

FAO Laura Eastwood Ribble Valley Planning

Planning Application No: 3/2021/1153 Grid Ref: 376632 444055

Proposal: Proposed dwelling with basement accommodation on an in-fill site adjacent to no 9 Old Road Chatburn, following refused applications 3/2019/0498 and 3/2020/0145.

Location: land adjacent to no 9 Old Road Chatburn BB7 4AB

I'm writing with regards to the above application and wish to formally object on the following grounds:

Application Form

On review of the application form submitted I would like to make the following comments

Trees and Hedges

1. The applications states there are no trees and hedges.
2. This is most likely incorrect. The shrubs and bushes along the edge of old road and in this application site area may be a hedge. An ecologist should inspect the site and advise what the current status is.
3. There are also trees and hedges required as part of the HHC development planning approval that have not been installed and maintained in accordance with the HHC planning conditions. The HHC landscaping works would be affected by the proposed development.

Biodiversity and Geological Conservation

1. The applicant has ticked no to all the questions. This is incorrect. The entire basis of this application appears to use the recent appeal decision "Appeal Decisions APP/Q2371/C/19/3243448 and APP/Q2371/W/20/3264309" as a basis of saying no to all of the Section 12. Biodiversity and Geological Conservation questions in the application.
2. Part of the site and land adjacent to the site contains the original geological features, grasslands, shrubs and species that were previously identified through the environmental survey as protected habitat and have not been affected by the infilling activities associated with the development of Hare Hill Croft (HHC). This is clearly existing natural habitat that would be destroyed or affected by the proposed development. Details of the existing habitat that was classified as "UK BAP Priority Habitat / Habitat of Principal Importance of Conservation" and "UK BAP Priority Species" are detailed in the Ecology Report reference "14_0618_ecology_report" submitted in relation to the Hare Hill Croft RVBC Planning Application Decision reference 3/2014/0618.
3. The following photographs show evidence that as part of the infilling works to provide a supporting structure to the Hare Hill Croft development areas of the now proposed

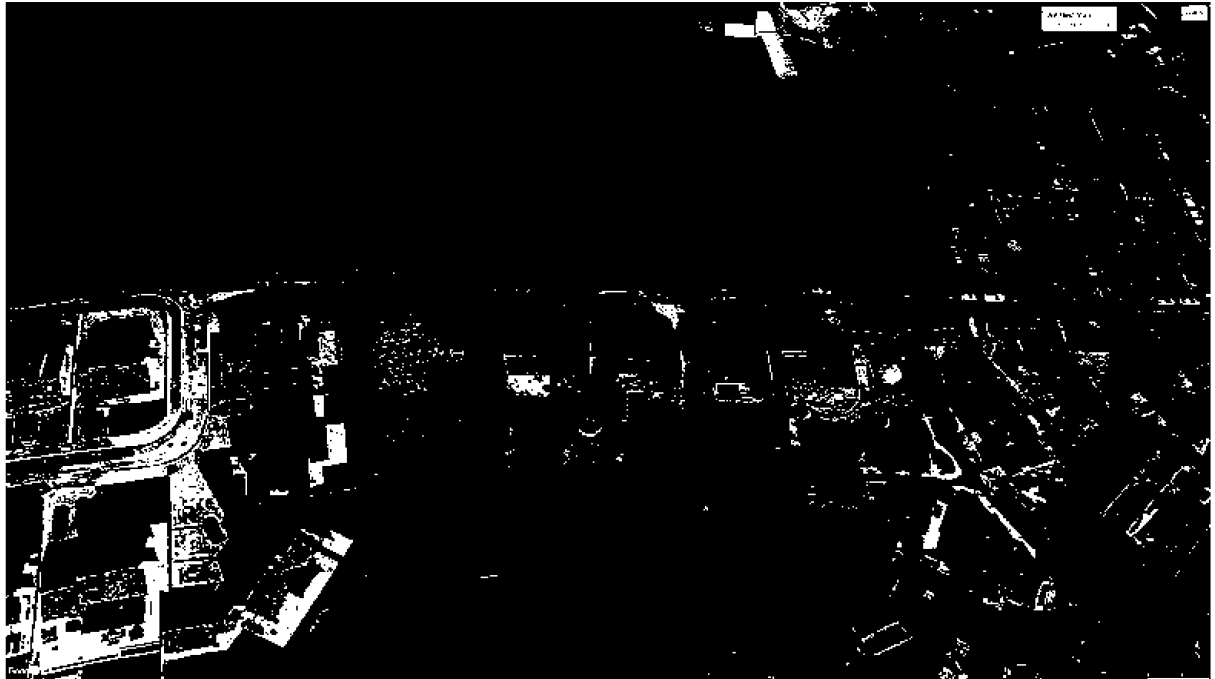
development site have not been damaged and contain Unimproved Calcareous Grassland.



Google Earth Image April 2015



Google Earth Image June 2018



Google Earth Image April 2020

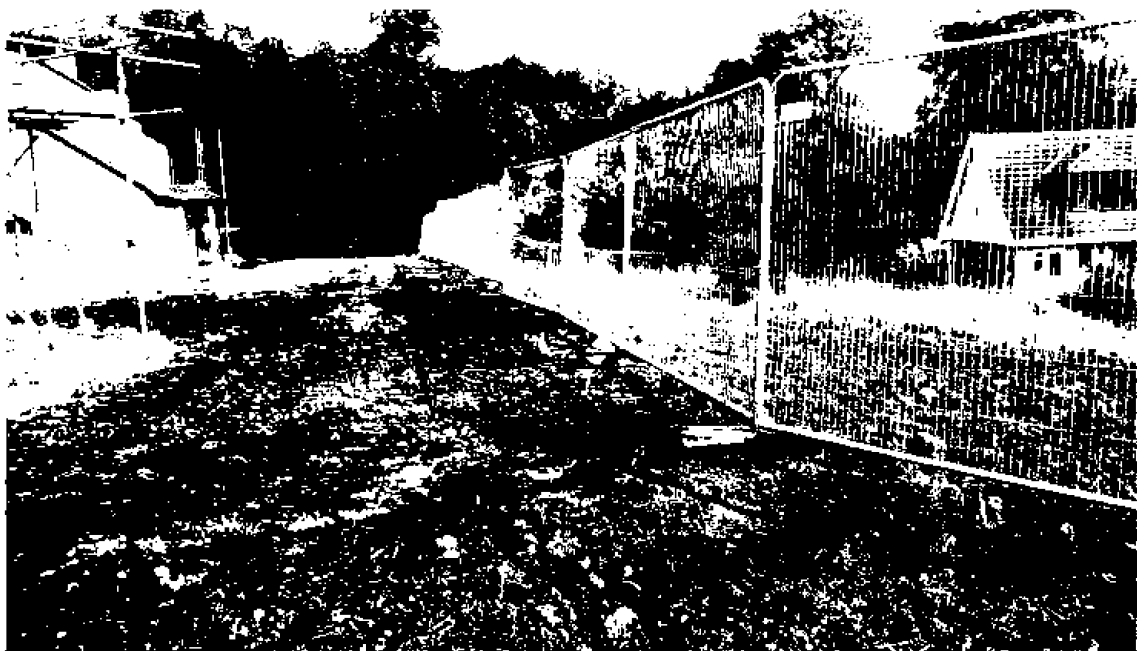


Figure 5. Looking north across restored areas in the northern section of the Application Site.

In addition to the Google Earth Images above showing areas of the original habitat that are unaffected by the infilling of imported soils, the applicant submitted photographs as part of planning application LCC_2017_0087. Figure 5 from this planning application is as below and shows areas of the original habitat that are not affected by the filling activity.

The "Appeal Decisions APP/Q2371/C/19/3243448 and APP/Q2371/W/20/3264309" does not make clear what measures are required for the long-term management and maintenance of the infilled areas within the appeal site and does not comment on the areas of the original habitat that were within the appeal site but were not affected by the infilling relating to the HHC development. Questions arising from this that may affect this application include;

- (i) What obligations does the HHC developer have with regard to the long-term management of the infilled areas that were part of the appeal decision?
- (ii) What status does the natural habitat that was within the appeal site (and this application) area, but not affected by the infilling activities, hold? For example, along the eastern boundary of the appeal site, including adjacent to 9 Old Road and the boundary between the appeal site and old road which falls within this application. An inspection of historical imagery (Google) shows that various shrubs, bushes and grassland in these areas were there before the HHC development commenced and are still there today.

In addition, the corridor of land either side and including the proposed site area is habitat for a wide range of species. Bats are often observed by the occupiers of properties using the corridor along the proposed development land, between the established woodland to the north and large established trees and open grassland to the south.

Residents have also observed badgers in this area and a report from a local Badger Group, states that even before the Hare Hill Croft development was built, badgers were active in this area. This was NOT observed by the developers Eco survey, because no nocturnal survey was undertaken. As a minimum requirement we suggest that no development plan should be permitted until a detailed day and night survey of local wildlife has been undertaken, throughout the year, as winter and summer activities will be markedly different.

Owls have also been observed actively hunting along the same corridor. There are Tawny Owls in the trees behind the site, across to the heavily wooded area on the other side of Old Road.

Design Statement

1. Section 3.3 states *"Subsequently, this matter has been addressed by an appeal decision (ref:APP/Q2371/C/19/3243448 and B ref:Q2371/W/20/3264309). As such it is taken that the calcareous grass issue is fully resolved."* This is disputed for the reasons outlined above
2. Section 3.4 states *"Generally Ribbles Valley Borough Council confirmed that they were supportive of the proposals and wrote in response to the pre-application enquiry, concluding that:- "I consider that the principle of development is acceptable and there are no provisional issues with the design approach taken to the dwelling. I would however highlight concerns in relation to residential amenity and the proposed layout, due to the proximity between properties. This would be an important consideration in any future application and therefore some consideration should be given to potential mitigation". "Subsequently, it was agreed that this concern would be addressed by increasing the depth of the existing gardens to no.1 and no.2"*

Hare Hill Croft and by the inclusion of a 1.8m high hit-and-miss timber fence to the boundary."

What was agreed and by whom?

3. On inspection of the plans there is an approximate plan distance of 5m between the HHC land boundary and the lower basement/patio level at the nearest point, with a level change of approximately 5.5m between proposed basement level and No.2 HHC ground floor level. This level difference and the significant and complex engineering solution required to deal with it has not been considered at all in this application and has therefore not addressed RVBC's stated concerns.
4. On review of the design statement and plans this revised application appears to be for a much larger dwelling and over 4700 sq ft. This is not in proportion with the other properties in the vicinity including those recently constructed at Hare Hill Croft

Drawings submitted with the application

Proposed Site Plan

1. The land boundary along the eastern edge of No.2 HHC is incorrect and encroaches further east and beyond the line shown on the drawing. Show the correct land ownership boundary along the edge of the HHC properties.
2. The drawings refer to an *"existing hedge line as approved drawing - planning ref: 3/2016/0748P"*. This hedge line hasn't been installed in accordance with the HHC planning approved landscape plans.

Proposed Sections

1. The basement level is indicated at a proposed level of 111.55m. The levels and positions of No's 1 & 2 HHC as drawn do not show the most onerous cross sections in terms of level difference at the nearest plan position and are somewhat misleading in this regard. Cross sections showing the minimum widths to the HHC boundary and the maximum level change between proposed and existing should be shown along with structural details. The ground floor level of No.2 HHC is circa 117m which is an indicative level difference of circa 5.5m to the lower basement/patio level of the proposed dwelling
2. There is a note on the drawing *"C 15.07.19 gabion basket boundary wall updated"*. There is no reference to a gabion wall on the drawing. What is this and what boundary treatment is now proposed?
3. The retained height and proximity between the HHC properties and the proposed works is technically significant and engineering details of how this level difference is to be designed and constructed is warranted. Full details of the retaining structure, construction sequence and any temporary works proposals will be required to assess whether what is proposed is technically feasible.
4. [REDACTED]
[REDACTED] and therefore the level difference proposed here merits detailed consideration. We would draw your attention to the comments in "Appeal Decisions

APP/Q2371/C/19/3243448 and APP/Q2371/W/20/3264309" for the importations of soils where the Planning Inspector commented *"Although I do not have full details before me and cannot therefore consider the full implications of a retaining wall, a 5.85m high wall in this location would appear a dominant feature which, in my view, is likely to have an adverse impact on the character and appearance of the area. Furthermore, since the appellant no longer has control over Hare Hill Croft, the works would need to be carried out entirely within the appeal site. Land within the appeal site would therefore be required to accommodate the construction of the retaining wall and wider disturbance would be likely during its construction. Both solutions are therefore likely to have an adverse impact on UCG."*

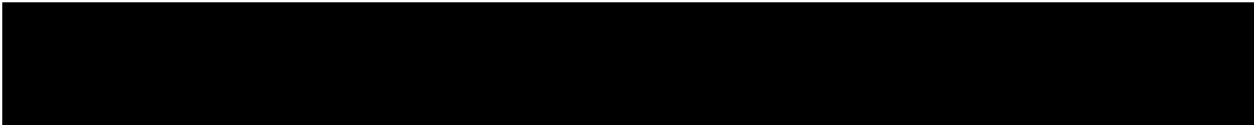
In addition, the Appellant stated, "The second consideration was the construction of a retaining wall. This would be of substantial height and would thus require significant engineering to ensure its long term stability. Whilst boundary treatments for Hare Hill Croft had been previously approved by RVBC, these did not include any such structure and it is therefore unclear as to whether or not RVBC would require an additional planning permission for these works. Furthermore the significant groundworks associated with the construction of a retaining wall would require access from outside Hare Hill Croft and would therefore result in the disturbance, if not total loss, of any calcareous grassland that may have been present."

The above comments from the Appeal Decision would be equally relevant to this application.

Other comments

1. It is noteworthy that ecology survey report that were included with the previously rejected applications ref. 3/2019/0498 and 3/2020/0145 have not been included with this application. Why?
2. The proposed development requires the removal of previously infilled material and natural rock head. What licences are required for the removal of natural rock head?
3. There is no Construction Management Plan with the application. There are various key issues that need to be addressed before construction that may affect the application.
 - (i) Noise – establish limits and monitoring regime to ensure compliance
 - (ii) Vibration – establish limits and monitoring regime to ensure compliance
 - (iii) Dust – establish limits and monitoring regime to ensure compliance
 - (iv) Site working hours
 - (v) Material delivery restrictions
 - (vi) Access routes and material management
 - (vii) Depth of excavation, proximity to existing properties and associated temporary works details

- (viii) The construction method and structure details of retaining walls along the western boundary of the site**
- (ix) Traffic management and blockage of old road as a result of the works**
- (x) Removal of excavated materials from site**
- (xi) Waste classification and waste management**



It is reasonable to request that details that would normally feature in a CMP and how they will be enforced should be included within the planning conditions should the application be granted.

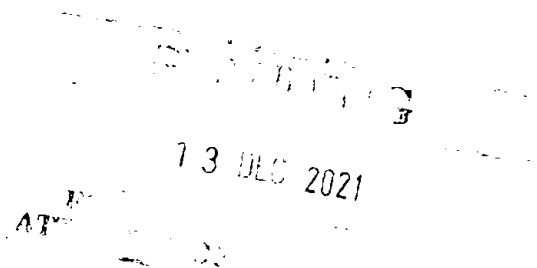
I would appreciate if these concerns raised in this objection would be taken into consideration and considered by the Planning Officer.



10th December 2021

8th December 2021

Director of Development
Ribble Valley Borough Council,
Council Offices,
Church Walk,
CLITHEROE, BB7 2RA



Application No: 3/2021/1153

Planning Application for proposed 5-bedroom dwelling with basement on land adjacent to 9 Old Road Chatburn.

Dear Sir,

I am writing to object to the above planning application. My reasons for objection are as follows:

The new development has the parking facility for up to 5 vehicles adding even more traffic to an already congested narrow road without pavements and badly potholed

The junction of Old Road, Ribble Lane, Bridge Rd and Crow Trees Brow is often congested, with parking for the Post Office and other shops causing issues

The congestion is now so bad at the junction of Old Road and Ribble lane that there are already daily occurrences of traffic backed up on Crow Trees Brow. As that section of Crow Trees Brow is on the dip of a steep hill, traffic approaching the brow of the hill from Clitheroe cannot see the backlog queue until they are on top of it.

Old Road is steep, narrow, with no pavement and poor lighting and now there are a number of families with small children, from Hare Hill Croft using the road on a daily basis.

The tarmac on Old Road is very poor and rainwater continually erodes the surface as it runs down the steep slope, made worse because the Hare Hill Croft (HHC) development has yet to have the road finished and so all water from the estate runs down Old Road

The school bus collects the pupils of Bowland High School each weekday morning. It stops, blocking the end of Old Road whilst the children get on.

Traffic at that junction affects not only local residents but those travelling through the village from all the surrounding areas.

Noise and Disturbance

Residents of Old Road, Shaw Gardens, Mount Pleasant, Dale Terrace and Crow Trees Brow have been subjected to disturbance from noise and dirt since 2016

1. The rumblings and dirt from heavy lorries and site vehicles up our narrow road
2. Noisy out of hours working on the building site.
3. The noise and dust from the building site and significant noise from the piling of foundations.
4. The road being dug up to lay drainage, then BT, then electricity and gas
5. This developer has a very poor record of meeting Planning Conditions.

The current proposed levels will require the removal of very large amounts solid limestone rock, which will require drilling and rock peckers plus very large earth moving equipment. this will cause distress to all the

Yours sincerely,

9th December 2021

Director of Development
Ribble Valley Borough Council,
Council Offices,
Church Walk,
CLITHEROE, BB7 2RA

13 DEC 2021
RC
ATTENTION

Application No: 3/2021/1153

Planning Application for proposed 5-bedroom dwelling with basement on land adjacent to 9 Old Road Chatburn.

Dear Sir,

I am writing to object to the above planning application. Chatburn has had enough of the projects by this developer, [REDACTED] has yet to finish the Hare Hill Croft Development.

Noise and Disturbance

[REDACTED] have been subjected to disturbance from noise and dirt since 2016

1. Mounds of rubble and soil piled on land next to the development for years.
2. Noisy out of hours working on the building site.
3. The noise and dust from the building site and significant noise from the piling of foundations.
4. This developer has a very poor record of meeting Planning Conditions and ignore complaints
5. Health and safety rules and regulations on the sites run by this developer are a joke.

The current proposed levels will require the removal of very large amounts solid limestone rock, which will require drilling and rock peckers plus very large earth moving equipment. We are also worried by how access will be gained to the proposed site and what the developer will do with the spoil from the site. We are still looking at large mountains of earth from the unfinished Hare Hill Croft development.

Local Wildlife

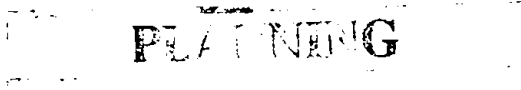
I and my neighbours are also very concerned about the wildlife that occupies the proposed site, or uses it to travel between different wooded areas nearby. Owls, bats and badgers are common visitors and now that Hare Hill Croft has blocked the old access routes, the proposed land is the only remaining passage for them.

Yours sincerely,

[REDACTED]



Laura Eastwood
Ribbles Valley Borough Council,
Council Offices,
Church Walk,
CLITHEROE, BB7 2RA



10th December, 2021

13 DEC 2021

Application No: 3/2021/1153

FOUR
ATTENTION

Planning Application for proposed 5 bedroom dwelling with basement on land adjacent to 9 Old Road Chatburn.

Dear Madam,

I am writing to object to the above planning application

My reasons for objection are as follows:- *nb I shall refer to the area of land for the application as 'The Field'

• **ECOLOGICAL CORRIDOR**

[Redacted] can supply evidence of a wealth of wildlife and diverse habitats within the area and are concerned that the building of such a large structure and the associated disturbance will destroy the existing wildlife corridor. Let me explain some of the features:-

Badgers. Please refer to the report submitted to RVBC by [Redacted] - a trustee of the Lancashire Badger Group and a Ranger for LCC. This clearly states badger activity has been established in the area for many years. (see attached copy of the report) Using camera traps we have evidence to illustrate a corridor that the badgers use. This corridor is from the well documented set within Castle Cement land, through the Nature Reserve (owned and managed by Castle Cement and community volunteers) then through the field where no development has yet taken place, then through 'The Field' across Old Rd and into the woodland on Old Rd (owned and supervised by RVBC) from there to the pastureland beyond. [Redacted] did a full inspection of the local area and highlighted tracks across 'The Field' and the surrounding areas and even picked up a badger hair from the fence between the Old Rd field and no 9 Old Rd. No matter where the herras fencing is positioned it does not deter the route the badgers take, they just go underneath. Images and badger tracks illustrate that.

Owls. These can be distinctly heard at night and some residents have images of the owls within 'the corridor'.

Bats. Part of the conditions of Hare Hill Croft was to install bat and bird boxes on the houses. The bats have been in the area for at least 20 years and one resident has an image of the bats outside no.2 Hare Hill Croft flying over 'The Field'.

Birds. Crow Trees Brow is named after the large flocks of crows that congregate in the trees within the field owned by the developer and in the garden of no. 8. Crow Trees Brow (which meets the development field). A TPO was put on the trees owned by the developer to which he objected, but fortunately the TPO still stands. However, constant building work does disturb the multitude of bird species that once enjoyed the peace of a semi rural village.

Hedgehogs and mice. Our camera-trap images also feature hedgehogs and field mice.

Unimproved calcareous grassland. The last ecological survey showed there to be some area of protected unimproved calcareous grassland and this was recognised in the recent appeal. However, this has since not been singularly fenced off or protected by the developer and is under threat from continued site activity.

Grazing. 'The Field' has been used for grazing mostly of sheep and this promotes the establishment of rare grassland.

Frogs and Newts. There are many frogs in the gardens adjacent to 'The Field' also in the gardens of Old Rd and Crow Trees Brow. I also believe there are Newts in the pond in the nature reserve.

Foxes . I also have an image of fox in the woodland opposite The Field'.

Deer. They are regularly sited in the area. I have images of deer in the woodland opposite 'The Field', they have also been sited in the nature reserve, the land owned by Castle Cement, the [Redacted]

Rabbits. These are often seen hopping around the development field and wildlife area.

The current government policy states that ecological issues are of great importance and that everything should be done to protect our environment for future generations. Please bear this in mind.

- **ACCESS TO SITE**

The application makes no reference to how access will be obtained on and off site and where vehicles and site materials will be stored. Access on Old Rd is already limited and difficult with a single lane and parking right up one side. If access is to be from Old Rd then this would mean that the narrow road would be frequently blocked preventing access :-

1. Up and down Old Rd for day to day traffic, 2. To deliveries, 3. For turning vehicles at the turning area opposite 'The Field', 4. To refuse collections, 5. To emergency vehicles.

If access is to be via the back of 'The Field' then this would cause considerable disturbance for [REDACTED] [REDACTED] If access is from this side, has permission been granted from the local authority?

- **VILLAGE BOUNDARY**

It is our understanding that 'The Field' is NOT WITHIN THE VILLAGE BOUNDARY and forms part of open country agricultural land. Grazing has taken place on and off on that land by a local farmer [REDACTED] [REDACTED]

- **PLANNING QUOTAS**

a. If this development is granted approval, I understand it will amount to a total of 20 houses, within the same original agricultural field, which have been approved. In the words of [REDACTED] [REDACTED] and should not be accepted. The first application was for 10 houses, then a further 9 (in principle) and now this one. If that amount of houses were applied for initially it would never have been granted and the implications of compensatory costs to the developer would have been different. Planning so far have allowed development in Chatburn to exceed the quota by [REDACTED] and also allowed valuable habitat destroyed.

b. Now the quotas have been firmly established. I refer to a recent Chatburn planning application which was refused because :- Conclusion: Considering the above, the creation of two open market dwellings within the defined open countryside without sufficient justification would be contrary to Policies DMG2 and DMH3 of the Core Strategy. The development would also result in harm encroachment into the open countryside, and thus would conflict with Key Statement EN2 and Policy DMG2 of the Core Strategy. The applicant has failed to provide any information regarding alternative sites nor submitted evidence to demonstrate that the development proposals would provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime. As such, it is recommended that the application be refused. The application for Old Rd falls within the same criteria.

- **CHANGE FROM ORIGINAL PLAN – 3/2020/0145**

The submitted drawings appear to show a building which is more than 100m² floor space larger than the original application. The original drawing was a 2.5 storey building. This is now a 3.5 storey building. Changes of this nature happened with the same developer at Hare Hill Croft. The original plans were accepted then changes to make things bigger and more extensive crept in.

- **DETAILED CONSTRUCTION DRAWINGS AND SPECIFICATIONS**

Most concerning is the lack of detailed construction drawings and specifications, particularly in respect to the retaining walls to the east and west.

- **AMENITY VALUE**

The current design is far too big, dominates all other houses on the road, particularly no 9 and is too big for the size of plot. It destroys the character of the road. It seriously compromises the light to both no 1 Hare Hill Croft and no 9 Old Rd. The retaining walls on either side are a particularly unsightly feature. Not only are they particularly high they will also have a 1.8m fence on top of them and are not in keeping with a village atmosphere.

- **NOISE DISTURBANCE**

Residents of Old Road, Shaw Gardens, Mount Pleasant, Dale Terrace and Crow Trees Brow have been subjected to disturbance from noise and dirt since 2016. . . We have been subjected to :-

1. The rumblings and dirt from heavy lorries and site vehicles up our narrow road
2. Noisy out of hours working on the building site.
3. The noise and dust from the building site and significant noise from the piling of foundations
4. The road being dug up to lay drainage, then BT, then electricity and gas – all of which causes considerable disruption to everyone. Quite apart from the drilling noise there was the dirt, dust and restricted access and parking.

The same disturbance will occur for the additional house. How many more years will we have to endure this disturbance without affecting our hearing, nerves and patience?

- **HEALTH AND SAFETY**

The building works will present a health and safety hazard to the [REDACTED]

- **INACCURACIES AND ISSUES WITH THE APPLICATION FORM NOTES**

1. Section 5. Existing use states 'open field'. – see village boundary above
2. Section 11. Drainage. The hard standing of the terrace and the parking for up to 5 cars will increase the problems of surface water drainage surrounding that site. The existing new development, built by the same developer as the applicant, has yet to resolve the surface water problems causing excess water flow down Old Rd and flooding of the gardens on Crow Trees Brow. I am most concerned that this developer has shown little regard for the other residents surrounding this development and that the new property will cause flooding of the gardens [REDACTED]. RVBC has acknowledged in writing the problems of flooding caused by this developer but as yet has done nothing to enforce the developer to address the problem. What has been created on Hare Hill Croft by the applicant is far from a sustainable drainage system as specified in this application.
3. Section 12. Biodiversity and Conservation.
 - a. Protected - Unimproved Calcareous Grassland. Both the developer and the agent are aware that there remains a small amount of unimproved calcareous grassland directly adjacent to the site but have not declared this. The whole site was originally protected because there were large areas of unimproved calcareous grassland contained within it. However, large amounts of topsoil were dumped on top of the grassland which destroyed the habitat. I believe this was done in order to consequently gain planning permission for this development.
 - b. Badgers and bats have protection and they are in the area. Bat boxes have even been installed on Hare Hill Croft houses by the applicant. – see Ecological Corridor above.
4. Section 13. Foul Sewage. This has been specified as [REDACTED]. United Utilities have conditions and until those are specified on the application it should not be granted.
5. Section 25. Ownership. [REDACTED] In the recent hearing regarding the retrospective dumping of the soil [REDACTED] was the owner of that land which was substantiated by the legal department of RVBC. Consideration was given to [REDACTED] in respect of the appeal because [REDACTED] no longer owned the land and he confirmed during the appeal that he no longer had ownership. [REDACTED] would sign an agreement to maintain the mitigation area. [REDACTED] for the appeal.
6. Design Brief - This states 'the existing levels allow for creation of a lower ground floor'. Looking at the comparison of the existing levels plan and the proposed elevations [REDACTED]. The sections drawing shows the ffl (finished floor level) of the patio as 111.45 whereas the existing level of that area on the existing levels plan is 114.52 - a difference of over 3m ! Foundations will have to be created under that ffl level which will form a total difference of up to 5m. This is a significant difference. – *see next paragraph.
7. Previous proposal.
8. Proximity between the properties. As far as I am aware no agreement has been made with house [REDACTED] and the proximity is closer to that property than that of the properties on Hare Hill Croft. The proposed 1.8m high timber fence will be approximately [REDACTED]

- **HIGHWAY SAFETY**

The proposal has the parking facility for up to 5 vehicles.

Since the start of the Hare Hill Croft development in 2016 at the top of Old Road we have suffered in fear of a tragic accident happening. Since Highways last did a report, the situation has deteriorated. How can further and continued increase in site traffic for additional building and more residential traffic up and down Old Road be justified in the light of the following issues?

1. The junction of Old Road, Ribble Lane, Bridge Rd and Crow Trees Brow is increasingly congested.
2. The surface is in very poor condition and continued heavy site traffic is continually degrading the surface.
3. Surface drainage from Hare Hill Croft and rainwater continually erodes the surface as it runs down the steep slope. There are already a number of trip hazards which have caused injury and with increased traffic they will only get worse.
4. Site vehicles have continually left heavy mud on the road which has caused vehicles to skid.
5. A number of near-miss accidents have happened including an incident of a child stepping out from one of the houses on Old Road where the house door opens directly onto the road with no pavement.
6. The road is so narrow with poor lighting and no pavement a number of parked cars have been damaged by passing traffic.
7. Site vehicles have knocked over the rubbish bins and not stopped – [REDACTED]
8. A dog walker was hit by the wing mirror of a passing commercial van.
9. HARP (Hawswater Aqueduct Resilience Programme). If the HARP proposals go ahead to direct an exceptionally daily high volume of heavy site vehicles for at least the next 6 years down Ribble Lane past the junction of Old Rd this will add even further to the congestion.
10. Eroded road surface with potholes and trip hazards. Since the new development started and has taken so long we constantly have to request the road repaired and it is covered in patches. – *see surface drainage issues.

- **NEIGHBOURHOOD NOTIFICATION**

Neighbour notification. The written notifications were sent to [REDACTED] so as yet we have not received the notification.

This has caused considerable delay in getting together everyone's objections.

I consider this planning application should not be taken further until:-

- a. A recent ecological survey and a night-time ecological survey have been completed.
- b. LCC Highways and United Utilities have looked at the current road surface and drainage issues on Hare Hill Croft and Old Road. Also, looked at new road safety issues now another 10 houses and the HARP proposals have been in place since the last report.
- c. United Utilities have approved the surface and foul sewage drainage proposals for the new build.
- d. The inaccuracies of the application form are corrected.
- e. The access statement has been completed.
- f. Hare Hill Croft development is completed to the satisfaction of all the residents – ie the road surface, pavements, landscaping and the building site and storage facility that still remains at the back of the estate.
- g. The issues from the flooding of the gardens on Crow Trees Brow due to the surface drainage from Hare Hill Croft have been resolved.
- h. The issue of the public footpath is resolved on the Hare Hill Croft site and surrounding field which also runs at the back of 'The Field' – The footpath officer has the details and the testimonies from about 15 residents to confirm their

Thank you for your consideration in this matter.

Yours sincerely,

[REDACTED]

[REDACTED]
See attachments below

A

Copy of the original report from the Lancashire Badger Group submitted to RVBC in 2020

Re: planning applications **3/2019/0521 3/2016/0124** Land off Old Clitheroe Road Chatburn

Hello, my name is [REDACTED] Lancashire Badger group. My email is in relation to the above planning applications and building works off Old Clitheroe Road in Chatburn.

In the last month the badger group were contacted by local residents expressing concerns that ongoing works and future proposals may affect the presence and activities of badgers in the area.

I have consulted our group records to ascertain the nearest recorded badger setts and undertaken a walk over survey of the vicinity (without going onto private land) to look for and record any signs of badger presence/activity.

Our records show there is a badger sett within 1km of the current and proposed developments. On recent inspection it was clear this sett is very active with badgers.

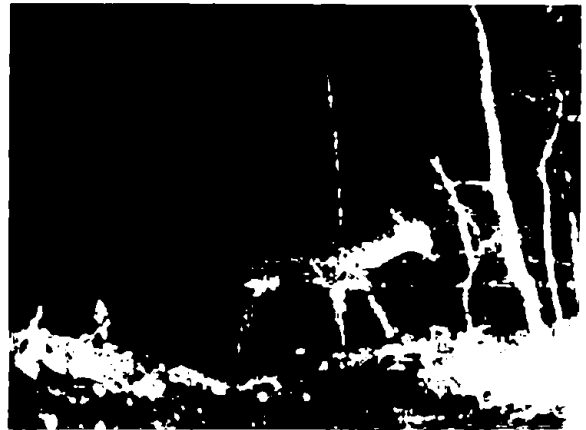
The walk over survey of the land surrounding the current and proposed development showed clear and recent signs of badger activity. These included, clear pathways of the type created by badgers that extended from the surrounding land and into the proposed development area. At the fences there were clear signs of badgers passing through including badger hairs etc. I also understand residents have footage of badgers visiting gardens on Old Clitheroe road.

Our group can and is very willing to supply a full report if required on our findings to the council if required.

I have also studied the original environmental and ecological reports commissioned by the developer for the first development on the land off Old Road. I am very alarmed that the report suggests there was no badger activity in the area. This is clearly not the case and the active badger sett nearby has been there and on our records for many years. I can find no record of the badger group being consulted as to the presence of badgers by any ecology consultants. I could see that the central LEARN agency was contacted, however they do not hold extensive records of badger setts in Lancashire

I would be grateful for your views on this matter from a planning authority perspective. The view of the Lancashire badger group would be that the developer should undertake a dedicated badger presence survey of the area and look to properly mitigate before any further development is undertaken

B



Illustrations show badger going through the fence at [REDACTED] into 'The Field'; going under the herras fencing surrounding the building site; going across Old Rd from the woodland opposite and a baby deer in the woodland opposite Old Rd. Just some examples taken from the wealth of videos and images we have of the wildlife in the immediate vicinity of 'The Field'. These shots show individuals but I have videos of families of badgers and families of deer visiting the area.

The attached map shows a rough sketch of the wildlife corridor from the badger sett near the railway line at Castle Cement, to the open land beyond North of Old Rd and also the open land to the East of Crow Trees Brow. The Woodland areas contain a wealth of wildlife and biodiversity.

B

Chatburn

BADGER SET 10



Map data ©2021



From: [REDACTED]
Sent: 10 December 2021 14:41
To: Planning
Subject: FAO Laura Eastwood 3/2021/1153 objection
Categories: xRedact & Upload

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We have the following observations to make regarding this application.

1 The planning submission includes several errors and omissions:

i The existing site plan details a hedge running parallel to the southern boundary of the application site and 2 trees immediately to the south west, neither of which exist, and omits trees and shrubs in the vicinity of the road frontage

ii The existing site plan and location plan are inaccurate in respect of the boundary line of properties abutting to the west, an error which is transferred to the proposed site plan

iii No blue edge is shown, indicating other land within the applicant's ownership or control

iv No details are submitted detailing the construction of the retaining wall which is proposed along the western boundary. Without this information it is impossible to assess and comment on whether this aspect of the proposed development is structurally feasible, and the impact on visual amenity

v There is no Construction Management Plan. Without this document it is impossible to assess and therefore comment fully on the proposed development

vi There is no Ecological Appraisal. Without this document it has not been demonstrated that the development can be achieved without significant harm to flora and fauna

2 The Design and Access Statement (DAS) states (paragraph 3.3) that the previous application for similar development on the same site was refused for one reason only, namely loss of unimproved calcareous grassland (UCG), and that "Subsequently, this matter has been addressed by an appeal decision (ref. APP/Q2371/C/19/3243448 and APP/Q2371/W/20/3264309). As such it is taken that the calcareous grass issue is fully resolved".

That is not the case. The appeal decision in July 2021 allows for an area of compensatory planting in lieu of the UCG that had been lost, as a consequence of the unauthorised tipping of material, at the time that the appeal was determined. However, it cannot be assumed, as in the DAS, that the compensatory planting permits the loss of further UCG that still exists within the appeal site boundary, which includes the application site. Furthermore, currently there is no compensatory planting in place.

The period of unauthorised tipping ceased in 2018, since when there has been no further tipping on the application site. But when the previous application for similar development on the same site (3/2020/0145), was determined in June 2020 the stated reason for refusal refers to the loss of UCG that would result. It therefore follows that if UCG existed on the site in 2020, that area at least had not been destroyed by the tipping that was the subject of the appeals. Further, if its existence merited refusal of the application in 2020, a decision with which we concur, the same reason for refusal exists today.

We note that the appeal decision (paragraph 20), states that to facilitate the provision of a retaining wall (as an alternative to retaining the tipped material), "... the works would need to be carried out entirely within the appeal

site. Land within the appeal site would therefore be required to accommodate the construction of the retaining wall and wider disturbance would be likely during its construction ... [which is] therefore likely to have an adverse impact on UCG". This confirms, firstly, the continued existence of UCG within the site, and secondly that development within the application site would be detrimental to the UCG.

The Inspector goes on to detail the strong protection at both national and local level that is accorded to UCG. Whilst it may have been pragmatic in the context of the appeal to permit an area of compensatory planting, the remains of this valuable and now increasingly rare asset in this locality should be retained; mitigation measures are not appropriate due to its very rarity, and the application should accordingly be refused.

3 The DAS states (paragraph 3.4) that "In 2019 a pre-application enquiry was submitted to Ribble Valley Borough Council's planning department. On the 12-03-19 a meeting was held at the Council's offices attended by representatives from the Council's planning department, the applicant and ourselves. As the current application is broadly similar to the pre-application submissions it is taken that the comments received are still applicable". That is an ill-founded assumption.

The previous application for development on the site was described as being 2.5 storey with a basement garage. The current proposal is, in fact, for a full 3.5 storey dwelling. As such it is a significantly different proposition and one for which the LPA have made no pre-application observations.

The current proposal is materially different to the previous in terms of volume and floorspace, the scale of the retaining wall required and the volume of material which will necessarily have to be removed in order to achieve the basement development. The previous development proposed a house type which would have reflected existing dwellings in the vicinity, but the scale of the development now proposed is disproportionate compared to dwellings on either side.

Furthermore, the DAS states (paragraph 1.6), that "The existing site levels allow for the creation of a lower ground floor, accommodating a garage, home office and fitness room ...", and (paragraph 2.1), that "The site slopes from west to east, this is reflected in the design of the proposed dwelling". That is not the case.

The previous proposal may have reflected the slope of the land in that the basement was limited to a garage only, situated on the lower side of the site and reflecting a feature already seen on Old Road. However, the present scheme, by virtue of having a full basement, will necessitate the removal of substantial quantities of material which would not have been the case with the previous application. The provision of the currently proposed house type cannot be justified on environmental grounds, since it does not work with the site characteristics but imposes itself upon them, necessitating the removal of substantial amounts of material.

In the absence of a Construction Management Plan there is no indication as to how the waste material is to be dealt with in terms of removal and, potentially, storage, and there are no details of the nature of the retaining wall or how it is to be constructed. The latter is particularly important given the Inspector's agreement that the tipped material is necessary in order to ensure ground stability. The lack of relevant information makes the submission incomplete and proper assessment of the proposal difficult. The imposition of pre-commencement conditions allowing the approval of these details at a later date is not satisfactory since that does not afford appropriate public scrutiny.

[REDACTED]

h [REDACTED]

a [REDACTED]. There is no justification for this, and indeed would not have been possible otherwise [REDACTED]. It is therefore important to ensure that in the event of the Council being minded to approve the current application, this approach is not allowed to be perpetuated. It is to this end that full details regarding the method of removal of the waste material must be provided at this stage in order to allow comment and, should it be necessary, appropriate conditions appended.

[REDACTED]



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[REDACTED]

From: Planning
Sent: 10 December 2021 13:22
To: Planning
Subject: REDACT AND UPLOAD Planning Application Comments - 3/2021/1153

Categories: xRedact & Upload

Already printed for file and forwarded to officer

From: Contact Centre (CRM) <contact@ribblevalley.gov.uk>
Sent: 10 December 2021 11:12
To: Web Development <webdevelopment@ribblevalley.gov.uk>; Planning <planning@ribblevalley.gov.uk>
Subject: Planning Application Comments - 3/2021/1153

[REDACTED]

Is your address in Ribble Valley?: Yes

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Planning Application Reference Number: 3/2021/1153

Address of Development: Land off Old Rd, Chatburn

Your Comments: Laura Eastwood
Ribble Valley Borough Council, 10th December, 2021
Council Offices,
Church Walk,

Application No: 3/2021/1153

Planning Application for proposed 5 bedroom dwelling with basement on land adjacent to 9 Old Road Chatburn,

Dear Madam,

I am writing to object to the above planning application

My reasons for objection are as follows:- *nb I shall refer to the area of land for the application as 'The Field'

• **ECOLOGICAL CORRIDOR**

[REDACTED] can supply evidence of a wealth of wildlife and diverse habitats within the area and are concerned that the building of such a large structure and the associated disturbance will destroy the existing wildlife corridor. Let me explain some of the features:-

Badgers. Please refer to the report submitted to RVBC by Paul Shoreman, - a trustee of the Lancashire Badger Group and a Ranger for LCC. This clearly states badger activity has been established in the area for many years. (see attached copy of the report) Using camera traps we have evidence to illustrate a corridor that the badgers use. This corridor is from the well documented set within Castle Cement land, through the Nature Reserve (owned and managed by Castle Cement and community volunteers) then through the field where no development has yet taken place, then through 'The Field' across Old Rd and into the woodland on Old Rd (owned and supervised by RVBC) from there to the pastureland beyond. Paul Shoreman did a full inspection of the local area and highlighted tracks across 'The Field' and the surrounding areas and even picked up a badger hair from the fence between the Old Rd field and no 9 Old Rd. No matter where the herras fencing is positioned it does not deter the route the badgers take, they just go underneath. Images and badger tracks illustrate that.

Owls. These can be distinctly heard at night and some residents have images of the owls within 'the corridor'.

Bats. Part of the conditions of Hare Hill Croft was to install bat and bird boxes on the houses. The bats have been in the area for at least 20 years and one resident has an image of the bats outside no.2 Hare Hill Croft flying over 'The Field'.

Birds. Crow Trees Brow is named after the large flocks of crows that congregate in the trees within the field owned by the developer and in the garden of no. 8. Crow Trees Brow (which meets the development field). A TPO was put on the trees owned by the developer to which he objected, but fortunately the TPO still stands. However, constant building work does disturb the multitude of bird species that once enjoyed the peace of a semi rural village.

Hedgehogs and mice. Our camera-trap images also feature hedgehogs and field mice.

Unimproved calcareous grassland. The last ecological survey showed there to be some area of protected unimproved calcareous grassland and this was recognised in the recent appeal. However, this has since not been singularly fenced off or protected by the developer and is under threat from continued site activity.

Grazing. 'The Field' has been used for grazing mostly of sheep and this promotes the establishment of rare grassland.

Frogs and Newts. There are many frogs in the gardens adjacent to 'The Field' also in the gardens of Old Rd and Crow Trees Brow. I also believe there are Newts in the pond in the nature reserve.

Foxes . I also have an image of fox in the woodland opposite The Field'.

Deer. They are regularly sited in the area. I have images of deer in the woodland opposite 'The Field', they have also been sited in the nature reserve, the land owned by Castle Cement, the garden of no. 8 Crow Trees Brow, the front garden of 7 Old Rd and the woodland opposite 7 Old Rd.

Rabbits. These are often seen hopping around the development field and wildlife area.

I could find no ecological survey submitted with this application

The current government policy states that ecological issues are of great importance and that everything should be done to protect our environment for future generations. Please bear this in mind.

• **ACCESS TO SITE**

The application makes no reference to how access will be obtained on and off site and where vehicles and site materials will be stored. Access on Old Rd is already limited and difficult with a single lane and parking right up one

side. If access is to be from Old Rd then this would mean that the narrow road would be frequently blocked preventing access :-

1. Up and down Old Rd for day to day traffic, 2. To deliveries, 3. For turning vehicles at the turning area opposite 'The Field', 4. To refuse collections, 5. To emergency vehicles.

Highways need to take this into account

If access is to be via the back of 'The Field' then this would cause considerable disturbance for [REDACTED]

[REDACTED] If access is from this side, has permission been granted from the local authority?

• **VILLAGE BOUNDARY**

It is our understanding that 'The Field' is NOT WITHIN THE VILLAGE BOUNDARY and forms part of open country agricultural land. Grazing has taken place on and off on that land by a local farmer and certainly this last hot summer water was provided by no.9 Old to the local farmer to help with his sheep which were grazing on 'The Field. In those circumstances it can NOT be classified as 'open field' or 'in-fill' as the application states.

• **PLANNING QUOTAS**

a. If this development is granted approval, I understand it will amount to a total of 20 houses, within the same original agricultural field, which have been approved. In the words of Nigel Evans 'This is planning by stealth', and should not be accepted. The first application was for 10 houses, then a further 9(in principle) and now this one. If that amount of houses were applied for initially it would never have been granted and the implications of compensatory costs to the developer would have been different. Planning so far have allowed development in Chatburn to exceed the quota by loopholes in the rules and also allowed valuable habitat destroyed.

b. Now the quotas have been firmly established. I refer to a recent Chatburn planning application 3/2021/0242 which was refused because :- Conclusion: Considering the above, the creation of two open market dwellings within the defined open countryside without sufficient justification would be contrary to Policies DMG2 and DMH3 of the Core Strategy. The development would also result in harm encroachment into the open countryside, and thus would conflict with Key Statement EN2 and Policy DMG2 of the Core Strategy. The applicant has failed to provide any information regarding alternative sites nor submitted evidence to demonstrate that the development proposals would provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime. As such, it is recommended that the application be refused. The application for Old Rd falls within the same criteria.

• **CHANGE FROM ORIGINAL PLAN – 3/2020/0145**

The submitted drawings appear to show a building which is more than 100m² floor space larger than the original application. The original drawing was a 2.5 storey building. This is now a 3.5 storey building. Changes of this nature happened with the same developer at Hare Hill Croft. The original plans were accepted then changes to make things bigger and more extensive crept in.

• **DETAILED CONSTRUCTION DRAWINGS AND SPECIFICATIONS**

Most concerning is the lack of detailed construction drawings and specifications, particularly in respect to the retaining walls to the east and west.

• **AMENITY VALUE**

The current design is far too big, dominates all other houses on the road, particularly no 9 and is too big for the size of plot. It destroys the character of the road. It seriously compromises the light to both no1 Hare Hill Croft and no 9 Old Rd. The retaining walls on either side are a particularly unsightly feature. Not only are they particularly high they will also have a 1.8m fence on top of them and are not in keeping with a village atmosphere.

• **NOISE DISTURBANCE**

Residents of Old Road, Shaw Gardens, Mount Pleasant, Dale Terrace and Crow Trees Brow have been subjected to disturbance from noise and dirt since 2016. . We have been subjected to :-

1. The rumblings and dirt from heavy lorries and site vehicles up our narrow road

2. Noisy out of hours working on the building site.

3. The noise and dust from the building site and significant noise from the piling of foundations.

4. The road being dug up to lay drainage, then BT, then electricity and gas – all of which causes considerable disruption to everyone. Quite apart from the drilling noise there was the dirt, dust and restricted access and parking. The same disturbance will occur for the additional house. How many more years will we have to endure this

disturbance without affecting our hearing, nerves and patience? Also, despite all the houses of the Hare Hill Croft development having been occupied for some time, the site still remains unfinished with surface drainage issues unresolved and I am concerned that the same situation will occur on this project as it is the same developer.

• **HEALTH AND SAFETY**

The building works will present a health and safety hazard to the small children playing in the gardens of 1 and 2 Hare Hill Croft and no.9 Old Rd, immediately adjacent to the high retaining walls during their construction. The excavation works will also compromise the stability of those gardens.

• **INACCURACIES AND ISSUES WITH THE APPLICATION FORM NOTES**

1. Section 5. Existing use states 'open field'. This is not true – see village boundary above

2. Section 11. Drainage. The hard standing of the terrace and the parking for up to 5 cars will increase the problems of surface water drainage surrounding that site. The existing new development, built by the same developer as the applicant, has yet to resolve the surface water problems causing excess water flow down Old Rd and flooding of the gardens on Crow Trees Brow. I am most concerned that this developer has shown little regard for the other residents surrounding this development and that the new property will cause flooding of the gardens of nos 9, 7 and 5 Old Rd and no 8 Crow Trees Brow. RVBC has acknowledged in writing the problems of flooding caused by this developer but as yet has done nothing to enforce the developer to address the problem. What has been created on Hare Hill Croft by the applicant is far from a sustainable drainage system as specified in this application. United Utilities approval is subject to conditions. The conditions on the existing site have not yet been completed so who will enforce these conditions?

3. Section 12. Biodiversity and Conservation. The application says NO in all instances and is not true. a. Protected - Unimproved Calcareous Grassland . Both the developer and the agent are aware that there remains a small amount of unimproved calcareous grassland directly adjacent to the site but have not declared this. The whole site was originally protected because there were large areas of unimproved calcareous grassland contained within it. However, large amounts of topsoil were dumped on top of the grassland which destroyed the habitat. I believe this was done in order to consequently gain planning permission for this development. b. Badgers and bats have protection and they are in the area . Bat boxes have even been installed on Hare Hill Croft houses by the applicant. – see Ecological Corridor above.

4. Section 13. Foul Sewage. This has been specified as 'Unknown'. United Utilities have conditions and until those are specified on the application it should not be granted.

5. Section 25. Ownership. The form states that it is now owned by [REDACTED]. In the recent hearing regarding the retrospective dumping of the soil [REDACTED] insisted that [REDACTED] was the owner of that land which was substantiated by the legal department of RVBC. Consideration was given to [REDACTED] in respect of the appeal because [REDACTED] no longer owned the land and [REDACTED] confirmed during the appeal that [REDACTED] no longer had ownership. It was confirmed that [REDACTED] would sign an agreement to maintain the mitigation area. It was convenient for [REDACTED] to have changed ownership to [REDACTED] for the appeal. Has ownership reverted back to [REDACTED] since May 2021?

6. Design Brief - This states 'the existing levels allow for creation of a lower ground floor'. Looking at the comparison of the existing levels plan and the proposed elevations it is clear that is not the case. The sections drawing shows the ffl (finished floor level) of the patio as 111.45 whereas the existing level of that area on the existing levels plan is 114.52-a difference of over 3m ! Foundations will have to be created under that ffl level which will form a total difference of up to 5m. This is a significant difference. – *see next paragraph.

7. Previous proposal. Most importantly, I attended the appeal hearing for the retrospective dumping of the soil on 'The Field' The appeal was won on the basis that the applicant insisted that any excavation of the existing soil would compromise the stability of the adjacent properties. He referred to a building engineer's report which stated a 6.5m wall would have to be built to protect the houses on Hare Croft if the soil was to be removed. It is now scandalous that an appeal can be won on that basis, with habitat having been destroyed in the process, only to allow a new development which is excavating the same soil and building an unacceptably high retaining wall for personal financial gain.

8. Proximity between the properties. As far as I am aware no agreement has been made with house no. 9 Old Rd and the proximity is closer to that property than that of the properties on Hare Hill Croft. The proposed 1.8m high timber fence will be approximately 1m away from the large window on the ground floor west elevation of no.9 Old Rd. Also, the drawings and statement give no indication of how the retaining walls will be constructed to protect the properties on either side of the development. Also, whether those details are to the acceptance of the immediate neighbours.

• **HIGHWAY SAFETY**

I can see no evidence of Highway approval in this application. Has the Road Safety Officer done a recent survey or is the proposal based on the report done several years ago? Particularly in the light of the latest HARP proposals which significantly affect the junction of Ribble Lane and Old Rd.

The proposal has the parking facility for up to 5 vehicles.

Since the start of the Hare Hill Croft development in 2016 at the top of Old Road we have suffered in fear of a tragic accident happening. Since Highways last did a report, the situation has deteriorated. How can further and continued increase in site traffic for additional building and more residential traffic up and down Old Road be justified in the light of the following issues?

1. The junction of Old Road, Ribble Lane, Bridge Rd and Crow Trees Brow is increasingly congested.
2. The surface is in very poor condition and continued heavy site traffic is continually degrading the surface.
3. Surface drainage from Hare Hill Croft and rainwater continually erodes the surface as it runs down the steep slope. There are already a number of trip hazards which have caused injury and with increased traffic they will only get worse.
4. Site vehicles have continually left heavy mud on the road which has caused vehicles to skid.
5. A number of near-miss accidents have happened including an incident of a child stepping out from one of the houses on Old Road where the house door opens directly onto the road with no pavement.
6. The road is so narrow with poor lighting and no pavement a number of parked cars have been damaged by passing traffic.
7. Site vehicles have knocked over the rubbish bins and not stopped – what if it had been a small child?
8. A dog walker was hit by the wing mirror of a passing commercial van..
9. HARP (Hawswater Aqueduct Resilience Programme). If the HARP proposals go ahead to direct an exceptionally daily high volume of heavy site vehicles for at least the next 6 years down Ribble Lane past the junction of Old Rd this will add even further to the congestion.
10. Eroded road surface with potholes and trip hazards. Since the new development started and has taken so long we constantly have to request the road repaired and it is covered in patches. – *see surface drainage issues.

• **NEIGHBOURHOOD NOTIFICATION**

Neighbour notification. The written notifications were sent to nos. 5,7 and 9 Chatburn Old Rd and not Old Road Chatburn so as yet we have not received the notification. We are also not aware of any notice having been pinned up in the neighbourhood. This has caused considerable delay in getting together everyone's objections.

I consider this planning application should not be taken further until:-

- a. A recent ecological survey and a night-time ecological survey have been completed.
- b. LCC Highways and United Utilities have looked at the current road surface and drainage issues on Hare Hill Croft and Old Road. Also, looked at new road safety issues now another 10 houses and the HARP proposals have been in place since the last report.
- c. United Utilities have approved the surface and foul sewage drainage proposals for the new build.
- d. The inaccuracies of the application form are corrected.
- e. The access statement has been completed.
- f. Hare Hill Croft development is completed to the satisfaction of all the residents – ie the road surface, pavements, landscaping and the building site and storage facility that still remains at the back of the estate.
- g. The issues from the flooding of the gardens on Crow Trees Brow due to the surface drainage from Hare Hill Croft have been resolved.
- h. The issue of the public footpath is resolved on the Hare Hill Croft site and surrounding field which also runs at the back of 'The Field' – The footpath officer has the details and the testimonies from about 15 residents to confirm their use of the unregistered footpath for more than 20 years.

Thank you for your consideration in this matter.

Yours sincerely,

See attachments-

A. Copy of the original report from the Lancashire Badger Group submitted to RVBC in 2020:-

Re: planning applications 3/2019/0521 3/2016/0124 Land off Old Clitheroe Road Chatburn

Hello, my name is [REDACTED] of Lancashire Badger group. My email is [REDACTED] in relation to the above planning applications and building works off Old Clitheroe Road in Chatburn. In the last month the badger group were contacted by local residents expressing concerns that ongoing works and future proposals may affect the presence and activities of badgers in the area. I have consulted our group records to ascertain the nearest recorded badger setts and undertaken a walk over survey of the vicinity (without going onto private land) to look for and record any signs of badger presence/activity. Our records show there is a badger sett within 1km of the current and proposed developments. On recent inspection it was clear this sett is very active with badgers. The walk over survey of the land surrounding the current and proposed development showed clear and recent signs of badger activity. These included, clear pathways of the type created by badgers that extended from the surrounding land and into the proposed development area. At the fences there were clear signs of badgers passing through including badger hairs etc. I also understand residents have footage of badgers visiting gardens on Old Clitheroe road. Our group can and is very willing to supply a full report if required on our findings to the council if required. I have also studied the original environmental and ecological reports commissioned by the developer for the first development on the land off Old Road. I am very alarmed that the report suggests there was no badger activity in the area. This is clearly not the case and the active badger sett nearby has been there and on our records for many years. I can find no record of the badger group being consulted as to the presence of badgers by any ecology consultants. I could see that the central LEARN agency was contacted, however they do not hold extensive records of badger setts in Lancashire.

I would be grateful for your views on this matter from a planning authority perspective. The view of the Lancashire badger group would be that the developer should undertake a dedicated badger presence survey of the area and look to properly mitigate before any further development is undertaken

B. I have also delivered a paper copy of these comments to the council offices with illustrations of :-
Rough sketch of the wildlife corridor from the badger sett near the railway line at Castle Cement, to the open land beyond North of Old Rd and also the open land to the East of Crow Trees Brow. The woodland areas contain a wealth of wildlife and biodiversity.

Illustrations show badger going through the fence at No.9 Old Rd into 'The Field'; going under the hedges fencing surrounding the building site; going across Old Rd from the woodland opposite and a baby deer in the woodland opposite Old Rd. Just some examples taken from the wealth of videos and images we have of the wildlife in the immediate vicinity of 'The Field'. These shots show individuals but I have videos of families of badgers and families of deer visiting the area.

From: Planning
Sent: 10 December 2021 10:53
To: Planning
Subject: REDACT AND UPLOAD Objection to Planning Application No. 3/2021/1153 Land adjacent to 9 Old Road, Chatburn FAO Laura Eastwood

Importance: High

Categories: xRedact & Upload

From: [REDACTED]
Sent: 10 December 2021 10:49
To: Planning <planning@ribblevalley.gov.uk>
Cc: [REDACTED]
Subject: Objection to Planning Application No. 3/2021/1153 Land adjacent to 9 Old Road, Chatburn FAO Laura Eastwood
Importance: High

 This email originated from outside Ribble Valley Borough Council. Do NOT click links or open attachments unless you recognize the sender and are sure the content within this email is safe.

FAO Laura Eastwood

Dear Laura

[REDACTED] and we are writing to object to planning application "3/2021/1153 Land adjacent to 9 Old Road Chatburn". Our reasons are laid out below

1) The proposed site area

The proposed site area contains imported soils and other parts of the site contain the original natural habitat and landscape which has designated status as detailed in the Hare Hill Croft (HHC) ecology report, which was submitted as part of the original HHC planning application and will be lost should this Application be granted.

Inspection of readily available aerial images eg. Google Earth, will evidence the original site and the extent of the area of site affected by the soils importation as well as the areas that were unaffected and retain the original designated habitat.

The photographs on pages 1,2 & 3 of the Applicant's Design Statement also highlight the areas of the proposed site that were not affected by the soils filling activity, including the natural stone boundary wall, shrubs and small trees.

2) Damage to the natural environment and species

Part of the site and land adjacent to the site contains the original geological features, grasslands, small trees, shrubs and species that were previously identified as protected habitat and have not been affected by the soils importation infilling activities associated with the development of HHC. This is clearly existing natural habitat that has designated status and would be destroyed or affected by the proposed development.

Details of the existing habitat that was classified as "UK BAP Priority Habitat / Habitat of Principal Importance of Conservation" and "UK BAP Priority Species" are contained in the Ecology Report reference "14_0618_ecology_report" submitted in relation to the Hare Hill Croft RVBC Planning Application Decision reference 3/2014/0618.

In addition, the corridor of land either side of and including the proposed site area is habitat for a wide range of species. Discussions with local neighbours has evidenced that bats and hedgehogs have been observed by using the "green" corridor along the eastern boundary of HHC, between the established woodland to the north and large established trees and open grassland to the south. Tawny owls have also been observed actively hunting along the same green corridor. Badgers have been observed as active in the area of the site and the wider field area both historically and currently, a fact that has been validated by a representative of the Lancashire Badger Group and local residents' camera trap footage.

The Application does not comply with the elements of the Core RVBC Strategy that provide protection to landscape, habitat and species.

3) The proposed development drawings

The land boundary along the eastern edge of No.2 HHC is incorrect and actually encroaches further east and beyond the line shown on the drawing by approximately 2m. The Application drawings should show the correct land ownership boundary along the edge of the HHC properties.

The drawings refer to an "existing hedge line as approved drawing - planning ref: 3/2016/0748P". This hedge line hasn't been installed and maintained in accordance with the HHC planning approved landscape plans.

4) Change in levels and distances between existing HHC properties and the proposed development.

The ground floor level of No.2 HHC is at a level of circa 117m which indicates a level difference of c.5.5m to the lower basement/patio level of the proposed dwelling. The plan distance between the lower level and the HHC boundary is c.3m at the nearest point.

The structural details for the boundary walls, construction sequence, area required to construct the permanent works and any associated temporary works, need to be fully understood in order to assess whether the proposed works can be physically constructed.

Put another way, the proposed development as indicated on the Application may well prove to be impossible to construct in principle, without further and detailed technical information to support the Application.

5) It is noteworthy that ecology survey reports were included with the previously rejected Applications ref. 3/2019/0498 and 3/2020/0145 have not been included with this Application. Why?

6) The proposed development requires the removal of previously infilled material and natural rock head. What licences are required for the removal of natural rock head and is it acceptable to interfere with the recently imported soils which are currently providing a developing habitat?

7) The scale of the proposed property is not in keeping with adjacent properties.

8) There will be a loss of natural light [REDACTED] as a result of the proposed dwelling.

9) The privacy [REDACTED] HHC will be adversely affected by the proposed development as they will be overlooked.

- 10) Two similar previous Planning Applications at the same site location have been rejected by RVBC, planning applications ref. 3/2019/0498 and 3/2020/0145.
- 11) In addition to the negative effect the development would have on the species noted above and the damage and loss it will cause to natural environment, the following birds have been observed by us on and close to the Application site – barn owl, blackbird, blue tit, buzzard, chaffinch, dunnock, great tit, pheasant, pied wagtail, robin, house sparrow, sparrowhawk, tawny owl, wren. The appropriate legislative requirements regarding birds should be satisfied.
- 12) There is a traditional stone wall along the edge of Old Road that would be destroyed by the proposed development.
- 13) There is no Construction Management Plan (CMP) with the Application. There are various key issues that need to be addressed before construction that may materially affect the Application decision.
- (i) Noise, vibrations, dust – limits and monitoring regime to ensure compliance should be established and enforced
 - (ii) Site working hours
 - (iii) Access routes from compounds and storage areas to the site
 - (iv) Location of site compound and material storage areas
 - (v) Material delivery restrictions
 - (vi) Depth of excavation, proximity to existing properties and associated temporary works details
 - (vii) The construction method and structure details of retaining walls along the western boundary of the proposed site
 - (viii) Traffic management to avoid blockage of Old Road as a result of the proposed works
 - (ix) Removal of excavated materials from site
 - (x) Waste classification, waste management and licenses required

Any proposed construction activity needs to be considerate and take into account the people and properties it would affect.

It is reasonable to request that details that would normally feature in a CMP, including how they will be monitored and enforced, should be included within planning conditions should this Application be granted.

Please acknowledge our objection by return if you would and if you could also let us know the procedure from here on in with regards to communication from the council regarding our objection and also the time scale relating to this I would be most grateful.

Kind regards

21_1153 Application Form

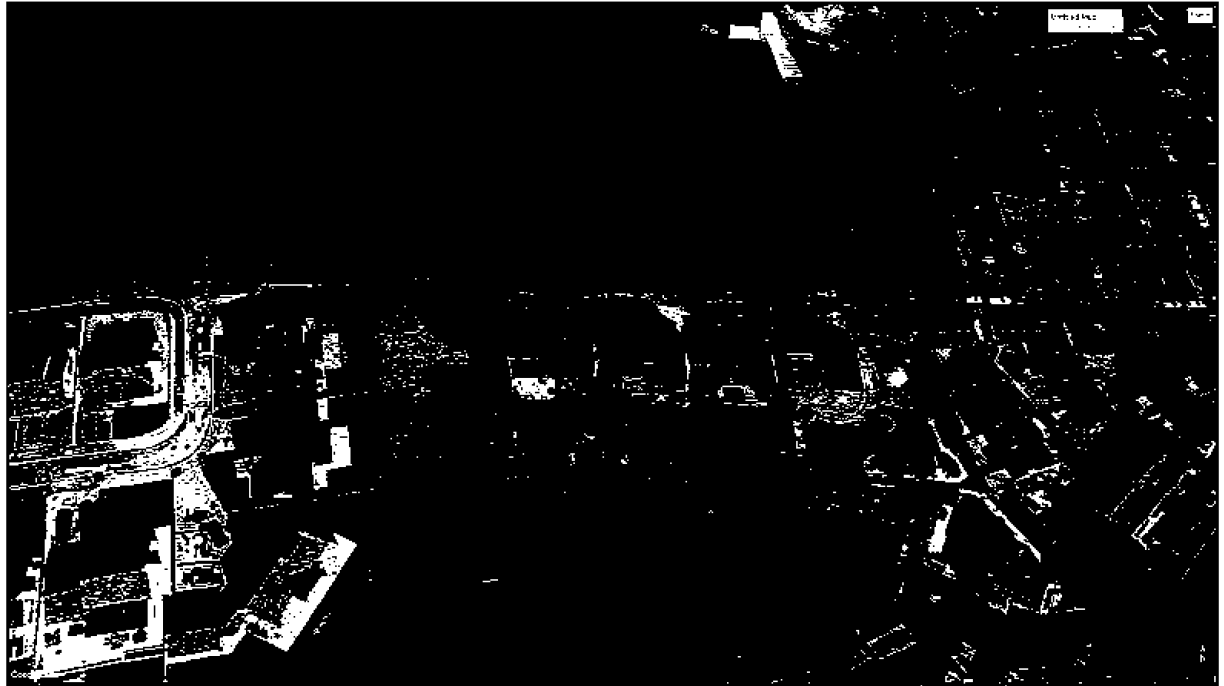
- 1) Sections 1 and 5 description *“Proposed 2.5 storey dwelling with garage basement on infill site”* and *“Proposed dwelling with basement accommodation on an In-fill site adjacent to no 9 Old Road, Chatburn”*. Please define what “in-fill” and “infill” means in this Application. Is it the infilling of an area between two existing buildings with a new building or is it the use of a site that has been, in part, previously infilled with imported soils i.e. the area that has been subject to the soils importation planning appeal, refer *“Appeal Decisions APP/Q2371/C/19/3243448 and APP/Q2371/W/20/3264309”*. Either way, some of the site area contains imported soils and other parts of the site contain the original natural habitat and landscape which has designated status as detailed in the Hare Hill Croft (HHC) ecology report, which was submitted as part of the original HHC planning application and will be lost should this Application be granted.



Google Earth April 2015



Google Earth June 2018



Google Earth April 2020

In addition to the Google Earth images above showing areas of the original habitat that are unaffected by the Infilling of Imported soils, the Applicant submitted photographs as part of planning Application LCC_2017_0087. Figure 5 from this planning Application is shown below and shows areas of the original habitat that are not affected by the soils filling activity.

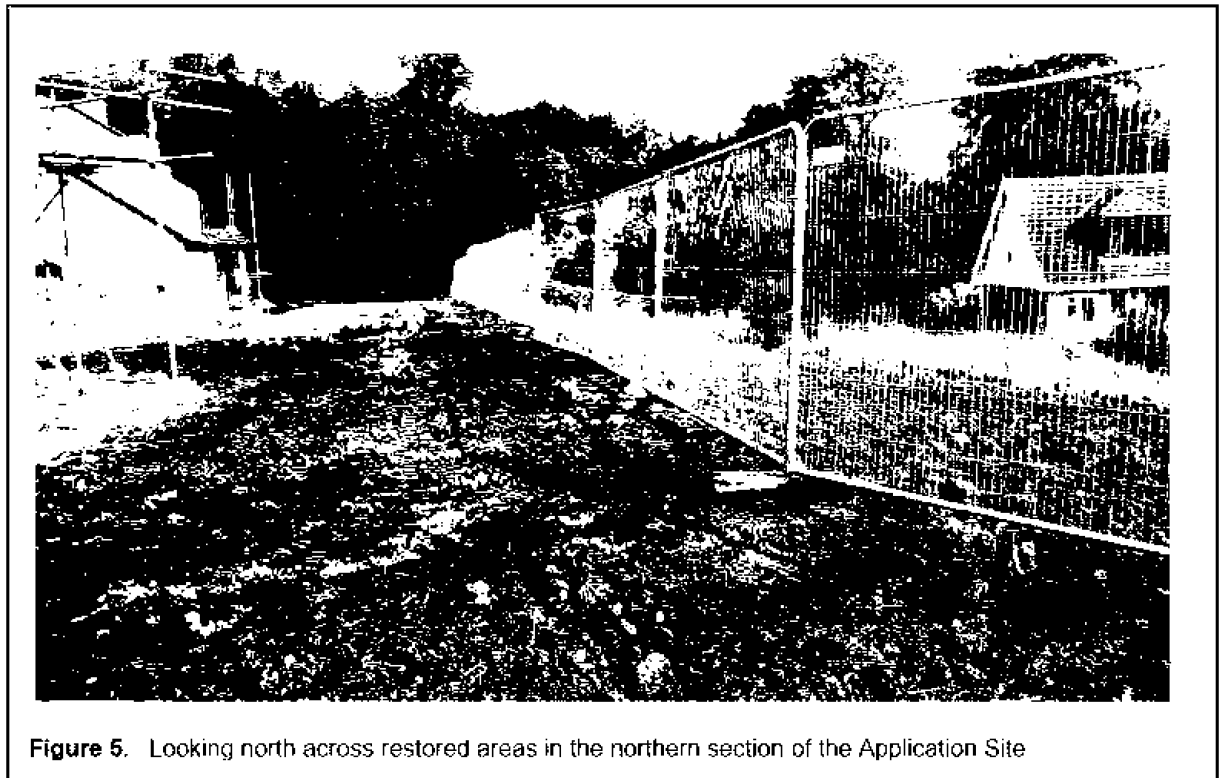


Figure 5. Looking north across restored areas in the northern section of the Application Site

Extract from file reference "0724-3 PS App 2 Photographs 1" from planning Application LCC/2017/0087

The photographs on pages 1,2 & 3 of the Applicant's Design Statement also highlight the areas of the proposed site that were not affected by the soils filling activity, including the natural stone boundary wall, shrubs and small trees.

2) Section 10 Trees and Hedges

The Application states there are no trees and hedges.

This is most likely incorrect. The natural stone wall, shrubs and small trees along the edge of Old Road and in this Application site area are original landscape features. A suitably qualified person should inspect the site and advise what the current status is of this original landscape.

There are also trees and hedges required as part of the HHC development that have not yet been planted and maintained in accordance with the HHC planning conditions. This work has still to be completed and HHC landscaping works would be affected by the proposed development.

3) Section 12. Biodiversity and Geological Conservation

The Applicant has ticked no to all of the questions. This is totally incorrect. The entire basis of this Application appears to use the recent appeal decision "Appeal Decisions APP/Q2371/C/19/3243448 and APP/Q2371/W/20/3264309" as a basis of saying no to all of the Section 12. Biodiversity and Geological Conservation questions in the Application.

Part of the site and land adjacent to the site contains the original geological features, grasslands, small trees and shrubs that were previously identified as protected habitat and have not been affected by the soils importation infilling activities associated with the development of HHC. This is existing natural habitat that has designated status and would be destroyed or affected by the proposed development.

Details of the existing habitat that was classified as "UK BAP Priority Habitat / Habitat of Principal Importance of Conservation" and "UK BAP Priority Species" are contained in the Ecology Report reference "14_0618_ecology_report" submitted in relation to the Hare Hill Croft RVBC Planning Application Decision reference 3/2014/0618.

In addition, the corridor of land either side of and including the proposed site area is habitat for a wide range of species. Discussions with local neighbours has evidenced that bats and hedgehogs have been observed by using the "green" corridor along the eastern boundary of HHC, between the established woodland to the north and large established trees and open grassland to the south. Tawny owls have also been observed actively hunting along the same green corridor. Badgers have been observed as active in the area of the site and the wider field area both historically and currently, a fact that has been validated by a representative of the Lancashire Badger Group and local residents' camera trap footage.

RVBC "Core Strategy 2008 – 2028 A Local Plan for Ribble Valley Adoption Version" Key Statement EN4 (extract below) emphasises the importance of green corridors.

KEY STATEMENT EN4: BIODIVERSITY AND GEODIVERSITY

The Council will seek wherever possible to conserve and enhance the area's biodiversity and geodiversity and to avoid the fragmentation and isolation of natural habitats and help develop green corridors. Where appropriate, cross-Local Authority boundary working will continue to take place to achieve this.

In addition, RVBC “Core Strategy 2008 – 2028 A Local Plan for Ribble Valley Adoption Version” Policy DME3 (extract below) states;

POLICY DME3: SITE AND SPECIES PROTECTION AND CONSERVATION

10.14 DEVELOPMENT PROPOSALS THAT ARE LIKELY TO ADVERSELY AFFECT THE FOLLOWING WILL NOT BE GRANTED PLANNING PERMISSION. EXCEPTIONS WILL ONLY BE MADE WHERE IT CAN CLEARLY BE DEMONSTRATED THAT THE BENEFITS OF A DEVELOPMENT AT A SITE OUTWEIGH BOTH THE LOCAL AND THE WIDER IMPACTS. PLANNING CONDITIONS OR AGREEMENTS WILL BE USED TO SECURE PROTECTION OR, IN THE CASE OF ANY EXCEPTIONAL DEVELOPMENTS AS DEFINED ABOVE, TO MITIGATE ANY HARM, UNLESS ARRANGEMENTS CAN BE MADE THROUGH PLANNING CONDITIONS OR AGREEMENTS TO SECURE THEIR PROTECTION.



1. WILDLIFE SPECIES PROTECTED BY LAW
2. SSSIS
3. PRIORITY HABITATS OR SPECIES IDENTIFIED IN THE LANCASHIRE BIODIVERSITY ACTION PLAN
4. LOCAL NATURE RESERVES
5. COUNTY BIOLOGICAL HERITAGE SITES

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6. SPECIAL AREAS OF CONSERVATION (SACS)
7. SPECIAL PROTECTED AREAS (SPAS)
8. ANY ACKNOWLEDGED NATURE CONSERVATION VALUE OF SITES OR SPECIES.

The proposals in this Application would not be in accordance with the RVBC Core Strategy.

Hare Hill Croft Imported Soils Appeal Decision Area Habitat Management Plan

- 4) The “Appeal Decisions APP/Q2371/C/19/3243448 and APP/Q2371/W/20/3264309” document does not make clear what measures are required for the long-term management and maintenance of the infilled areas within and beyond the appeal site and does not comment on the areas of the original habitat that were within the appeal site but were not affected by the infilling relating to the HHC development. Questions arising from this that may affect this Application include;
- (i) What obligations does the HHC developer have with regard to the long-term management of the infilled areas that were part of the soils importation Appeal Decision?
 - (ii) What status does the natural habitat that was within the appeal site (and this Application) area, but not affected by the infilling activities, hold? For example, along the eastern boundary of the Appeal site, including adjacent to 9 Old Road and the boundary between the Appeal site and Old Road which falls within this Application. An inspection of historical imagery (Google) shows that various shrubs, bushes and grassland in these areas were there before the HHC development commenced and are still there today.
 - (iii) Does the compensatory habitat area need to be established before any further activity can occur on the Appeal site area and how long does it need to be established for?

21_1153_Design_Statement

5) Section 3 Planning states (emphasis added)

“3.1 Planning policy

The proposed site is in the Ribble Valley Local Plan and features on Chatburns Inset map 7. On the proposals map for the Districtwide Local Plan, the site is located outside of but adjacent to the settlement boundary for Chatburn.

However, on the draft proposals map for Chatburn, which has been adopted for development management purposes, the Application site is located within the draft settlement boundary for Chatburn.

Therefore, under the definition above, rounding-off is allowed as the site is included within the settlement boundary and two thirds of the perimeter is already built up.

The proposed development is therefore in accordance with policy DMG2 of the Core Strategy.

“Development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the Tier 1 Villages should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.”

Comments on the above noting the references and extracts below relate to the RVBC “Core Strategy 2008 – 2028 A Local Plan for Ribble Valley Adoption Version”;

- (i) The scale of the proposed development dwarfs the existing No.9 Old Road property and is therefore not to the scale of No.9 Old Road.
- (ii) Reference is made and reliance placed upon the draft proposals map. The current proposals map as shown in the design statement, and as available at time of writing on RVBC planning portal, shows the Application area as “open countryside”. If the draft proposals map referred to is actually valid, the proposed site may well be deemed to be a field that falls within the Chatburn settlement boundary, but it doesn’t alter the fact the site contains original landscape features and designated habitat, as well as newly developing habitat as a result of the HHC soils Importation appeal decision. The RVBC Core Strategy provides ample protection against development of sites containing the features and species described above and elsewhere in this document.
- (iii) The design statement does not take into account the full context of DMG2, extract below, which states;

POLICY DMG2: STRATEGIC CONSIDERATIONS

10.5 DEVELOPMENT SHOULD BE IN ACCORDANCE WITH THE CORE STRATEGY DEVELOPMENT STRATEGY AND SHOULD SUPPORT THE SPATIAL VISION.

1. DEVELOPMENT PROPOSALS IN THE PRINCIPAL SETTLEMENTS OF CLITHEROE, LONGRIDGE AND WHALLEY AND THE TIER 1 VILLAGES SHOULD CONSOLIDATE, EXPAND OR ROUND-OFF DEVELOPMENT SO THAT IT IS CLOSELY RELATED TO THE MAIN BUILT UP AREAS, ENSURING THIS IS APPROPRIATE TO THE SCALE OF, AND IN KEEPING WITH, THE EXISTING SETTLEMENT.

There are various references that relate to the first sentence of DMG 10.5 elsewhere in the Core Strategy that would also be relevant to this Application and have not been considered by the Applicant. For example, 4.1, EN4 and 5.5, extracts below;

Strategic Spatial Policies

4.1 Background

The Core Strategy must be the most appropriate Strategy when considered against reasonable alternatives. To determine the Development Strategy for the Core Strategy, a range of options have been considered through what was the Regulation 25 stage. Two previous consultations have been undertaken in order to develop the council's preferred option. Initially 3 options were formulated having been devised from earlier consultation and engagement work completed under regulation 25, principally as an issues and options consultation in 2007. The initial Core Strategy options for the development strategy were derived from this earlier consultation in terms of the most popular and realistically deliverable options for development across the borough.

In formulating the three potential options three spatial principles were considered that the Council would seek to achieve by the end of the plan period, namely:

- Protect and enhance the wider local environment, both natural, built and historic, in rural and urban areas.
- Ensuring housing supply meets the identified housing need.
- Ensure the Ribble Valley is an area where people want to, and can live, work and relax.

KEY STATEMENT EN4: BIODIVERSITY AND GEODIVERSITY

The Council will seek wherever possible to conserve and enhance the area's biodiversity and geodiversity and to avoid the fragmentation and isolation of natural habitats and help develop green corridors. Where appropriate, cross-Local Authority boundary working will continue to take place to achieve this.

Negative impacts on biodiversity through development proposals should be avoided. Development proposals that adversely affect a site of recognised environmental or ecological importance will only be permitted where a developer can demonstrate that the negative effects of a proposed development can be mitigated, or as a last resort, compensated for. It will be the developer's responsibility to identify and agree an acceptable scheme, accompanied by appropriate survey information, before an application is determined. There should, as a principle be a net enhancement of biodiversity.

These sites are as follows:

- Sites of Special Scientific Interest (SSSIs)
- Local Nature Reserves (LNRs)
- Local Biological Heritage sites (CBHs)
- Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)
- Local Geodiversity Heritage Sites
- Ancient Woodlands
- Lancashire Biodiversity Action Plan priority habitats and species
- European Directive on Protected Species and Habitats - Annexe 1 Habitats and Annexe II Species
- Habitats and Species of Principal Importance in England

With respect to sites designated through European legislation the Authority will be bound by the provisions of the relevant Habitats Directives and Regulations.

For those sites that are not statutorily designated and compensation could be managed through a mechanism such as biodiversity off-setting via conservation credits.

5.5 WHY ARE WE TAKING THIS APPROACH?

The intricate network of biodiversity provides the support systems that sustain human life and is therefore an integral part of long term sustainability, locally, nationally and on a global scale. Local authorities have a duty to conserve biodiversity under national planning policy and Ribble Valley Borough Council is a signatory to the Lancashire Biodiversity Action Plan, which identifies a raft of habitats and species considered to be of conservation importance at regional level. It also identifies key partners responsible for delivering the action plan, including both statutory and non-statutory habitats/species.

In addition the SA scoping report drew attention to the Borough's wealth of biodiversity sites and the need to conserve and enhance biodiversity as an integral part of economic, social and environmental development. It also highlighted the need for the condition of the SSSIs in the area to be improved and that opportunities should be sought to deliver biodiversity enhancements through the Core Strategy. The condition of relevant sites is monitored annually and will continue to be reported within regular monitoring.

6) Section 3 Planning states (emphasis added) continued.

“3.1 Planning policy

The site sits in accordance with the general policies ENV3 and G5.

The policy ENV3 states: ‘The development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.’

G5’s general policy states that small developments are considered within this area, although the policies do state to limit development the proposal is for 1 new dwelling and the site is outside of the settlement boundary and should not be considered a restriction to development due to its sustainable location immediately adjacent to the boundary.”

Comments on the above noting the references and extracts below relate to the RVBC “Core Strategy 2008 – 2028 A Local Plan for Ribble Valley Adoption Version”;

- (i) ENV3 is designated “Open Countryside” and G5 “Land outside main settlement/village boundaries” according to the proposals map key on the RVBC website. Section 5.3 of the Core Strategy (extract below) emphasises the value placed on open countryside and its protection from inappropriate development. As noted earlier, if the draft proposals map is the current map and open countryside isn’t technically the correct terminology, we would also note the statement below in 5.3, “the founding principle that all landscapes have a value”.

5.3 WHY ARE WE TAKING THIS APPROACH?

Over 75% of the area is designated as an Area of Outstanding Natural Beauty and outside these statutory areas the borough comprises extensive areas of open countryside much of which has an intrinsic value that contributes to the quality of the landscape in the borough. In addition the founding principle of landscape character is that all landscapes have a value. The Council considers that it is important to ensure development proposals do not serve to undermine the inherent quality of the landscape. Particular regard, consistent with the designation as AONB, will be given to matters of design and impact with an expectation that the highest standards of design will be required. The Council will also seek to ensure that the open countryside is protected from inappropriate development. Developers should adopt a non-standardised approach to design which recognises and enhances local distinctiveness, landscape character, the quality of the built fabric, historic patterns and landscape tranquillity.

- (ii) ENV3 in the Core Strategy refers to policies EN2 and DME2. EN2 refers to Core Strategy extract 5.3 above. DME2 refers to Core Strategy extract below;

POLICY DME2: LANDSCAPE AND TOWNSCAPE PROTECTION

10.13 DEVELOPMENT PROPOSALS WILL BE REFUSED WHICH SIGNIFICANTLY HARM IMPORTANT LANDSCAPE OR LANDSCAPE FEATURES INCLUDING:

1. TRADITIONAL STONE WALLS
2. PONDS.
3. CHARACTERISTIC HERB RICH MEADOWS AND PASTURES.
4. WOODLANDS
5. COPSES.
6. HEDGEROWS AND INDIVIDUAL TREES (OTHER THAN IN EXCEPTIONAL CIRCUMSTANCES WHERE SATISFACTORY WORKS OF MITIGATION OR ENHANCEMENT WOULD BE ACHIEVED, INCLUDING REBUILDING, REPLANTING AND LANDSCAPE MANAGEMENT).
7. TOWNSCAPE ELEMENTS SUCH AS THE SCALE, FORM, AND MATERIALS THAT CONTRIBUTE TO THE CHARACTERISTIC TOWNSCAPES OF THE AREA.

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8. UPLAND LANDSCAPES AND ASSOCIATED HABITATS SUCH AS BLANKET BOG.
9. BOTANICALLY RICH ROADSIDE VERGES (THAT ARE WORTHY OF PROTECTION).

The Council will seek, wherever possible, to enhance the local landscape in line with its key statements and development strategy. In applying this policy reference will be made to a variety of guidance including the Lancashire County Council Landscape Character Assessment, the AOMB Landscape Character Assessment 2010 and the AOMB Management Plan. Also the Council will take into account the potential cumulative impacts of development in areas where development has already taken place.

By proactively considering these important features through the development management process the Council will deliver the Core Strategy vision and support the delivery of sustainable development

The Application does not comply with these elements of the RVBC Core Strategy.

- (iii) **G5 In the Core Strategy refers to policies DS1 and DMG2. For comments on DMG2 please refer to comment 5) (iii) above.**

- 7) **Section 3.3 states *"Subsequently, this matter has been addressed by an appeal decision (ref:APP/Q2371/C/19/3243448 and B ref:Q2371/W/20/3264309). As such it is taken that the calcareous grass issue is fully resolved."***

This is disputed for the reasons noted throughout this document.

- 8) **Section 3.4 states**


"Generally Ribble Valley Borough Council confirmed that they were supportive of the proposals and wrote in response to the pre-application enquiry, concluding that:- "I consider that the principle of development is acceptable and there are no provisional issues with the design approach taken to the dwelling. I would however highlight concerns in relation to residential amenity and the proposed layout, due to the proximity between properties. This would be an important consideration in any future application and therefore some consideration should be given to potential mitigation". "Subsequently, it was agreed that this concern would be addressed by increasing the depth of the existing gardens to no.1 and no.2 Hare Hill Croft and by the inclusion of a 1.8m high hit-and-miss timber fence to the boundary."

What was agreed and by whom? Please also refer to comment 8) as the correct land boundary line of No.2 HHC would mean these "agreements" are based on a different land boundary.

Drawings submitted with the Application

21_1153_Proposed_Site_Plan

- 9) **The land boundary along the eastern edge of No.2 HHC is incorrect and actually encroaches further east and beyond the line shown on the drawing by approximately 2m. The Application drawings should show the correct land ownership boundary along the edge of the HHC properties. The proposed new hedge and landscaping along HHC boundary on the Applicant's side of the land boundary line cannot be constructed within the No.2 HHC land boundary.**
- 10) **The drawings refer to an *"existing hedge line as approved drawing - planning ref: 3/2016/0748P"*. This hedge line hasn't been installed and maintained in accordance with the HHC planning approved landscape plans.**
- 11) **The ground floor level of No.2 HHC is at a level of circa 117m which indicates a level difference of c.5.5m to the lower basement/patio level of the proposed dwelling. The plan distance**

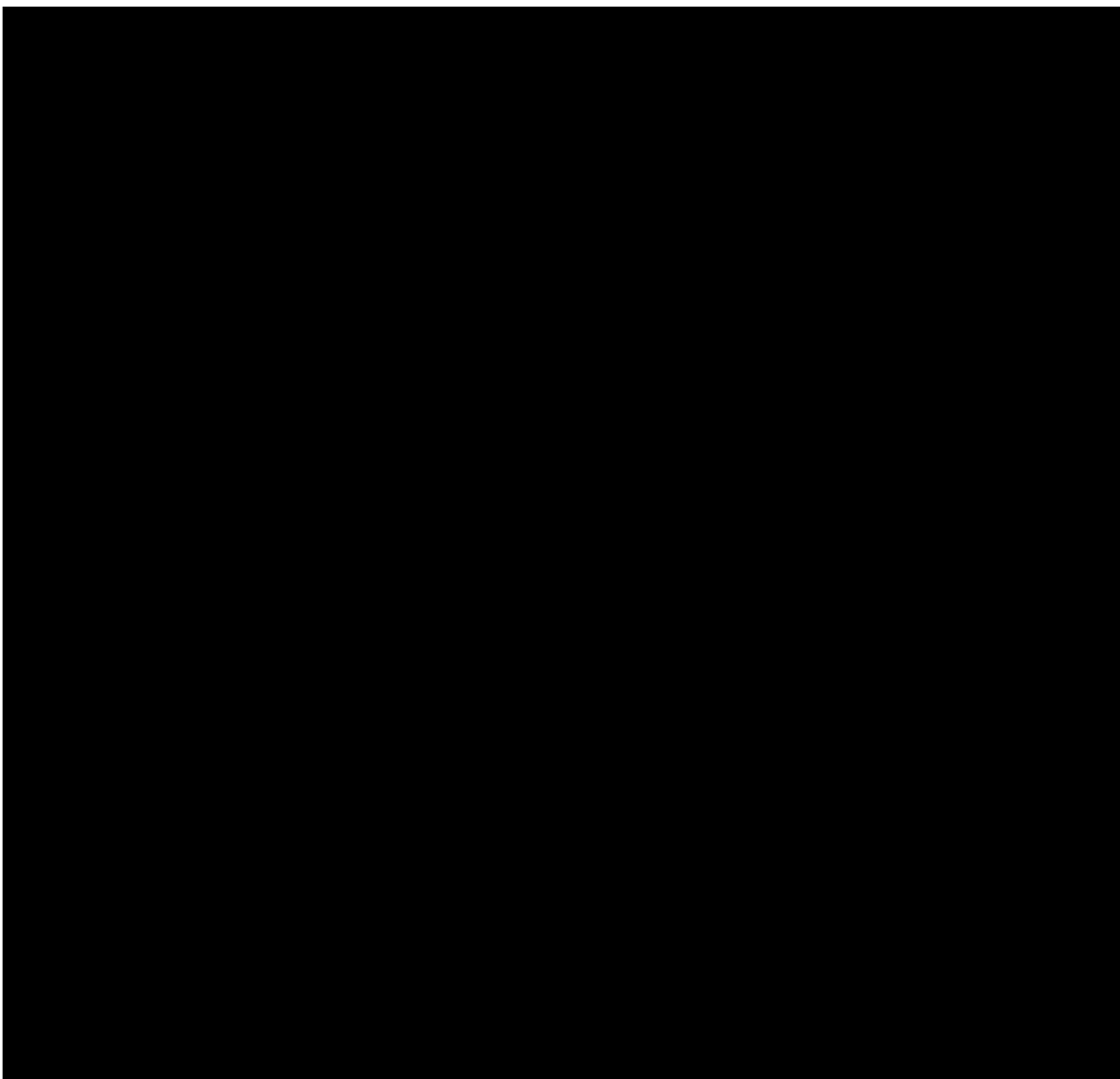


between the lower level and the HHC boundary is c.3m at the nearest point. Refer to *Figure 1* below.

The structural details for the boundary walls, construction sequence, area required to construct the permanent works and any associated temporary works, need to be fully understood in order to assess whether the proposed works can be physically constructed. Appropriate intrusive site investigation to confirm ground conditions that will inform both the structural design and the determine the construction method should be undertaken. It will not be possible to fully assess whether it is possible to achieve what's shown on the Applicant's drawings without site investigation information.

A detailed technical appraisal to assess the buildability of the proposed design and whether the works can be constructed within normal construction tolerance/limits associated with noise and vibration should be demonstrated in advance. Given there is likely to be extensive volumes of natural rock to be removed, specific details of how the rock can be removed within the noise and vibration limits need to be established to inform this Application decision.

Put another way, the proposed development as indicated on the Application may well prove to be impossible to construct in principle, without further and detailed technical information to support the Application.



21_1153_Proposed_Sections

- 12) The new basement level is indicated at a proposed level of 111.55m and patio at 111.45m. The most onerous cross sections in terms of level difference at the nearest position on plan and are somewhat misleading in this regard.

The ground floor level of No.2 HHC is at a level of circa 117m which indicates a level difference of c.5.5m to the lower basement/patio level of the proposed dwelling. The plan distance between the lower level and the HHC boundary is c.3m at the nearest point. Refer to Figure 1 above.

Cross sections showing the minimum widths to the HHC correct land boundary and the maximum level difference between proposed and existing ground levels should be shown along with structural details for the retaining structure along the western side of the proposed development in order to assess this Application.

It is noteworthy that the lack of consideration associated with the level changes across the original HHC red line planning eastern boundary has led to a significant amount of dispute and therefore the level difference proposed here merits full and detailed consideration.

- 13) There is a note on the drawing "*C 15.07.19 gabion basket boundary wall updated*". There is no reference to a gabion wall on the drawing. What is this note referring to?

Hare Hill Croft Imported Soils Appeal Decision

- 14) We would also draw your attention to the comments in "Appeal Decisions APP/Q2371/C/19/3243448 and APP/Q2371/W/20/3264309" for the Importation of soils where the Planning Inspector commented;

"Although I do not have full details before me and cannot therefore consider the full implications of a retaining wall, a 5.85m high wall in this location would appear a dominant feature which, in my view, is likely to have an adverse impact on the character and appearance of the area. Furthermore, since the appellant no longer has control over Hare Hill Croft, the works would need to be carried out entirely within the appeal site. Land within the appeal site would therefore be required to accommodate the construction of the retaining wall and wider disturbance would be likely during its construction. Both solutions are therefore likely to have an adverse impact on UCG."

In addition, the Appellant in the Appeal case stated, *"The second consideration was the construction of a retaining wall. This would be of substantial height and would thus require significant engineering to ensure its long term stability. Whilst boundary treatments for Hare Hill Croft had been previously approved by RVBC, these did not include any such structure and it is therefore unclear as to whether or not RVBC would require an additional planning permission for these works. Furthermore the significant groundworks associated with the construction of a retaining wall would require access from outside Hare Hill Croft and would therefore result in the disturbance, if not total loss, of any calcareous grassland that may have been present."*

The above comments from the Appeal Decision would be equally relevant to this Application.

Other comments

- 15) It is noteworthy that ecology survey reports were included with the previously rejected Applications ref. 3/2019/0498 and 3/2020/0145 have not been included with this Application. Why?
- 16) The proposed development requires the removal of previously infilled material and natural rock head. What licences are required for the removal of natural rock head and is it acceptable to interfere with the recently imported soils which are currently providing a developing habitat?
- 17) The scale of the proposed property is not in keeping with adjacent properties.
- 18) There will be a loss of natural light into [REDACTED] as a result of the proposed dwelling.
- 19) The privacy of [REDACTED] will be adversely affected by the proposed development as they will be overlooked.
- 20) Two similar previous Planning Applications at the same site location have been rejected by RVBC, planning applications ref. 3/2019/0498 and 3/2020/0145.
- 21) In addition to the negative effect the development would have on the species noted above and the damage and loss it will cause to the natural environment, the following birds have been observed by us on and close to the Application site – barn owl, blackbird, blue tit, buzzard, chaffinch, dunnoek, great tit, pheasant, pied wagtail, robin, house sparrow, sparrowhawk, tawny owl, wren. The appropriate legislative requirements regarding birds should be satisfied.
- 22) There is a traditional stone wall along the edge of Old Road that would be destroyed by the proposed development. Refer Core Strategy DME2 - 10.13 which affords protection to such features.
- 23) There is no Construction Management Plan (CMP) with the Application. There are various key issues that need to be addressed before construction, some of which may also materially affect the Application decision.
- (i) Noise, vibrations, dust – limits and monitoring regime to ensure compliance should be established and enforced
 - (ii) Site working hours
 - (iii) Access routes from compounds and storage areas to the site
 - (iv) Location of site compound and material storage areas
 - (v) Material delivery restrictions
 - (vi) Depth of excavation, proximity to existing properties and associated temporary works details
 - (vii) The construction method and structure details of retaining walls along the western boundary of the proposed site

- (viii) **Traffic management to avoid blockage of Old Road as a result of the proposed works**
- (ix) **Removal of excavated materials from site**
- (x) **Waste classification, waste management and licenses required**

[REDACTED]. Any proposed construction activity needs to be considerate and take into account the people and properties it would affect.

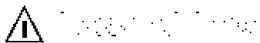
It is reasonable to request that details that would normally feature in a CMP, including how they will be monitored and enforced, should be included within planning conditions should this Application be granted.

From: Planning
Sent: 10 December 2021 09:53
To: Planning
Subject: REDACT AND UPLOAD Objection to Planning Application No. 3/2021/1153 Land adjacent to 9 Old Road, Chatburn

Categories: xRedact & Upload

Already printed for file and forwarded to officer

From: [REDACTED]
Sent: 10 December 2021 09:31
To: Planning <planning@ribblevalley.gov.uk>
Subject: Objection to Planning Application No. 3/2021/1153 Land adjacent to 9 Old Road, Chatburn



This email originated from outside Ribble Valley Borough Council. Do NOT click links or open attachments unless you recognize the sender and are sure the content within this email is safe.

FAO Laura Eastwood

Comments on Planning Application 3/2021/1153

1) The proposed site area

The proposed site area contains imported soils and other parts of the site contain the original natural habitat and landscape which has designated status as detailed in the Hare Hill Croft (HHC) ecology report, which was submitted as part of the original HHC planning application and will be lost should this Application be granted.

Inspection of readily available aerial images eg. Google Earth, will evidence the original site and the extent of the area of site affected by the soils importation as well as the areas that were unaffected and retain the original designated habitat.

The photographs on pages 1,2 & 3 of the Applicant's Design Statement also highlight the areas of the proposed site that were not affected by the soils filling activity, including the natural stone boundary wall, shrubs and small trees.

2) Damage to the natural environment and species

Part of the site and land adjacent to the site contains the original geological features, grasslands, small trees, shrubs and species that were previously identified as protected habitat and have

not been affected by the soils importation infilling activities associated with the development of HHC. Clearly, this is existing natural habitat that has designated status and would be destroyed or affected by the proposed development.

Details of the existing habitat that was classified as "UK BAP Priority Habitat / Habitat of Principal Importance of Conservation" and "UK BAP Priority Species" are contained in the Ecology Report reference "14_0618_ecology_report" submitted in relation to the Hare Hill Croft RVBC Planning Application Decision reference 3/2014/0618.

In addition, the corridor of land either side of and including the proposed site area is habitat for a wide range of species. Discussions with local neighbours has evidenced that bats and hedgehogs have been observed by using the "green" corridor along the eastern boundary of HHC, between the established woodland to the north and large established trees and open grassland to the south. Tawny owls have also been observed actively hunting along the same green corridor. Badgers have been observed as active in the area of the site and the wider field area both historically and currently, a fact that has been validated by a representative of the Lancashire Badger Group and local residents' camera trap footage.

The Application does not comply with the elements of the Core RVBC Strategy that provide protection to landscape, habitat and species.

3) The proposed development drawings

The land boundary along the eastern edge of [REDACTED] is incorrect and actually encroaches further east and beyond the line shown on the drawing by approximately 2m. The Application drawings should show the correct land ownership boundary along the edge of the HHC properties.

The drawings refer to an "existing hedge line as approved drawing - planning ref: 3/2016/0748P". This hedge line hasn't been installed and maintained in accordance with the HHC planning approved landscape plans.

4) Change in levels and distances between existing HHC properties and the proposed development.

The proposed development as indicated on the Application may well prove to be impossible to construct in principle, without further and detailed technical information to support the Application as the ground [REDACTED] above the lower basement/patio level

of the proposed dwelling and the plan distance between the lower level and the [REDACTED]

The structural details for the boundary walls, construction sequence, area required to construct the permanent works and any associated temporary works, need to be fully understood in order to assess whether the proposed works can be physically constructed.

5) The proposed development requires the removal of previously infilled material and natural rock head. What licences are required for the removal of natural rock head and is it acceptable to interfere with the recently imported soils which are currently providing a developing habitat?

6) Two similar previous Planning Applications at the same site location have been rejected by RVBC, planning applications ref. 3/2019/0498 and 3/2020/0145 and this building appears to be bigger than in previous applications.

7) In addition to the negative effect the development would have on the species noted above and the damage and loss it will cause to natural environment, the following birds have been observed by us on and close to the Application Site, specifically but not exclusively: Barn owl, blackbird, blue tit, buzzard, chaffinch, dunnock, great tit, pheasant, pied wagtail, robin, house sparrow, sparrow hawk, tawny owl, wren and woodpeckers. The appropriate legislative requirements regarding birds should be satisfied.

8) There is a traditional stone wall habitat along the edge of Old Road that would be destroyed by the proposed development.

9) There is no Construction Management Plan (CMP) with the Application. There are various key issues that need to be addressed before construction that may materially affect the Application decision. Noise, vibrations, dust – limits and monitoring regime to ensure compliance should be established and enforced; site working hours; access routes from compounds and storage areas to the site; location of site compound and material storage areas; material delivery restrictions; depth of excavation, proximity to existing properties and associated temporary works details; the construction method and structure details of retaining walls along the western boundary of the proposed site; traffic management to avoid blockage of Old Road as a result of the proposed works; removal of excavated materials from site; waste classification, waste management and licences required.

10) [REDACTED] Old Road is already quite treacherous [REDACTED]

[REDACTED] Any proposed construction activity needs to be considerate and take into account the quality of the pedestrian and vehicular access (especially that of emergency vehicles) to the properties on Hare Hill Croft which must be maintained at all times. It is reasonable to request that details regarding the maintenance of access to Hare Hill Croft properties for all residents during construction must be considered. It is critical that this must include how access will be monitored and **enforced**, within planning conditions should this Application be granted.

Kind Regards

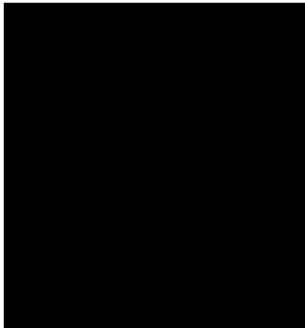


From: Planning
Sent: 10 December 2021 09:51
To: Planning
Subject: REDACT AND UPLOAD Planning Application Comments - 3/2021/1153

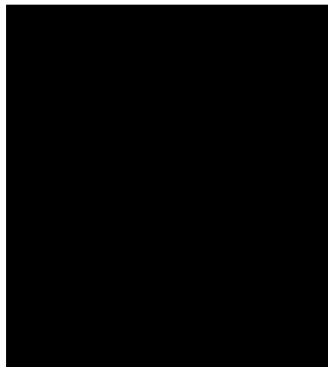
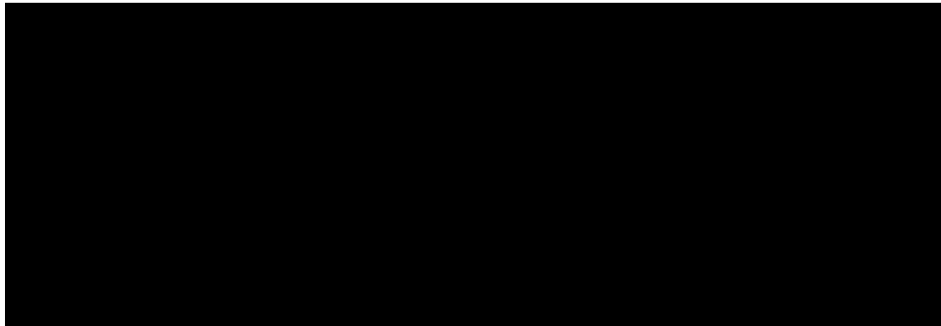
Categories: xRedact & Upload

Already printed for file and forwarded to planning officer

From: Contact Centre (CRM) <contact@ribblevalley.gov.uk>
Sent: 9 December 2021 22:21
To: Web Development <webdevelopment@ribblevalley.gov.uk>; Planning <planning@ribblevalley.gov.uk>
Subject: Planning Application Comments - 3/2021/1153



Is your address in Ribble Valley?: Yes



Planning Application Reference Number: 3/2021/1153

Address of Development: Old Road Chatburn

Your Comments: Dear Laura

I would like to make the following comments with regards to Planning Application 3/2021/1153.

Having looked at the plans and visited the proposed site I do have concerns about the potential impact the property would have on neighbouring dwellings.

The size,height and close proximity of the development would cause lack of amenity at either side of the development.

██████████ would I feel be subject to an oppressive environment with overbearing effects. Natural light into ██████████ would certainly be affected with significant overshadowing. Privacy around the building would also be affected.

The residents on Hare Hill Croft would have similar amenity issues within and around there properties.

The proposed property is also not in keeping with the street scene and is totally out of character with Old Road.

Chatburn has already exceeded its new build Core Strategy requirement and does not require another dwelling of this size, which does not benefit or meet the village housing needs.

I also have concerns about the Environmental effects that the application might have. The field is a haven for wild life and it is common knowledge that Badger activity is often seen around the application site. Special calcareous grassland has already been destroyed on this site and it would be to the detriment of the rural area if this large development was to impact on the natural habitat further.

I ask if you would please consider my comments and be mindful to recommend refusal of this planning application.

Yours sincerely

██████████

From: Planning
Sent: 09 December 2021 17:22
To: Planning
Subject: REDACT AND UPLOAD Planning Application Comments - 3/2021/1153

Categories: xRedact & Upload

Already printed for file and forwarded to officer

From: Contact Centre (CRM) <contact@ribblevalley.gov.uk>
Sent: 9 December 2021 13:31
To: Web Development <webdevelopment@ribblevalley.gov.uk>; Planning <planning@ribblevalley.gov.uk>
Subject: Planning Application Comments - 3/2021/1153

Is your address in Ribble Valley?: Yes

Planning Application Reference Number: 3/2021/1153

Address of Development: Land adjacent to no. 9 Old Road Chatburn

Your Comments: Dear Sir or Madam,

I object to this development.
The added residential building is not needed in Chatburn.

To squash it into the space which has been proposed would affect the properties on either side firstly by noise, drilling and excavating the land with the added problem of heavy vehicles constantly working. Secondly the dust produced during its construction from workings and heavy site traffic. Old Road residents have prior experience of these with the previous building of Hare Hill Croft.

Further the recent volume of run off water that now runs down Old Road, because of lack of field drainage, would be added to, and cause further damage to the road surface. This together with site traffic makes the road surface, very rough, and at times, difficult to walk on especially to the elderly and those with walking problems.

The properties on either side would be further affected by the loss of privacy and after looking at the plans a loss of light seems to be the case.

The volume of traffic in the Ribble Valley has reached saturation point. Any building, of any nature, would impact on the lives of all who live here both mentally and physically.

I hope this letter is useful when making a decision as it is with all applications it is having a negative effect on residents health.

Yours

[Redacted Signature]

[REDACTED]

From: Planning
Sent: 09 December 2021 17:14
To: Planning
Subject: REDACT AND UPLOAD Planning Application Comments - 3/2021/1153

Categories: xRedact & Upload

Already printed for file and forwarded to officer

From: Contact Centre (CRM) <contact@ribblevalley.gov.uk>
Sent: 9 December 2021 11:03
To: Web Development <webdevelopment@ribblevalley.gov.uk>; Planning <planning@ribblevalley.gov.uk>
Subject: Planning Application Comments - 3/2021/1153

[REDACTED]

Is your address in Ribble Valley?: Yes

[REDACTED]

Planning Application Reference Number: 3/2021/1153

Address of Development: Land adjacent to no 9 Old Road Chatburn BB7 4AB

Your Comments: Director of Development
Ribble Valley Borough Council,
Council Offices,
Church Walk,

Application No: 3/2021/1153

Planning Application for proposed 5-bedroom dwelling with basement on land adjacent to 9 Old Road Chatburn,

Dear Sir,

I am writing to object to the above planning application. I have fully detailed my reasons below:

Loss of Amenity and light [REDACTED]

The height and scale of this proposed development will significantly affect [REDACTED]
[REDACTED]

Concerns about damage to the foundations [REDACTED]
[REDACTED]

Bio Diversity and Local Wild Life Activity

Part of the site and land adjacent to the site contains the original geological features, grasslands, shrubs and species that were previously identified as protected habitat and have not been affected by the infilling activities associated with the development of Hare Hill Croft (HHC). This is clearly existing natural habitat that would be destroyed or affected by the proposed development.

Details of the existing habitat that was classified as "UK BAP Priority Habitat / Habitat of Principal Importance of Conservation" and "UK BAP Priority Species" are contained in the Ecology Report reference "14_0618_ecology_report" submitted in relation to the Hare Hill Croft RVBC Planning Application Decision reference 3/2014/0618.

In addition, the corridor of land either side and including the proposed site area is habitat for a wide range of species. Bats are often observed by the occupiers of No 9 using the corridor along the proposed development land, between the established woodland to the north and large established trees and open grassland to the south. This has also been observed by other local residents.

Both the [REDACTED] have observed Badgers in this area, both have Camera trap photos of the badger's nocturnal activities and [REDACTED] have a report from a local Badger Group, stating that even before the Hare Hill Croft development was built, badgers were active in this area. This was NOT observed by the developers Eco survey, because no nocturnal survey was undertaken. As a minimum requirement we suggest that no development plan should be permitted until a detailed day and night survey of local wildlife has been undertaken, throughout the year, as winter and summer activities will be markedly different.

Owls have also been observed actively hunting along the same corridor. [REDACTED] noted there are Tawny Owls in the trees behind their property, across to the heavily wooded area on the other side of Old Road.

Highway Safety

Has the Road Safety Officer done a recent survey or is the proposal based on the report done several years ago?

The proposal has the parking facility for up to 5 vehicles adding even more traffic to an already congested narrow road without pavements

The Junction of Old Road, Ribble Lane, Bridge Rd and Crow Trees Brow is often congested. The congestion is now so bad at the junction of Old Road and Ribble lane that there are already daily occurrences of traffic backed up on Crow Trees Brow. As that section of Crow Trees Brow is on the dip of a steep hill, traffic approaching the brow of the hill from Clitheroe cannot see the backlog queue until they are on top of it.

Old Road is steep, narrow, with no pavement and poor lighting. The surface is in very poor condition and continued heavy site traffic is continually degrading the surface. Rainwater continually erodes the surface as it runs down the steep slope, made worse because the Hare Hill Croft (HHC) development has yet to have the road finished and so all water from the estate runs down Old Road

The school bus collects the pupils of Bowland High School each weekday morning. It stops, blocking the end of Old Road whilst the children get on.

Traffic at that junction affects not only local residents but those travelling through the village from all the surrounding areas.

HARP (Hawswater Aqueduct Resilience Programme). If the HARP proposals go ahead to direct an exceptionally daily high volume of heavy site vehicles for at least the next 6 years down Ribble Lane past the junction of Old Rd this will add even further to the congestion.

Village Boundary and Infill

The developer states that the proposed property is "infill", however I don't believe this is the case, as the land is outside the Village Boundary (currently defined as the west fence line of my property). Therefore, the development is not infill, as this can only occur for properties inside the Village Boundary. The proposed land is currently "open country" agricultural land. I believe even Hare Hill Croft is currently outside the Village Boundary.

Site Access

In the proposed development, there is no indication of how access to the site will be achieved. If the site access is from Old Road, this will continually block Old Road and any traffic to and from Hare Hill Croft, plus block delivery vehicles, utility traffic and emergency vehicles.

However, if the developer intends to gain access from the South, he has no permission to create an access road or any form of development for this area of land. Not that that has prevented the developer from piling rubble and soils, plus dumping rubbish and environmentally hazardous materials on this land without permission already.

Noise and Disturbance

_____ have been subjected to disturbance from noise and dirt since 2016. . We have been subjected to :-

1. The rumblings and dirt from heavy lorries and site vehicles up our narrow road
2. Nolsy out of hours working on the building site.
3. The noise and dust from the building site and significant noise from the piling of foundations.
4. The road being dug up to lay drainage, then BT, then electricity and gas – all of which causes considerable disruption to everyone. Quite apart from the drilling noise there was the dirt, dust and restricted access and parking. The current proposed levels will require the removal of very large amounts solid limestone rock, which will require drilling and rock peckers plus very large earth moving equipment. This will cause distress to all the residents of Old Road, Hare Hill Croft and beyond, but particularly to No1 and 2 Hare Hill Croft, who have _____ between them.

RVBC Core Strategy

If this development is granted approval I understand it will amount to a total of 20 houses within the same original agricultural field which have been approved. In the words of Nigel Evans 'This is planning by stealth', and should not be accepted. The first application was for 10 houses, then a further 9(in principle) and now this one. If that number of houses were applied for initially it would never have been granted and the implications of compensatory costs to the developer would have been different. Planning so far have allowed development in Chatburn to exceed the quota by loopholes in the rules and also allowed valuable habitat destroyed.

In addition, in a recent planning application refused by RVBC (Application Ref: 3/2021/0242) reference was made to a reinterpretation of the Core Strategy

RECOMMENDATION: That planning permission be refused for the following reason(s):

- 01 The proposal is considered contrary to Policies DMG2 and DMH3 of the Ribble Valley Core Strategy in that approval would lead to the creation new residential dwellings in the defined open countryside, located outside of a defined settlement boundary, without sufficient justification insofar that it has not been adequately demonstrated that the proposal is for that of local needs housing that meets a current identified and evidenced outstanding need.
- 02 The proposal is considered contrary to Key Statement EN2 and Policies DMG1, DMG2 and DMH3 of the Ribble Valley Core Strategy as it would lead to the creation new residential dwellings that would be injurious to the character and visual amenities of the area and would result in unbridled encroachment into the open countryside.

We believe that the proposed development off Old Road is also outside the settlement boundary and fails to meet Policy guidelines and RV Core strategy.

APPLICATION NOTES

Section 5. Existing use states 'open field'. This is a material change of use as it has been agricultural land used as grazing of sheep within the last year. House No 9 even provided drinking water for the sheep at the request of the farmer.

Section 11. Drainage. The hard standing of the terrace and the parking for up to 5 cars on the driveway will increase the problems of surface water drainage surrounding that site. The existing new development built by the same developer as the applicant has yet to resolve the surface water problems causing excess water flow down Old Rd and flooding of the gardens on Crow Trees Brow.

Section 12. Protected Species.

Unimproved Calcareous Grassland . Both the developer and the architect are aware that there remains a small amount of unimproved calcareous grassland directly adjacent to the site but have not declared this. The whole site was originally protected because there were large areas of unimproved calcareous grassland contained within it. However, large amounts of topsoil were dumped on top of the grassland which destroyed the habitat. I believe this was done in order to consequently gain planning permission for this development. b. Badgers and hedgehogs. The application form says NO. That is not correct. The president of the local badger group submitted a report to RVBC drawing attention to the badger activity on that field and the surrounding area and confirmed that activity had been reported in that area for many years. I have camera trap footage of badgers coming and going in that field and was present when the president of the local badger group found a badger hair on the fence between [REDACTED] the field. I have footage of badger activity nearly every night (when they are not in hibernation) for at least the last two years and would be happy to submit that evidence. It also contains footage of hedgehogs.

Section 13. Foul Sewage . This has been specified as 'Unknown'. No planning application should be accepted until that has been confirmed.

Section 25. Ownership. The form states that it is now owned by [REDACTED] In the recent hearing regarding the retrospective dumping of the soil [REDACTED] was the owner of that land which [REDACTED] Consideration was given to him in respect of the appeal because he no longer owned the land and he confirmed during the appeal that he no longer had ownership. It was confirmed that [REDACTED] would sign an agreement to maintain the mitigation area. [REDACTED] [REDACTED] Has ownership now reverted back to [REDACTED]

Design Brief - This states 'the existing levels allow for creation of a lower ground floor'. Looking at the comparison of the existing levels plan and the proposed elevations it is clear that is not the case. The sections drawing shows the ffl

(finished floor level) of the patio as 111.45 whereas the existing level of that area on the existing levels plan is 114.52 - a difference of over 3m | This is a significant difference. – *see next paragraph.

Previous proposal. Most importantly I attended the appeal hearing and it was won on the basis that the applicant insisted that any excavation of the existing soil would compromise the stability of the adjacent properties. He referred to a building engineers report to confirm this. It is now scandalous that an appeal can be won on that basis with habitat having been destroyed in the process only to allow a new development which is excavating the same soil for personal gain.

Proximity between the properties. As far as I am aware no agreement has been made with [REDACTED] [REDACTED] The proposed 1.8m high timber fence will be approx 1m away from the window on the ground floor west elevation of [REDACTED] Also, the drawings and statement gives no indication of how the retaining walls will be constructed to protect the gardens of the properties on either side of the development and whether those details are to the acceptance of the immediate neighbours.

I consider this planning application should not be taken further until:-

Hare Hill Croft development is completed to the satisfaction of all the residents – i.e. the road surface, pavements, landscaping and the building site and storage facility that still remains at the back of the estate.

LCC Highways and United Utilities have looked at the current road surface and drainage issues on Hare Hill Croft and Old Road. Also, looked at new road safety issues now another 10 houses and the HARP proposals have been in place since the last report.

United Utilities have approved the surface and foul sewage drainage proposals for the new build.

The issues from the flooding of the gardens on Crow Trees Brow have been resolved.

The issue of the public footpath is resolved on the Hare Hill Croft site and surrounding field – The footpath officer has the details and the testimonies from about 15 residents to confirm their use of the unregistered footpath for more than 20 years.

The applicant accepts the irrevocable proof of badgers in the area. Obviously, now snow has fallen the badgers will be in hibernation until the spring.

The inaccuracies of the claims that current levels match the development finished floor levels are corrected.

Yours sincerely,