPMENT APPROVED WITHIN THE BOROUGH

- 6.1 We make reference below to a number of similar types of development that have been approved in the Borough in the recent past, which support our opinion that the proposed development should be looked upon favourably.

Application 3/2011/0422 – land at Neddy Lane, Billington

- 6.2 The first application we make reference to is planning application number 3/2011/0422 which is an outline application for two detached dwellings together with associated garages, parking/turning areas and gardens on land at Neddy Lane, Billington. This application was approved with conditions on 18 October 2011. This application permitted residential development on land immediately adjoining the current application site.

Application 3/2011/0541P - Land bounded by Dilworth Lane and Lower Lane, Longridge

- 6.3 We make reference to planning application number 3/2011/0541P for the proposed full application for 49 houses and associated infrastructure works at land bounded by Dilworth Lane and Lower Lane, Longridge. This application was approved at the Planning and Development Committee meeting on 10 November 2011.
- 6.4 The application sought consent for the erection of a total of 49 houses. The scheme comprises a mix of two and three bedroomed semi and terraced housing and four bed detached properties of varying house types, sizes and tenures (10 x 3 bed; 5 x 2 bed and 34 x 4 bed). The affordable housing element of the scheme comprises 15 units in total broken down as 10 x 3 bed units (8 for shared ownership and two for social rent) and 5 x 2 bed units (all five for social rent).
- 6.5 The site lies outside but immediately adjacent to the defined settlement limit of Longridge. It is bounded by the B6243 (Lower Lane) to the south and the B5269 (Dilworth Lane) to the north. The site is green field in nature and enclosed by a mixture of hedgerows, trees and fences.
- 6.6 In the Officer's report to Committee it is stated that

"The proposals are for the development of 49 residential units, 15 of which are for affordable housing. Policy G5 of the Districtwide Local Plan recognises the need to protect the countryside from inappropriate development, and therefore planning permission for local needs housing would only be considered if an affordable local housing need could be identified in this location. This approach of meeting an identified, affordable housing need is consistent with Policy ENV3 of the Districtwide Local Plan which, as well as requiring that any development must be in keeping with the character of the landscape area and reflect local vernacular, scale, style, features and building material, also stipulates that only development that has benefits to the area will be allowed. Although small-scale affordable housing that meets an identified need would comply

with this requirement, wider issues of site suitability and housing supply must also be considered."

6.7 The report continues to state that

"In looking at this issue it is apparent that Ribble Valley Borough Council is currently unable to identify a 5-year supply of deliverable housing land, with this figure standing at 3.3 years as at 1/10/11 (most up to date monitoring information). Paragraph 71 of PPS3: Housing, states that where LPAs cannot demonstrate an up to date five year supply of deliverable sites they should consider favourably planning applications for housing having regard to the policies in PPS3 including the considerations in paragraph 69.

Paragraph 69 states that in deciding planning applications, Local Planning Authorities should have regard to:

- Achieving high quality design,*
- Ensuring developments achieve a good mix of housing,*
- The suitability of a site for housing, including its environmental sustainability,*
- Using land effectively and efficiently; and*
- Ensuring the proposed development is in line with planning for housing objectives.*

An important consideration in assessing these proposals is bullet point 3 of para 69 (as above), which relates to the need for Local Planning Authorities to have regard to the suitability of a site for housing, including its environmental sustainability, as well as bullet point 5, which requires that development consider planning for housing objectives. Paragraph 10 and 36 of PPS3 discuss this further and state that housing developments should be in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure.

In assessing the sustainability of the site regard should also be had to national planning guidance offered in PPS1 'Delivering Sustainable Development' and PPS7 'Sustainable Development in Rural Areas'. The latter document comments in paragraph 3 that 'away from larger urban areas, planning authorities should focus most new development in or near to local service centres where employment, housing (including affordable housing), services and other facilities can be provided close together'. PPS1 comments in paragraph 8 that 'the plan led system, and the certainty and predictability it aims to provide is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contain relevant policies, applications for planning permission should be determined in line with the plan unless material considerations indicate otherwise (in this instance the

requirements of PPS3). Reference is also made in paragraph 33 to the fact that 'good design ensures attractive, usable, durable and adaptable places and is a key element in achieving sustainable development.

6.8 To summarise the Officer states that

"It is considered that although the site would be located on land designated as open countryside, it is adjacent to the settlement boundary of Longridge and therefore closely related to a service centre which can offer these facilities and access, which is in line with planning for housing objectives and considered a suitable site for housing. Therefore based upon the information received to date, the proposals satisfy the criteria set out in paragraph 69 of PPS3 and the requirements of PPS1 and PPS7 in terms of sustainable development."

Application 3/2010/0719 - Land off Henthorn Road, Clitheroe

6.9 We also make reference to planning application number 3/2010/0719 which was approved in the Planning and Development committee dated September 2011. This application was for the proposed residential development of up to 270 dwellings, doctor's surgery, landscape, open space, highways and associated works at land off Henthorn Road, Clitheroe.

6.10 The application site is approximately 15.7 hectares in size, is green field and in agricultural use. The site lies outside the settlement limit within land designated as Open Countryside.

6.11 The report to committee states

"It is important to bear in mind however that the Adopted Saved Local Plan was prepared in the 1990's against previous Lancashire Structure Plan policies that have been superseded by Policies of the RSS. RSS policies promote different levels of growth and planned for a period beyond that of the 2006 end date for the current Local Plan. Whilst policies have been saved, there have been no revisions of the old policies to reflect new growth and the need as a result to review settlement boundaries."

6.12 The report continues

"In relation to the current proposal, it should be judged in the first instance against requirements of Planning Policy Statement 3 – 'Housing'. It is also important to note that the provisions within PPS3 explicitly provide for its policies to supersede existing development plan provisions. The Council cannot demonstrate a five-year supply as it is required to do therefore the tests of paragraph 69 must be applied. The main element of principle

therefore becomes one of whether the site is a suitable site for residential development. PPS3 creates a presumption in favour of residential development where the tests sets out in the Statement are met."

6.13 These comments are particularly relevant to our client's application site.

6.14 The report also states that

"Objectors have questioned the need to develop the site for housing given the number of dwellings for sale in the area but the Council are required to have a five-year land supply. Thus new land for development within the borough needs to be sought out and permission granted should the scheme comply with plan policies that are in place at the time of determination."

6.15 The report makes reference to an example of planning permission that was granted consent by the Secretary of State on the 21 July 2011 for a site at Clayton-le-Woods, Chorley, *"where they feel some of the main issues are clearly similar in context to the main issues under consideration for this scheme."* It is apparent that residential development outside of settlement boundaries is being viewed in a favourable way by Councils in order to help towards the supply of deliverable housing land.

7. SUMMARY AND CONCLUSIONS

7.1 The proposed development complies with local, regional and national planning policy and will provide an attractive modest housing development on land immediately adjoining the settlement boundary for Billington.

7.2 The development will provide much needed housing in a sustainable location in accordance with the principles of good design. The site has been identified in the SHLAA as being capable of helping to deliver local housing need identified in the SHMA.

7.3 Whilst the development site lies outside the settlement boundary of Billington we have demonstrated in this Statement that there are significant material considerations which support the development of this site.

7.4 We consider that this application should be fully supported by the Council.

Signed J. Hindle Date 13/01/12
Jennifer Hindle BA (Hons)
For and on behalf of Gary Hoerty Associates

320120065 P

APPENDIX 1

Pre-application consultation response

320120065P

RIBBLE VALLEY BOROUGH COUNCIL

please ask for: COLIN SHARPE

direct line: 01200 414500

e-mail: colin.sharpe@ribblevalley.gov.uk

my ref: CS/JS/ENQ2010/00425

your ref:

date: 23 December 2010

Council Offices

Church Walk

CLITHEROE

Lancashire BB7 2RA

Switchboard: 01200 425111

Fax: 01200 414487

DX: Clitheroe 15157

www.ribblevalley.gov.uk

Dear Gary

PROPOSED OPEN MARKET AND AFFORDABLE HOUSING ON LAND AT NEDDY LANE AND WEST OF DALE VIEW, BILLINGTON

This letter is the Council's formal written response to your pre application enquiry concerning the above mentioned development, about which we had a meeting in these offices on 21 October 2010. I apologise for the delay in sending this written response following our meeting.

Although I was the only Council Officer at the meeting, I confirmed that I had previously sought the views of a Forward Planning Officer and a Lancashire County Council Highway Engineer.

The Highway Engineer stated that he would have no objections in principle to development on this land. He added that access to one or both parcels of land from Dale View would be acceptable, but that, subject to appropriate access details, he would accept a development on the smaller (roughly rectangular) site served from Neddy Lane.

The Forward Planning Officer expressed the opinion that, even though both parcels of land are outside the settlement boundary of Billington, their development would represent a "rounding off" of development in this locality. In the present housing situation in the Borough (ie with the lack of an identified five year supply of housing land) housing development on both parcels of land is considered to be acceptable in principle. The affordable housing requirement would be 30% for any development of three or more units.

Having visited the sites, I consider that their development would satisfy the criteria in Paragraph 69 of PPS3. The surrounding landforms mean that the triangular site in particular will be screened from view from many directions. Even from viewpoints where the development would be visible, I consider that, subject to appropriate scale, design and external materials, it would appear as an appropriate and logical extension of the existing Dale View development.

You have advised me that you intend to submit an application for the smaller parcel of land in the near future. In view of the change of levels across this particular site, I would suggest that, ideally, this should be a "full" application in order that the impact of the dwellings on the local landscape can be fully assessed. If, however, you intend to submit an outline application, it should contain existing and proposed site sections, and

continued \

continuation. \

an indication of the footprint, eaves and ridge heights of the proposed dwellings. Just to confirm, if three dwellings are proposed for this particular parcel of land, then one of them would need to be "affordable"

David Hewitt has requested that a Phase I Habitat Survey, and a Tree Survey be submitted with applications for both sites.

Any development would also have to pay regard to the Public Footpaths that cross the site.

I trust that you will find these comments of assistance, but I must point out that this letter is written at officer level only, and is entirely without prejudice to the Council's formal consideration of any planning applications that are submitted.

If you have any queries about any aspects of this letter, do not hesitate to contact me.

Yours sincerely

COLIN SHARPE
SENIOR PLANNING OFFICER

Gary Hoerty Associates
34 Wellgate
CLITHEROE
Lancashire
BB7 2DP

continuation \

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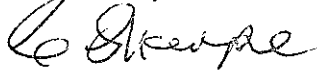
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If you have any queries about any aspects of this letter, do not hesitate to contact me.

Yours sincerely



COLIN SHARPE
SENIOR PLANNING OFFICER

Gary Hoerty Associates
34 Wellgate
CLITHEROE
Lancashire
BB7 2DP

320120065P

APPENDIX 2

Site details in the Strategic housing Land Availability Assessment 2008

220120065P

STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2008

Site Details		Suggested By...	
Site Ref:	201	Name:	Settlement Audit
Site Location:	Paddock West of Dale View		
Town/Village:	Billington		
Current Land Use:	Scrub land	Potential Capacity:	14.7
Neighbouring Use:	Residential, fields, gravel track to side	Gross Area (Ha.):	0.42
Visual Prominance:	Localised	Net Area (Ha.):	0.42
In Operational Employment Use:	No		
Green/Brown field:	Greenfield		

Availability		Achievability		Deliverability	
Site Availability:	0 - 5 Years	Is the Site Achievable:	Yes	Is the Site Deliverable:	INCLUDED IN 5-YEAR SUPPLY
Is the Site Available:	Yes				

Availability Comments: The site is either unregistered or has one registered owner and is therefore available

Achievability Comments: There is a reasonable prospect that housing will be developed on the site.

Sustainability Scoring Criteria

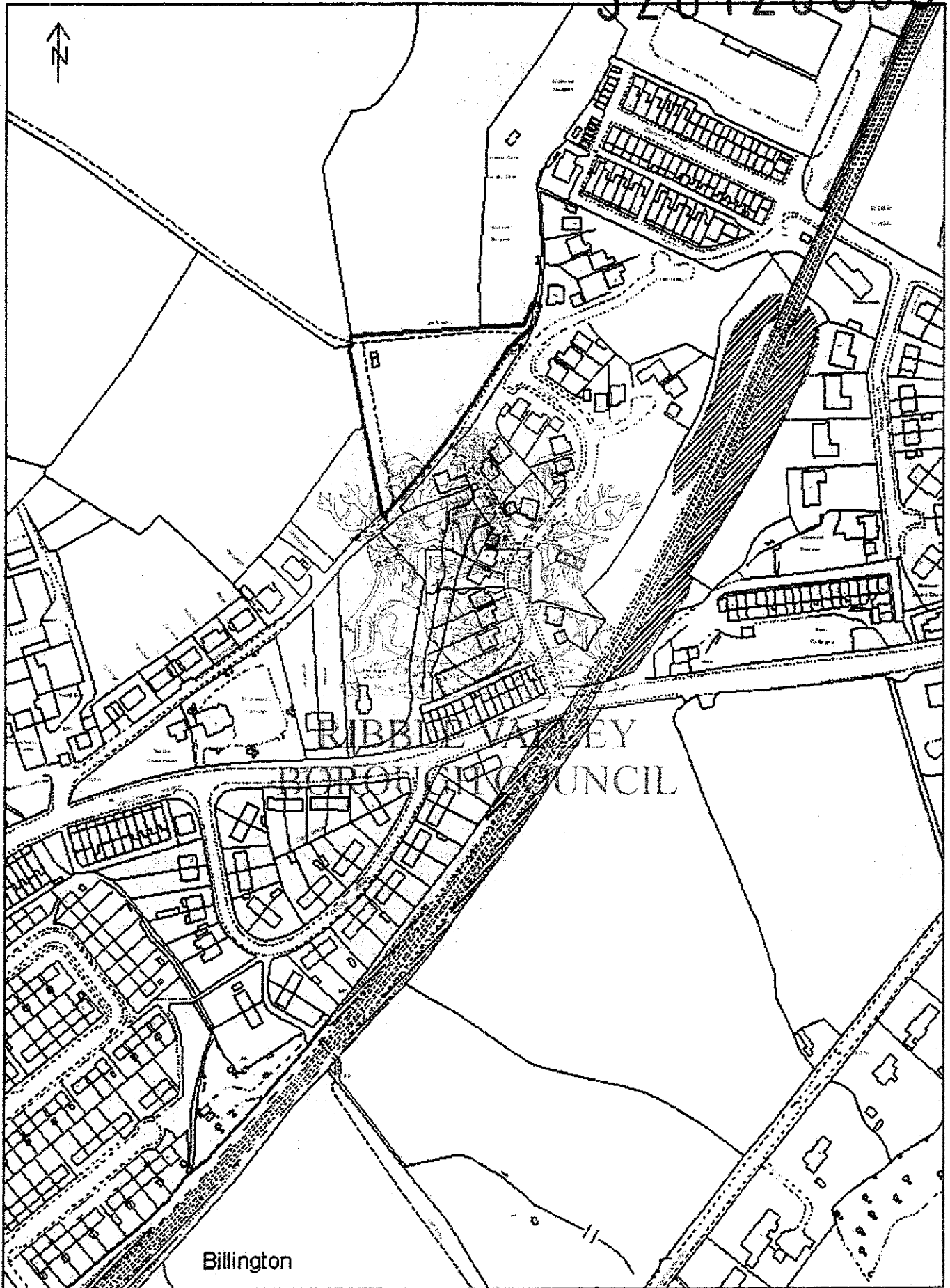
S1. Main Development Location:	1	S12. Within Conservation Area:	5
S2. Previously Developed:	1	S13. Impact on Listed Building/Setting:	5
S3. Covered by Essential Open Space:	5	S14. Impact on Scheduled Ancient Monument or Setting:	5
S4. Lead to Loss of Employment Land:	5	S15. In Archaeological Hazard Area:	5
S5. Car Parking at Minimum Level:	5	S16. Site Contains a TPO:	5
S6. Is Majority in Green Belt:	5	S17. Nature Conservation Area:	5
S7. Suitable Infrastructure:	1	S18. Development Adversely Impacts on Surrounding Uses:	3
S8. Can Infrastructure be Adapted:	3	S19. Any Bad Neighbour Land Uses:	5
S9. Within Landfill Consultation Zone:	5	S20. Consultation Zone for High Pressure Pipelines:	5
S10. Constrained by Topography:	5		
S11. Risk of River Flooding:	5		
S21. Other Constraints:	Footpath's run through the site	Final Criteria Score:	84

Has the Site been Excluded: No

Reason for Exclusion: N/A

Any other Comments: Footpath runs through the site.

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Site 201 Paddock West of Dale View, Billington

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