

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

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Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2012/0578

DECISION DATE: 14 December 2012

DATE RECEIVED: 29/06/2012

APPLICANT:

Mr John Greenhalgh
c/o Agent

AGENT:

De Pol Associates Ltd
44 Garstang Road
Preston
Lancs
PR1 1NA

DEVELOPMENT PROPOSED: Development of outdoor adventure centre to include 1) treetop aerial adventure course; 2) segway course; 3) barefoot trails; 4) children's adventure play/trail; and 5) education/interpretation trails. Erection of building to provide ticketing, customer service facilities, toilets, restaurant and cafe, covered seating areas and ancillary retail sales. Construction of new access to the A671 with parking for 50 cars (8 disabled spaces), 5 coaches, together with cycle and motorcycle parking and associated roads and landscaping.

AT: Devil's Elbow land off Whalley Road (A671) Read Lancashire

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

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

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

2. The permission shall relate to the development as shown on Plan Drawing No's 11.26 PL 01 Rev. C, 11.26 PL 02 Rev. C, 11.26 PL 03 Rev. A, 11.26 PL 04 Rev. A and J098/Extlay/Fig 3.

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

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan and DME1 of Regulation 22 Submission Draft of the Core Strategy.

P.T.O.

4. No part of the development shall take place until an updated survey of the heronry has been carried out during the optimum period of December 2012 to July 2013. The survey shall consist of a minimum of 6 visits with at least 3 carried out in pre-leaf stage of the woodland. The results of the updated survey shall be submitted to the Local Planning Authority Countryside Officer and the RSPB North West Office.

The updated survey shall include details on the extent of the heronry, the position and number of nests and individual herons/breeding pairs present. If such a use by herons is confirmed a mitigation buffer zone shall be established in accordance with condition no 6 including appropriate measures designed to protect the heronry the details of which shall be submitted to and agreed in writing by the Local Planning Authority Countryside Officer before any work commences on the approved Development.

The actions, methods & timings included in the mitigation measures identified shall be fully implemented and adhered to through the life span of the development.

REASON: To establish the number of herons and extent of the heronry so that appropriate mitigation measures are implemented. In accordance with Local Plan Policies ENV3, ENV7, ENV9 and ENV13, Policy DME3 of Regulation 22 Submission Draft Ribble Valley Core Strategy and Key Statement EN3, Policies EM1 and DP7 of the RSS and paragraphs 7, 9, 14, 17, 109, 118 and 119 of the NPPF.

5. There shall be no engineering operations or other construction works including works to any trees, shrubs or other vegetation, carried out anywhere within the woodland during the period commencing the first week of February to the last week of July inclusive, until or unless it has first been confirmed by an ecologist that breeding birds are not present.

REASON: To protect ground nesting birds from damaging activities and reduce or remove the impact of development. To ensure that there are no adverse effects on the favourable status of ground nesting birds before and during the proposed development. In accordance with Local Plan Policies ENV3, ENV7, ENV9 and ENV13, Policy DME3 of Regulation 22 Submission Draft Ribble Valley Core Strategy and Key Statement EN3, Policies EM1 and DP7 of the RSS and paragraphs 7, 9, 14, 17, 109, 118 and 119 of the NPPF.

6. Where necessary, following the survey findings as received by condition No 4 and prior to commencement of any part of the development a 50m buffer zone shall be established beyond which all infrastructure work, including the operation of loud or vibrating machinery, shall be restricted to during the heron pairing and breeding season December to July. The details of the buffer zone including a map confirming the extent of the 50m buffer zones and all the protection and mitigation measures shall also be submitted to the local planning authority. The actions, methods & timing details included in the mitigation notes attached to the details submitted shall be fully implemented and maintained during the entire life span of the development. Mitigation refers to practices adopted to reduce or remove the risk of disturbance, injury or death of herons or destruction of the heronry in part or whole.

REASON: To protect a known heronry from damaging activities and reduce or remove the impact of development. To ensure that there are no adverse effects on the favourable status of a heron population before and during the proposed development. In accordance with Local Plan Policies ENV3, ENV7, ENV9 and ENV13 of the Districtwide Local Plan and Policy DME3 of Regulation 22 Submission Draft of the Core Strategy and Key Statement EN3, Policies EM1 and DP7 of the RSS and paragraphs 7, 9, 14, 17, 109, 118 and 119 of the NPPF.

P.T.O.

7. Prior to commencement of any part of the development details of a post development - monitoring plan shall be submitted to and agreed in writing with the local planning department. The details of the monitoring plan shall include methodology/recording methods, frequency and timing of the monitoring process as well as any measures that may be required in order to mitigate against any adverse affects of the development on the established heronry. The approved monitoring process shall be carried out in accordance with the details submitted for a period of not less than three years commencing during the first breeding season December to July following occupancy/use of the site.

The findings of the monitoring process shall be submitted on an annual basis to the local planning authority, the RSPB North West Office and the East Lancashire Ornithological Club. A final monitoring report shall also be submitted at the end of year three to the local planning authority, the RSPB North West Office and the East Lancashire Ornithological Club.

REASON: In order to determine the impact of the development on a known heronry. In accordance with Local Plan Policies ENV3, ENV7, ENV9 and ENV13, Policy DME3 of Regulation 22 Submission Draft Ribble Valley Core Strategy and Key Statement EN3, Policies EM1 and DP7 of the RSS and paragraphs 7, 9, 14, 17, 109, 118 and 119 of the NPPF.

8. Prior to commencement of any part of the development a detailed mitigation plan for species identified in the Extended Phase 1 Habitat Survey & Baseline Ecology Impact Assessment dated June 2012 shall be submitted to and agreed in writing with the local planning authority. The details submitted shall include details of the frequency, extent and timings of surveys for birds, their breeding sites or resting places. All works shall proceed in accordance with the approved strategy with any amendments agreed in writing.

REASON: To protect birds and their nest/roost sites from damaging activities and reduce or remove the impact of development. To ensure that there are no adverse effects on the favourable status of birds, their nest and roost sites. In accordance with Local Plan Policies ENV3, ENV7, ENV9 and ENV13, Policy DME3 of Regulation 22 Submission Draft Ribble Valley Core Strategy and Key Statement EN3, Policies EM1 and DP7 of the RSS and paragraphs 7, 9, 14, 17, 109, 118 and 119 of the NPPF, the Wildlife & Countryside Act 1981 as amended and the Conservation [Natural Habitats & c.] Regulations 1994.

P.T.O.

9. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees identified in the Arboricultural Impact Assessment & Method Statement dated 20th of June 2012 shall be protected in accordance with the BS5837 2012 [Trees in Relation to Design, Demolition & Construction] the details of which shall be agreed in writing and implemented in full under the supervision of a qualified Arboriculturalist and in liaison with the Countryside/Tree Officer.

A tree protection - monitoring schedule shall be agreed and tree protection measures inspected by the local planning authority before any site works are begun. The root protection/exclusion zone shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection/exclusion zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented without prior written consent, which will only be granted when the local authority is satisfied that it is necessary in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and considered to be of visual, historic or botanical value is afforded maximum physical protection from the potential adverse affects of development. In order to comply with planning Policies G1 and ENV13 of the District Wide Local Plan and DMG1 of the Regulation 22 Submission Draft of the Core Strategy. In order to ensure that trees of visual amenity/botanical/historical value are protected against adverse affects of the development.

10. Notwithstanding the submitted details, the development hereby permitted shall not be commenced until details of the landscaping of the site, including the location and extent of new planting and a detailed plant schedule, have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, appropriate, types and numbers of trees and shrubs, their distribution on site, including details of any changes of level or landform and the types and details of all fencing and screening. The scheme shall include a solid screen fence between the vehicular parking area and the former gatehouse.

The approved landscaping scheme shall be implemented in the first planting season following commencement of the development unless otherwise agreed by the Local Planning Authority, whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub that is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of the amenity of the area and to comply with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan.

11. Prior to the commencement of the use of the site hereby approved, a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

REASON: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site.

P.T.O.

12. Full details of the access restriction scheme shall be submitted to Ribble Valley Borough Council for approval in writing in consultation with their advisors. The scheme shall include:

- A map identifying the areas to remain undisturbed with no access (to include the northern area of woodland and areas of woodland to the south and east of the proposed site access and coach parking),
- Complete restriction of dogs from the woodland areas [to prevent impacts on wildlife including protected species],
- Details of fencing to demonstrate access restrictions will be achievable and enforceable and that movement of wildlife shall be maintained,
- Details of long term enforcement of access restrictions, and
- Long term monitoring of success of access restrictions and scope for a revised strategy of enforcement.

The approved scheme shall be implemented in accordance with the approved details prior to any recreational activities occurring at the site.

REASON: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site.

13. Full details of the ground level access scheme shall be submitted to Ribble Valley Borough Council for approval in writing in consultation with their advisors. The scheme shall:

- Provide details of access/track/walkway routes.
- Be informed by a spring survey of woodland flora and updated survey of woodland fauna, included protected species, in order to demonstrate that the route selection will result in the least ecological impact and to identify any species worthy of translocation.
- Provide details of translocation methods of any species worthy of translocation.
- Avoid impacts on native trees and any trees with bat roost potential, bird nesting habitat, and other good biodiversity value such as bryophytes, microhabitat etc.
- Avoid impacts on dead wood (both fallen and standing) and demonstrate retention of any dead wood in situ.
- Provide details of route widths and demonstrate widths have been kept to a minimum (e.g. through use of a one way system, infrequent passing places).
- Provide details of track material to demonstrate that it will have minimal impacts and will not alter the pH balance (i.e. any hardcore shall be in line with local geology).
- Provide details of watercourse crossings (such as present in the proposed barefoot trail area) to demonstrate impacts will be kept to a minimum.

The approved scheme shall be implemented in accordance with the approved details prior to any recreational activities occurring at the site.

REASON: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site.

P.T.O.

14. Full details of the woodland high wire course shall be submitted to Ribble Valley Borough Council for approval in writing in consultation with their advisors. The scheme shall:
- Provide details of the route location, height and materials.
 - Avoid impacts on ancient woodland.
 - Be agreed by an Ecologist on site.
 - Avoid impacts on native trees.
 - Avoid trees with other good biodiversity value such as bryophytes, microhabitat etc.
 - Provide confirmation that the route will not result in impacts on trees with or adjacent to trees with bat roost potential and/or bird nesting habitat

The approved scheme shall be implemented in accordance with the approved details prior to the woodland high wire course being brought into use

REASON: Due to potential noise disturbance off site, zip wires, rope swings, bridges may be excluded from Northern sector of site, and to ensure the protection of wildlife and supporting habitat.

15. Prior to commencement of development, details of the layout, method of construction and materials to be used in constructing the approved outdoor activities shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.

REASON: In the interests of the amenity of the area and to ensure the protection of wildlife and supporting habitat to comply with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan.

16. Any trees proposed for removal or to be utilised to provide the high wire course shall be assessed for suitability of use by roosting bats prior to their removal. Should there be any evidence of bat roosting, no works shall commence until detailed mitigation measures for the avoidance of impacts upon bats have been submitted to and approved in writing by the local planning authority. The approved mitigation scheme shall be implemented prior to commencing any works to the trees.

REASON: To ensure that there are no adverse affects of development on a species protected by the Wildlife & Countryside Act 1981 as amended, the Conservation [Natural Habitats & c.] Regulations 1994 and District Wide Local Plan.

P.T.O.

17. No site clearance, site preparation or development work shall take place until a habitat creation/enhancement and management plan has been submitted and approved in writing by Ribble Valley Borough Council in consultation with specialist ecological advisors. The management plan should include:

- Objectives.
- Rationale.
- Current condition and management, including species lists and survey maps.
- Fully detailed methods of reinstatement of any damage to ground flora during construction, habitat creation / restoration / enhancement proposals.
- Detailed long term management prescriptions including maps showing areas to be managed and informed by up to date surveys of flora and fauna.
- Monitoring proposals.
- Periodic review of prescriptions in consultation with planning authority in consultation with their ecological advisors

The management plan shall demonstrate that all likely short and long-term impacts will be fully offset and that overall biodiversity enhancement will be delivered, to include:

- Gradual removal of Rhododendron (*Rhododendron ponticum*) (a species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended)) and replacement with native understory,
- Eradication of Himalayan Balsam (*Impatiens glandulifera*) from the site,
- Expansion of woodland and woodland edge habitat within the red line boundary to the east of the car park and within the area currently used to access the site,
- Control of non-native tree and shrub regeneration and replacement with appropriate native trees and shrubs,
- Gradual thinning of non-native trees and replacement with appropriate native species,
- Retention of mature non-native trees with features of biodiversity value such as Ivy cover, holes, cracks, bat roost potential, significant breeding bird potential, bryophytes etc,
- Retention of standing and fallen deadwood in situ, unless a health and safety risk can be demonstrated,
- Landscaping and habitat creation shall comprise native species appropriate to the locality. Appropriate guidance is given in Lancashire County Council's Supplementary Planning Guidance on Landscape and Heritage .
- Appropriate installation of bat roosting and bird nesting boxes.

The approved habitat creation/enhancement and management plan shall be commenced in accordance with the approved details implemented in full prior to any recreational activities occurring at the site, and shall run throughout the lifetime of the development.

REASON: To ensure that there are no adverse effects on a species protected by the Wildlife & Countryside Act 1981 as amended and the Conservation [Natural Habitats & c.] Regulations 1994 by virtue of the approved development.

P.T.O.

18. A precautionary badger survey shall be carried out immediately prior to commencement of works. In the event that previously unrecorded badgers sett(s) are observed during this survey or at any other time prior to or during works then no works shall commence until detailed mitigation measures for the avoidance of impacts on badgers have been submitted to Ribble Valley Borough Council for approval in writing in consultation with their ecological advisors or until Natural England have been consulted over the need for a licence (if necessary). The approved mitigation scheme shall be implemented in full prior to any recreational activities occurring at the site.

REASON: To ensure that there are no adverse affects on a species protected by the Wildlife & Countryside Act 1981 as amended and the Conservation [Natural Habitats & c.] Regulations 1994 by virtue of the approved development.

19. Site lighting shall be limited to the car parking area and entranceway to centre, with any site lighting to be designed to be inward facing so as not to illuminate beyond the boundary of the above areas. No lighting shall be installed within the woodland or along woodland edges, and lighting associated with the development should be designed to avoid excessive light spill and shall not illuminate the woodland or woodland edges, at any time prior to commencement of works, during construction, throughout the lifetime of the development or during deconstruction works. Only external lighting, which has received the prior written approval of the local planning authority, shall be installed within the application site at any time.

REASON: In the interests of protecting residential amenity and highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan, and to avoid dazzle, glare or distraction. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2008).

20. Tree felling, tree works, vegetation clearance works, vehicle movements, development works or other works that may affect nesting birds will be avoided between March and August inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections.

REASON: To ensure that there are no adverse affects of development on species of conservation concern.

21. Prior to the completion of the development, a substantial and correctly installed vehicular barrier shall be erected at the car park entrance, a minimum of 5m behind the nearside edge of the carriageway, to prevent access out of hours. Any gates/barriers shall open away from the highway and shall remain closed when the building is unoccupied.

REASON: To permit vehicles to pull clear of the carriageway when entering the site in the interests of highway safety, and to provide security on site when the building is unoccupied. In order to comply with planning policy G1 of the District Wide Local Plan and DMG1 of Regulation 22 Submission Draft of the Core Strategy.

P.T.O.

22. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This is in order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

REASON: To satisfy the Local Planning Authority and Highway Authority that the final details of the highway works are acceptable before work commences on site, and in order to comply with planning policy G1 of the District Wide Local Plan and DMG1 of Regulation 22 Submission Draft of the Core Strategy.

23. There shall not at any time in connection with the development be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4 metres measured along the centreline of the proposed access road from the nearer edge of the carriageway of the A671 to points measured 105 metres in each direction along the nearer edge of the carriageway of the A671, and shall be constructed and maintained at footway level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority.

REASON: To ensure adequate visibility at the site access.

24. Before the access is used for vehicular purposes, the access and car park area detailed on drawing no. shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials. The parking and manoeuvring areas shall be laid out in accordance with drawing no. 11.26 PL 02 Rev. C and shall be available for use before the development is brought into use.

REASON: To prevent loose surface material from being carried onto the public highway thus causing a potential source of danger to other road users, and to provide adequate car parking facilities for the development.

25. The existing vehicular access into the site shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads, concurrent with the formation of the new access.

REASON: To limit the number of access points to the site, and to maintain the proper construction of the highway.

P.T.O.

26. In the interests of residential amenity and to enhance safe working practices on or near the highway, no development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for:

1. the parking of vehicles of site operatives and visitors,
2. loading and unloading of plant and materials,
3. storage of plant and materials used in constructing the development,
4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
5. wheel-washing facilities,
6. measures to control the emission of dust and dirt during construction, and
7. a scheme for recycling/disposing of waste resulting from demolition and construction works.

REASON: In the interests of protecting residential amenity from noise and disturbance in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and DMG1 of Regulation 22 Submission Draft of the Core Strategy.

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

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

28. The use of the facilities and premises in accordance with this permission shall be restricted to the hours between 0900 to 1900 between 1 April to 31 October and between 0900 to 1730 between 1 November to 31 March.

REASON: To safeguard residential amenities. The use of the premises outside these hours could prove injurious to the amenity of the occupiers of adjacent dwellings and would require further consideration.

29. The buildings hereby approved by this permission shall only be used between the hours of 0900 to 2000 between 1 April to 31 October, and 0900 to 1800 between 1 November and 31 March.

REASON: To safeguard residential amenities. The use of the premises outside these hours could prove injurious to the amenity of the occupiers of adjacent dwellings and would require further consideration.

30. There shall be no amplified music at the site unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of the amenities of nearby residents.

P.T.O.

Relevant planning policy

National Planning Policy Framework.
Policy G1 - Development Control.
Policy G5 - Settlement Strategy.
Policy G11 - Crime Prevention.
Policy ENV3 - Development in Open Countryside.
Policy ENV7 - Species Protection.
Policy ENV9 - Important Wildlife Site.
Policy ENV10 - Development Affecting Nature Conservation.
Policy ENV12 - Ancient Woodlands.
Policy ENV13 - Landscape Protection.
Policy ENV19 - Listed Buildings.
Policy RT1 - General Recreation and Tourism Policy.
Policy T1 - Development Proposals - Transport Implications.
Policy T7 - Parking Provision.
NW of England Plan Regional Spatial Strategy to 2021 - Policy EM1.
NW of England Plan Regional Spatial Strategy to 2021 - Policy DP7.
Biological Heritage Sites - Guidelines for Site Selection.
Government Circular 06/2005: Biodiversity and Geological Conservation.
DEFRA Circular 01/2005.
The Conservation of Habitats and Species Regulations 2010 (as amended).
Wildlife and Countryside Act 1981 (as amended).
Natural Environment and Rural Communities Act 2006.
The Protection of Badgers Act 1992.
Planning (Listed Buildings and Conservation Areas) Act 1990.
'Setting of Heritage Assets: English Heritage Guidance' (EH, October 2011).
Historic Environment Planning Practice Guide (HEPPG, March 2010).
Key Statement EN4 of the Core Strategy (Regulation 22 Submission Draft).
Development Management Policy DME3 of the Core Strategy (Regulation 22 Submission Draft).
Development Management Policy DME1 of the Core Strategy (Regulation 22 Submission Draft).

SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding countryside, nor would its use have an adverse impact on highway safety.

The Local Planning Authority operates a pre-planning application advice service which applicants are encouraged to use. Whether or not this was used, the Local Planning Authority has endeavoured to work proactively and positively to resolve issues and considered the imposition of appropriate conditions and amendments to the application to deliver a sustainable form of development "

Note(s)

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.
3. All aspects of the outdoor adventure centre must comply with Health & Safety at Work Etc Act 1974. P.T.O.

4. A separate metered supply will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999. Applicant should contact Service Enquiries on 0845 7462200 regarding connection to the water mains/public sewers.
5. Under the Environmental Permitting (England & Wales) Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold an environmental permit issued by the Environment Agency. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.
6. Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period may be registered as an exempt activity provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.
7. A soakaway used to serve a non-main drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.
8. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality. Ponds, reed beds and seasonally flooded grasslands can be particularly attractive features within public open spaces.
9. The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.
10. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority hereby reserved the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works.
11. Should the Local Planning Authority be minded to approve this development, the County Council would ask that the Applicant enter into a S278 Agreement in order to secure the following off-site highways works: -
 1. Prior to the opening of the site to members of the public, the provision of interactive warning signs to encourage compliance with the advisory 30mph Speed Limit to the west of the site, with the intention of encouraging reduced speeds on approach to the site entrance.
 2. No part of the development shall commence until a scheme for the provision of improved street lighting provisions have been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.
 3. The provision of new or upgraded stops would be subject to a suitable design being agreed, the intention would be to pursue stops to LCC Quality Bus Standards, including illuminated shelters to LCC specification, raised footway (160mm kerb height) and Bus Clearway Markings.

An initial estimate of the costs of this provision would be £20k per location plus a £2k commuted sum for future maintenance.

P.T.O.

The applicant should be advised to contact Oliver Starkey, Public Realm Manager (Ribble Valley), Lancashire County Council, Willows Lane, ACCRINGTON BB5 0RT on 01254 770960 or customerserviceeast@lancashire.gov.uk regarding the required Legal Agreement.

12. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.

**JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES**