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**APPEAL STATEMENT
of
Colin Sharpe DiPTP MRTPI**

For and on behalf of

**Mr K Geldard, Acresmeade, Whittams Farm,
Neddy Lane, Billington, BB7 9ND**

**Town and Country Planning Act 1990 Planning Appeal
against the decision by Ribble Valley Borough Council
to refuse planning permission in respect of an
application for the approval of reserved matters
(appearance, landscaping, layout and scale) for 10 two-
storey houses in the form of a terrace of four, a semi-
detached pair and four detached houses with three of
the terraced houses (Plots 2, 3 and 4) to be affordable
units, pursuant to outline permission 3.2012/0738, at
land off Dale View, Billington.**

**LPA Ref: 3/2016/0980
Our Ref: Gel/454/2365/CS
Date: 23 August 2017**



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



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APPENDICES

Appendix 1 Report on the Agenda of the Council's Planning and Development Committee Meeting to be held on 31 August 2017 for Planning Application 3/2017/0133.

1. INTRODUCTION

- 1.1 Gary Hoerty Associates has been instructed by Mr K Geldard to submit an appeal on his behalf against Ribble Valley Borough Council's decision to refuse planning permission in respect of an application for the approval of reserved matters (appearance, landscaping, layout and scale) for 10 two-storey houses in the form of a terrace of four, a semi-detached pair and four detached houses with three of the terraced houses (plots 2, 3 and 4) to be affordable units pursuant to outline permission 3/2012/0738, at land off Dale View, Billington.
- 1.2 By decision notice dated 28 February 2017 the Council refused the application for two reasons, as follows:
1. The proposed development, by virtue of its design and layout, would result in a poorly designed and incongruous form of development that fails to respond positively to or enhance the immediate context, being of detriment to the visual amenity and character of the area contrary to Policies DMG1, DMG2 and EN2 of the Ribble Valley Core Strategy.
 2. The proposal does not incorporate adequate on-site vehicular parking to the standard required. The proposal, if permitted, would therefore be likely to lead to an undesirable increase in on-street parking and obstruction of the footway to the detriment to highway safety contrary to the requirement of Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

2. THE APPEAL SITE

- 2.1 The application relates to the approval of reserved matters for a development of ten houses that has the benefit of outline planning permission. The access into the site, which was considered and approved at the outline application stage, is in the form of a 4.5m wide road directly off the existing highway of Dale View.
- 2.2 The application site itself is presently vacant and overgrown having last been used a number of years ago as allotment gardens. It is located to the north of the existing housing development on Dale View. The site is adjoined to the southwest by a triangular shaped parcel of land that has a separate outline planning permission (3.2012/0065) for the erection of twelve houses. To the north of the site it is adjoined by undeveloped agricultural land and the land to the west also has outline planning permission (3.2014/0779) for the erection of 18 dwellings.

3. PLANNING HISTORY

- 3.1 We consider it necessary for the appeal to be considered within the context of recent planning decisions relating not only to the appeal site but also to parcels of adjoining land to the west and southwest of the site. We therefore outline the recent planning history of the three sites as follows:

The Appeal Site

3/2012/0738 – Outline application for a development of 10 houses – Permission Granted on 1 November 2013.

3/2016/0980 – Reserved matters application pursuant to outline permission 3/2012/0738 – Permission Refused on 28 February 2017, and now the subject of this Appeal.

The Land to the Southwest

3/2012/0065 – Outline application for a development of 12 houses – Permission Granted on 5 November 2013.

3/2016/0999 – Reserved matters application pursuant to outline permission 3/2012/0065 – Permission Refused on 28 February 2017, and now the subject of a separate Appeal submitted concurrently with this Appeal.

The Land to the West

3/2014/0779 – Outline application for a development of 18 dwellings – Permission Granted on 24 September 2015. No reserved matters application has been submitted pursuant to this outline permission.

Land Incorporating all Three of the Sites Described Above

3.2017/0133 – Full planning application for the erection of 41 dwellings. No decision at the time of the preparation of this Appeal Statement, but a report relating to the application is on the Agenda of the Council's Planning and Development Committee meeting to be held on 31 August 2017. (See Appendix 1). The officers consider the application to be acceptable subject to the completion of a Section 106 Agreement and have therefore recommended to their Members as follows:

"That the application be DEFERRED and DELEGATED to the Director of Community Services for approval subject to the satisfactory completion of a Legal Agreement, within 3 months from the date of this Committee

meeting or delegated to the Director of Community Services in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions".

4. THE PROPOSED DEVELOPMENT.

- 4.1 The only reserved matter that was considered at the outline application stage was that of "access". However, an indicative layout plan showing a terrace of four, a semi-detached pair and four detached houses was submitted with the outline application. This form and layout of development was also described in the Design and Access Statement that was submitted with the application; and Condition No 6 of the outline permission required that *"the submission of reserved matters in respect of scale and appearance, and the subsequent implementation of the development, shall be carried out in substantial accordance with the Design and Access Statement submitted with the application."*
- 4.2 As originally submitted, the reserved matters application showed a layout and form of development that was substantially in accordance with the content of the Design and Access Statement. However, the Case Officer for the reserved matters application expressed a number of concerns about the submitted details, as follows:
- A) Ground and first floor windows should be lined up vertically and be of matching proportions. The addition of chimneys (possibly oriel windows at ground floor) to the terraced and semi-detached properties would also add some interest. Please could you also indicate which elevations are to be stone and render.
 - B) Concerns with the proposed relationship between plot 1 and No 30 Dale View. The distance between facing habitable room windows would fall below the required 21m and would have implications for the inhabitants of both dwellings.
 - C) The distance between the rear elevations of plots 2 – 5 and the gable elevation and garden boundary of No 15 Dale View would be below the recommended distances (12m to a blank gable and 10m to the rear garden boundary from a first floor window). This would result in a poor outlook from the rear windows of properties 2 and 3 and loss of privacy within the rear garden of No 15 Dale View.
 - D) Please could you also clearly annotate on the plans the dwellings that are to be affordable properties.

- E) Concern that there would be inadequate outlook from the front habitable room windows of plot 1 due to its relationship with plot 2. This could be overcome by moving the non-habitable rooms (en-suite and W.C.) to the side of the front elevation closest to Plot 2.
- F) Please could you ensure that boundary treatments are annotated on the proposed plans. The 1.8m fencing proposed along the rear boundary of plots 4 – 9 is acceptable. If 1.8m high fencing is to be proposed along the shared boundaries of properties they should not project forward of the frontage of the dwellings themselves. Plots 1, 2 and to a lesser extent, 3 would be highly visible in the Dale View street scene and consideration should be given to ensure boundary treatments here are suitable – one solution would be to retain existing vegetation (shrubs/trees) to the east of the rear boundary fencing to soften the appearance of any fencing that would be visible from Dale View. A dwarf wall may be more appropriate to delineate the boundary of plot 1 given its high level of visibility and prominence on a corner plot.
- G) Please could you provide a site plan showing existing shrubs, trees and hedges on site. I note condition No 8 of the outline application requires the landscaping of the site to incorporate new tree lines and hedgerows as well as shrub areas and the ecological report submitted at outline recommends the retention of landscaping features along the edge of the site. With this in mind, the existing vegetation along the eastern boundary should be retained for the full length of the site as it would be of ecological benefit and would also increase privacy within the rear gardens of the new properties and existing dwelling to the east. I also believe there to be a boundary hedge and shrubs along the western boundary of the site and these should also be retained where feasible. A softer boundary treatment in the form of a hedge or shrubs should also be planted along the northern boundary of plot 10.

4.3 The case officer also advised us that the County Highways Surveyor had raised a number of concerns about the site layouts as follows:

- (i) The access road should have a 2m footway preferably along the easterly side with a 2m service strip on the westerly side which could be reduced to 0.5m if the permission under application 14/0779 is not proceeded with. If it is then this service strip will require upgrading to a footway.
- (ii) The parking provision for the development should be 2 parking spaces as detailed within the 2012 application, however these are not provided for any of the plots as detailed below:

Plot 1 Parked cars will overhang and obstruct the footway

Plot 2 Only 1 space provided which overhangs the footway

Plots 3 – 7 Only one parking space provided

Plots 8 and 9 The integral garage is too short to qualify as an off street parking space which is further restricted by the opening of the door between the utility room and garage.

Plot 10 The garage is acceptable but the remaining drive length is too short and will result in the overhanging of the footway.

(iii) In previous correspondence with the Rights of Way section, they have indicated that they would not accept a diverted footpath with a minimum width less than 2.0m, indications are that the developer is proposing a 1.5m footpath. This would not be acceptable.

4.4 Whilst we considered that the submitted reserved matters were in compliance with Condition No 6 of the outline permission, we were seeking to amend the plans to address the concerns of the planning officer and the Highways Surveyor. However, the application was refused under delegated powers before we had submitted the amended plans. We therefore submit amended plans with this appeal and would respectfully suggest that the amendments do not negatively impact upon any third parties or the interests of statutory consultees such that they can be considered by the Inspector in the determination of this appeal. The amended plans are Drawing Nos Gel/454/2190/01 Amendment A dated 22.04.2017, Gel/454/2190/02 Amendment A dated 22.04.2017 and Gel/454/2190 Amendment A dated 22.04. 2017.

4.5 We will now explain how the amended plans have addressed the concerns of the planning officer and the Highways Surveyor, using the letters and numbers given in paragraphs 4.2 and 4.3.

(A) The windows are lined up vertically and of matching proportions. The respective materials for the different elevations are stated on the plans. We did not consider chimneys or oriel windows to be appropriate or necessary and would respectfully suggest that the absence of these features would not represent a justifiable reason for this appeal to be dismissed.

(B) Plot 1 has been deleted from the proposal.

- (C) The distance between the former plots 2.5 (now plots 1 – 4) and the gable wall of No 15 Dale View has been increased to a minimum of 13m. We consider that the layout as amended will provide a satisfactory level of privacy and amenity for the occupiers of all existing and proposed dwellings.
- (D) The affordable properties will be new plot numbers 1, 2 and 3 as annotated on the amended plan.
- (E) Plot 1 has been deleted from the proposal.
- (F) Plot 1, of course, has been deleted and the boundary treatment for the other plots will be in accordance with the suggestions of the planning officer. We consider that this would be ensured by the imposition of an appropriate condition.
- (G) We have submitted a landscaping plan (Drawing No C-1457-01) that we consider to be sufficient and satisfactory for this development that will be surrounded by other developments, and an application to discharge Condition 8 of the outline permission will be submitted separately in the event that this appeal is allowed.
- (i) The access road now has a 2m wide footway and a 2m wide service strip.
- (ii) The former plot one has been deleted and all other plots, as re-numbered, now have two parking spaces that are entirely within their curtilages.
- (iii) The diverted footpath now has a width of 2m.

5. POLICY BACKGROUND

- 5.1 As an application for the approval of reserved matters, the acceptability of the proposal in principle was not a matter to be considered in the determination of the application. The “wider” guidance within NPPF is therefore of no particular relevance to the consideration of the application/appeal especially as the Council has an adopted Core Strategy which must, by definition, be compliant with NPPF.
- 5.2 The Council's reasons for refusal of the application therefore relate appropriately to the detailed considerations of visual amenity, the amenities of nearby residents and highway safety as covered by Policy DMG1 of the Council's Core Strategy 2008 – 2028 A Local Plan for Ribble Valley Adoption Version. There is also reference in the first reason for refusal to Key Statement EN2: Landscape and Policy DMG2: Strategic

Considerations. This Key Statement relates principally to the protection of the landscape character of the AONB and areas that contribute to the setting of the AONB. This site is neither within or close to the AONB. The Key Statement, however, also states that *,"as a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials."* We accept that this aspect of EN2 is of some relevance to the consideration of the application/appeal.

- 5.3 Policy DMG2 relates to the strategic consideration of the location of development. Although there is reference in the Policy to the need to protect the qualities of an area through developments being of an appropriate size, design, use of materials and landscaping we consider that, insofar as they are relevant to this reserved matters application those matters are adequately covered by Policy DMG1. We therefore consider Policy DMG2 to be of no or little relevance.
- 5.4 We therefore consider that this Appeal should be determined with regards to the requirements of Policy DMG1 and Key Statement EN2 (as qualified above) of the Council's adopted Core Strategy.

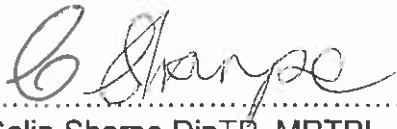
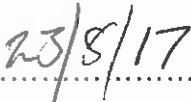
6. THE CASE FOR THE APPELLANT

- 6.1 The case for the appellant is that, in simple terms, we consider that the application as originally submitted was in compliance with Condition 6 of the outline permission and that, with regards to the considerations of visual amenity, the amenities of nearby residents and highway safety, the submitted details would have resulted in a satisfactory development in accordance with the relevant requirements of Key Statement EN2 and Policy DMG1. However, as described in detail above, we have sought to address concerns of the planning officer and Highway Surveyor by amendments to the details of the proposal, as submitted with this Appeal. As amended, we therefore consider the proposed scheme to be even more satisfactory and compliant with the relevant policies than the originally submitted details.

7. SUMMARY AND CONCLUSIONS

- 7.1 We consider that, in this Statement we have demonstrated that as originally submitted (and, more so, as amended) the submitted details will result in a satisfactory development without detriment to visual amenity, the amenities of nearby residents or highway safety in compliance with the relevant policies of the Council's adopted Core Strategy. The submitted details, therefore, in our opinion, fully comply with the requirements of the Development Plan. Therefore, in order to comply with paragraph 14 of NPPF, we respectfully request that this Appeal is allowed in order to allow

the proposed sustainable development, that has the benefit of outline planning permission, to proceed.

Signed..........Date..........
Colin Sharpe DipTP MRTPI

APPENDIX 1

**Report on the Agenda of the Council's Planning and Development
Committee Meeting to be held on 31 August 2017 for Planning
Application 3/2017/0133.**

D APPLICATIONS ON WHICH COMMITTEE 'DEFER' THEIR APPROVAL SUBJECT TO WORK 'DELEGATED' TO THE DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED

APPLICATION NO: 3/2017/0133P

GRID REF: SD 372502 435950

DEVELOPMENT DESCRIPTION:

THE ERECTION OF 41 DWELLINGS AND ASSOCIATED WORKS AT LAND OFF DALE VIEW, BILLINGTON.



PARISH/TOWN COUNCIL:

The Parish Council made the following comments:

- The application falls outside the area designated as 'Billington' on the Districtwide Local Plan map within the RVBC Core Strategy. Therefore the allowance for house construction in this area is zero.
- Even if the application were deemed to fall within 'Billington', then the application exceeds the number of dwellings allotted to Billington in RVBC's own Core Strategy
- Flood plain development – parts of the development fall within the Flood Zone 2 area as deemed by the Environment Agency.
- Traffic, especially exiting onto Whalley Road
- No assistance had been sought from planning authority prior to this application
- Lack of school places and potential educational expansion within existing sites

Loss of allotment site – and no other available in the Parish of Billington and Langho

HIGHWAYS (LCC):

The County Surveyor raises no objection in principle to the proposal on highway grounds. There are a number of issues arising from the Transport Statement and site layout but it is considered that should these be resolved satisfactorily the application should be approved subject to appropriate planning conditions. There is no commitment to improve the pedestrian / cycle routes into the development and whilst no plans are available a S106 contribution of £20,000 would help in promoting these routes (signing, surfacing design etc).

LANCASHIRE CONSTABULARY:

No objection. Recommend measures to reduce the risk of crime.

EDUCATION (LCC):

Based upon the latest assessment, taking into account all approved applications, LCC will be seeking a contribution for 5 secondary school places. However, LCC will not be seeking a contribution for primary school places.

UNITED UTILITIES:

The proposals are acceptable in principle to United Utilities subject to conditions.

LEAD LOCAL FLOOD AUTHORITY:

The LLFA objects to the development proposal as follows:

- The FRA indicates that land measures can be incorporated in to the design of the upper part of the site to act as cut off drains and to prevent water passing in to the site. The submitted drawings show a new cut off drain/watercourse outside of the west side of the

development. If the land is not within the ownership of the applicant, then a legal agreement would be required to ensure access rights and to ensure maintenance can be achieved for the lifetime of the development. Also in order to construct a surface water cut off drain, legal rights to the land either via direct ownership or legal agreement would be required. Evidence of all legal agreements need to be provided. These will all need to be in place prior to planning approval and the surface water cut off drain would need to be constructed at the start of any development taking place.

- The LLFA is concerned that the discharge point is outside of the development boundary. If the land is not within the ownership of the applicant, then a legal agreement would be required to ensure access rights and to ensure maintenance can be achieved for the lifetime of the development. Also in order to construct a surface water drain/connection, legal rights to the land either via direct ownership or legal agreement would be required. Evidence of all legal agreements need to be provided. Evidence of all agreements with United Utilities (U.U.) regarding permission to connect the discharge point to the existing U.U. manhole and adoption of the proposed surface water drain need to be provided. These will all need to be in place prior to planning approval and the surface water drain/connection would need to be built prior to any other development taking place.
- The indicative drainage layout provided is insufficient for a full planning application. It fails to include pipe dimensions for the proposed surface water drain that are required to safely.

ENVIRONMENT AGENCY:

A small part of the development site is located within Flood Zone 2 (medium probability of flooding). As such, any issues relating to flood risk should be considered by the local planning authority using Flood Risk Standing Advice.

The applicant will need to do a sequential test if both of the following apply:

- the development is in flood zone 2 or 3
- a sequential test hasn't already been done for a development of the type proposed on the site

It is for the Local Planning Authority to determine whether or not the proposals satisfy the Sequential Test as defined in paragraph 101 of the NPPF and, where necessary, the requirements of the Exception Test as set out in paragraph 102.

ADDITIONAL REPRESENTATIONS:

Ten letters of objection have been received and relate to the following:

- Poorly designed and incongruous form of development.
- Does not incorporate adequate on-site parking.
- The proposal would allow for little space for landscaping and would be an overdevelopment of the site.
- Devalue property.
- Harm to private views and impact on privacy of existing residents.
- Affordable housing units confined to one corner of the development site.
- Development traffic would damage unadopted road.
- Noise levels from development would disturb residents.
- Increase in vehicles entering and leaving the estate.

- The proposal utilises Green Belt land.
- Increased risk of flooding around Dale View with last flooding event in 2015. Drainage system on Dale View has been overcome with additional volume of water.
- Errors within the application form.
- Development would divert surface water and result in flooding of properties elsewhere.

1. Site Description and Surrounding Area

- 1.1 The application relates to the development of land off Dale View, Billington. The application as submitted sought planning consent for the erection of 48 dwellings on an area of land totalling 1.8 hectares. Following discussion with officers the proposed development has been amended and the site area reduced to 1.35 hectares so as to be entirely within the Billington Draft Settlement Boundary. The development site is irregular in shape with a relatively level topography. The site is located immediately adjacent to existing residential development. The site currently forms agricultural land with a strip of land within the western boundary that has historically been used as private allotments. Two Public Rights of Way cross the application site. Some of the site boundaries comprise hedgerows and there are a number of small trees within the site. A pumping station is also located within the site boundary.
- 1.2 The site is located predominantly in Flood Zone 1 although a small part of the land at the very north of the site is in Flood Zone 2. It is bound to the north by agricultural land before it is enclosed by the River Calder and the A59. The site is bound to the east by a number of two storey residential properties. Dwellings on the adjacent Dale View estate are predominantly detached properties although there are rows of terraced dwellings at Longworth Road and Sunnyside. Three separate consents have been previously granted at the application site totalling 40 dwellings. In November 2013 outline planning permission was approved for 10 (ref. 3/2012/0738) and 12 (ref. 3/2012/0065) dwellings on two separate parcels. In September 2015 outline planning permission was approved for 18 dwellings on an adjoining parcel of land. Two of these outline consents have now lapsed by virtue of the refusal of reserved matters applications (ref. 3/2016/0980 and 3/2016/0999) as a result of unacceptable design and layout.

2. Proposed Development for which consent is sought

- 2.1 The application seeks full planning permission for the erection of 41 dwellings and associated works at Land off Dale View, Billington. The development comprises a mix of single and two storey residential accommodation. A new access point would be created from Dale View. The development would provide a range of accommodation from one-bed flats to six-bed dwellings. The development would also provide an offer of affordable and older peoples housing in line with the Council affordable housing policies.

3. Relevant History

3/2012/0065 - Outline application for a new residential housing development comprising 12no. houses (3no. terraced and 9no. detached) (4no. affordable and 8no market housing) including accessway and turning head to LCC criteria. New access to new foul water pumping station (existing pumping station to be demolished). Approved subject to legal agreement.

3/2012/0738 - Proposed residential development on land off Dale View. 10no Properties (7no. open market and 3no. affordable). The proposed development will include the

construction of an access road and turning head to LCC criteria and the construction of garages and creation of garden areas. Approved subject to legal agreement.

3/2013/0665 - Proposed development of thirty three dwellings to include ten affordable units and twenty three open market dwellings, together with associated access roads, garages and gardens. Refused.

3/2014/0779 - Proposed development of eighteen dwellings to include five affordable units and thirteen open market dwellings, together with associated access roads, garages and gardens. Approved subject to legal agreement.

3/2016/0980 - Reserved matters (appearance, landscaping, layout and scale) for 10 two-storey houses in the form of a terrace of four, a semi-detached pair and four detached houses. Three of the detached houses (plots 2, 3 and 4) will be affordable units. Outline permission 3/2012/0738. Refused.

3/2016/0999 - Application for reserved matters for erection of twelve dwellings (appearance, landscaping, layout and scale) following outline planning permission 3/2012/0065. Refused.

4. Relevant Policies

Ribble Valley Core Strategy

Key Statement DS1 - Development Strategy

Key Statement DS2 - Sustainable Development

Key Statement EN2 - Landscape

Key Statement EN3 - Sustainable Development and Climate Change

Key Statement EN4 - Biodiversity and Geodiversity

Key Statement H1 – Housing Provision

Key Statement H2 - Housing Balance

Key Statement H3 – Affordable Housing

Key Statement DMI1 - Planning Obligations

Key Statement DMI2 - Transport Considerations

Policy DMG1 - General Considerations

Policy DMG2 - Strategic Considerations

Policy DMG3 - Transport and Mobility

Policy DME2 - Landscape and Townscape Protection

Policy DME3 - Site and Species Protection and Conservation

Policy DME6 - Water Management

Policy DMH1 – Affordable Housing Criteria

Other Material Considerations:

National Planning Policy Framework (NPPF)

Technical Guidance to the National Planning Policy Framework

Planning Practice Guidance (PPG)

5. Environmental, AONB, Human Rights and Other Issues

- 5.1 The main considerations in determining this application are the principle of the development, the impact of the development on the visual appearance of the surrounding area, its effect on the residential amenities of neighbouring occupiers, the ecological impact of the proposals, flooding and site drainage and its effect on highway safety.

5.2 Principle of Development

- 5.2.1 In terms of assessing the principle of residential development in this location, it is important to have regard to the Development Plan unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004). Draft Settlement Boundaries which formed part of the Housing and Economic DPD Regulation 18 stage consultation have now been adopted for Development Management Purposes (as of Dec 2016). The application site (as amended) lies wholly within the Billington Draft Settlement Boundary.
- 5.2.2 The Development Strategy put forward in Key Statement DS1 of the Core Strategy seeks to direct the main focus of new house building to the Strategic Site, the Principal Settlements of Clitheroe, Longridge and Whalley and Tier 1 villages which are considered the more sustainable of the 32 defined settlements. Key Statement DS1 identifies Billington as a Tier 1 settlement and identifies a need for a further 18 dwellings in the plan period. The granting of permission for 18 dwellings on part of the application site in September 2015 (ref: 3/2014/0779) addressed this residual requirement.
- 5.2.3 The proposed development would result in a level of oversupply when measured against the residual housing need for Billington. It is clear, however, that the overall housing requirements referred to in the Core Strategy are a minimum and that the NPPF seeks to boost the supply of housing. In this case, it is important to consider that the development site has previously benefitted from planning consent for a residential scheme of up to 40 dwellings. In the course of determining previous applications development of the site has been found to represent sustainable development as contained in the NPPF and Core Strategy Key Statement DS2. It is considered that no measurable and quantifiable harm would arise from this development given that it is sustainably located and appropriate to the scale of the settlement. Furthermore, the site lies wholly within the Draft Settlement Boundary of Billington and in principle it is considered that the development would accord with the development strategy for the borough.
- 5.2.4 Core Strategy Policy DMB4 advises that development that would result in the loss of public open space will be refused. It is noted that the very northern part of the site is currently privately owned allotments. No policy concerns have been raised with regard to the loss of this small area of allotment land. This area of land is not denoted as open space on the Draft Proposals Map and it is considered that the landowner could revert this land back to agricultural use without express consent from the Council as allotment use falls within the sec.336 definition of agriculture. It would therefore be unreasonable to refuse the application on the grounds of loss of open space.

5.3 Landscape/Visual Impact

- 5.3.1 The application site lies within the Billington settlement boundary. Open countryside bounds the site to the north and east and the transition from agricultural land to urban residential areas must be carefully considered. Core Strategy Policy DMG1 requires development to be sympathetic to existing and proposed land use in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.

- 5.3.2 The proposed development would be visible from the A59 to the north of the site. There are public footpaths through the site that would be retained as part of the scheme. The development would be seen against the backdrop of the existing residential areas of Billington. The site is relatively flat and there are no features that could be considered to contribute significantly to the character of the landscape. The existing residential estate is clearly visible from the A59 with limited landscape screening to provide a visual buffer between urban and rural areas.
- 5.3.3 The size and scale of the proposed dwellings would be commensurate with those in the immediate area with a maximum building height of around 9.2m. It is proposed to create a 7m wide landscape buffer along the north-west edge of the site to offer a sympathetic transition from the domestic gardens of the proposed dwellings to agricultural land. This landscape buffer zone lies outside the application site and its delivery would be enshrined within a s106 legal agreement. This would, in the opinion of the planning officer, result in a visual enhancement when compared with the existing arrangement.

5.4 Layout and Urban Design

- 5.4.1 The area surrounding the development site contains a mix of house types with a range of styles and materials including terraced houses and the relatively modern Dale View development. It is proposed to erect 25 houses, 4 bungalows and 12 flats on land extending to 1.35 hectares resulting in a housing density of 30 dwelling per hectare. This would result in a higher density development than the adjacent Dale View estate but would not appear out of keeping with the general area particularly given the close proximity of terraced rows at Longworth Road and Sunnyside Avenue.
- 5.4.2 The position of underground foul sewage is a significant factor in determining the street pattern. The development includes a range of house types including split-levels, large 6-bed detached dwellings, smaller detached houses, bungalows and 1-bed flats. In terms of materials, the dwellings would be faced with a palette of materials informed by those used in the surrounding area. The range of materials and house types would ensure the scheme provides some variation in the streetscene.
- 5.4.3 Residential parking is provided predominantly within internal garages or via forecourt parking. In some cases extensive forecourt parking can dominate the streetscene resulting in harm to the visual appearance of development. In this case the scheme aims to break up forecourt parking with amenity landscaping and it is considered that the parking arrangements proposed would not result in significant visual harm to justify refusal of the application.
- 5.4.5 The scheme incorporates areas of informal amenity space which softens the linear form of the development. The appearance of boundary treatments and retaining walls fronting the public realm would require a bespoke approach. Should consent be granted, details of boundary treatments including walls, fences and retaining structures would be submitted and agreed by the Council prior to their use in the development.

5.5 Ecology and Trees

- 5.5.1 The Ecology Assessment submitted with the application is dated August 2016. The assessment notes that the plants recorded at the site are all common in the local area and of considered of low ecological value. The poor quality habitat suggests a low potential for breeding bird species of interest and has a very low potential for use by bats. It is not considered there would be significant degradation of foraging habitat as a result of the proposal so long as the hedgerows and trees are retained or their loss is compensated for in any landscaping scheme. In addition, it is recommended that artificial bird nesting boxes and artificial bat roosting sites be provided within the development to enhance nesting/roosting opportunities for species of conservation concern.
- 5.5.2 The trees on the perimeter and within the site are considered to be a low quality and do not contribute significantly to the visual amenity of the area. The loss of trees could be adequately compensated through a landscaping scheme which would include a landscape buffer zone on the north-west boundary of the site. Furthermore, it is recommended that existing boundary hedges should be retained and improved and new hedging planted, further details of which would be submitted prior to commencement of development.

5.6 Impact on Residential Amenity

- 5.6.1 The proposed development would not result in any unacceptable harm to the residential amenity of existing or future residents. The distances between first and second floor habitable room windows meet the recommended interface distances to protect privacy and prevent overlooking. Concern has been raised by the occupiers of nos. 18 and 19 Dale View regarding loss of privacy. In order to avoid an unacceptable impact on these neighbouring residents the layout has been amended and the rear first floor habitable room windows on plot 34 have been relocated to the side elevation.

5.7 Highway Safety and Accessibility

- 5.7.1 The County Highways Officer considers the development to be acceptable in principle and does not consider the proposal would adversely impact on highway safety at the junction between Dale View and Whalley Road. However, the officer highlights a number of minor issues relating to the internal layout of the site which need to be addressed including parking provision, turning heads, crossing points and sight lines. It is considered that the issues raised could be satisfied by the submission of an amended layout.
- 5.7.2 As part of the development the applicant has agreed to fund an upgrade of four bus stops at Calder Avenue and Valley View through a section 278 agreement. The two public rights of way (PROW) through the site would be retained.

5.8 Flooding and Drainage

- 5.8.1 Flooding occurred in the surrounding areas of the site during December 2015, although the periphery of the site itself experienced only minor flooding. The Environment Agency (EA) indicative flood maps have been updated to account for the historic flooding event, with the Flood Zone 2 boundary being expanded. The application site lies predominantly with Flood Zone 1 – a very small section

of the northern periphery of the site is located within Flood Zone 2 as having greater than a 1 in 1000-year but less than a 1 in 100-year annual probability of flooding within any one year. Part of the footprint of plots 23 to 34 (ground and first floor 1-bed flats) would be located within Flood Zone 2.

- 5.8.2 The Environment Agency (EA) have raised no objection to the application and advised the Local Planning Authority apply Flood Risk Standing Advice. Residential development is categorised as 'vulnerable development' in the National Planning Guidance. According to Flood Risk Standing Advice the development is considered 'appropriate' in Flood Zone 2 subject to the application of the sequential test.
- 5.8.3 The application is supported by a sequential test the purpose of which is to demonstrate that the proposed development cannot be accommodated on any sequentially preferable sites in Billington or other accessible nearby settlements. National Planning Policy Guidance stipulates that for the purposes of decision taking, local planning authorities should apply the sequential test to steer development to areas with the lowest probability of flooding. Where development needs to be in locations where there is a risk of flooding as alternative sites are not available, local planning authorities and developers should ensure development is appropriately flood resilient and resistant for its lifetime and will not increase flood risk overall.
- 5.8.4 The NPPF sets out that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The submitted sequential test considers sites identified within the Council's Strategic Housing Land Availability Assessment 2013 and finds that whilst there are two sites that are appropriate for the development, neither is reasonably available. The Council's Planning Policy Section have confirmed that there are no further sites which ought to have been considered; it is considered therefore that sequential test considerations have been satisfied.
- 5.8.5 The NPPF paragraph 103 requires that local planning authorities when determining planning applications, should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:
- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
 - development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.
- 5.8.6 The layout of the site is influenced by the position of underground foul sewage, by the requirement to provide or maintain acceptable levels of residential amenity for future and existing occupants and to ensure an acceptable internal road layout. As a result of these requirements, the footprint of units 23 to 34 would be partially located within Flood Zone 2. However, the sole and primary access to

these flats and the route to the site entrance lie wholly outside of Flood Zone 2. Included within the FRA is the proposal that all new units would be set a minimum of 300mm above the Flood Zone 2 level.

5.8.7 Regarding surface water drainage, to alleviate the risk of any overland flows passing into the site, a surface water cut off drain would be placed along the western boundary as detailed in the Drainage Strategy. This would collect all flows and direct them in a northerly direction where they would outfall into an existing ditch that ultimately outfalls to the River Calder. The Drainage Strategy submitted with the application states that the development would mimic storm water flow rates and so would not increase the risk of flooding to adjacent properties or increase existing rates of discharge. Surface SuDs methods have been assessed and some have been found to be suitable for the site including water butts, permeable surfacing, geocellular storage and large diameter pipes. Foul water would be discharged to the foul water public sewers running through the site.

5.8.8 The LLFA has raised an objection based on concerns that the cut-off drain and discharge points are located on land outside of the developer's control and outside of the development boundary (red edge). This would require the developer to enter into a formal legal agreement with the land owner to ensure that this can be accepted as part of the proposed drainage strategy. As these flood risk mitigation measures are considered essential to manage the flood risk to and from the new development the LLFA would expect the developer to have these agreements in place prior to any planning approval being issued.

In this instance the owner of the land that is the subject of the planning application and the land that would be used for drainage purposes are one and the same. The developer and landowner are both fully aware of the need to enter into legal agreements with regard to both the cut off drain and the discharge point and are happy to see this incorporated into the proposed Section 106 Agreement and in due course formalised by an easement agreement with United Utilities.

5.8.9 As members will be aware, it is common practice for section 106 legal agreements to be finalised once the principle of the development has been approved. It is considered that the correct procedure in this instance, should the application be recommended for approval, would be for the application to be approved subject to a s106 legal agreement that would include the off-site drainage works required as well as other issues including affordable housing, education contributions, leisure/recreation contributions and landscape buffer provision. It is therefore considered that the LLFA's objection can be fully satisfied.

5.9 Developer Contributions

5.9.1 The application proposes the erection of 41 dwellinghouses and therefore there is a requirement for the development to provide affordable housing in accordance with the Council's affordable housing policies contained the Core Strategy. Key Statement H3 of the Core Strategy requires 30% of dwellings to be affordable units. Providing for older people is a priority for the Council within the Housing Strategy and 15% of units would need to provide for older people in accordance with the Council definition of over 55s accommodation which includes accordance with the specifications and requirements of category 2 housing as

defined in M4(2) of Approved Document M (volume 1 2015) of The Building regulations 201.

- 5.9.2 The development scheme proposes to provide the appropriate number of affordable and older person units to accord with the Council's affordable housing policies. The Local Planning Authority would require that a commitment to provide such provision be enshrined within the S.106 agreement for the site. The mix of rental, shared ownership and other tenure would be agreed through further negotiation and would be enshrined within a legal agreement.
- 5.9.3 The proposal would place pressure on existing sports and open space infrastructure in the Borough. Contributions would be necessary to mitigate the impact of the development. Whilst the proposal would provide small areas of informal open space on-site there would remain a requirement for an off-site contribution towards recreational/leisure facilities in the locality. The contribution sought will be based on the following occupancy ratios at a rate of £216.90 cost per person:
- 1 bed unit - 1.3 people
 - 2 bed unit - 1.8 people
 - 3 bed unit - 2.5 people
 - 4 bed unit - 3.1 people
 - 5 + bed unit - 3.5 people

This would give a total occupancy rate of 106.3 people for this development.

106.3 (people) x £216.90 (cost per person) = £23,056 (total contribution required).

- 5.9.4 Lancashire County Council (education) have confirmed that an education contribution is required in regards to this development. No financial contribution is sought in respect of primary school places but a contribution for secondary school places of £107,116 would be included within a s106 legal agreement.
- 5.9.5 As mentioned previously in this report, there would be a requirement to include within any section 106 legal agreement details of the provision and maintenance of a 7m wide landscape buffer along the north-west edge of the site and off-site drainage works.
- 5.9.6 A contribution of £20,000 has also been requested in relation to improvements to pedestrian and cycle routes.

6. Conclusion

- 6.1 Taking into account the above and for the reasons outlined, the proposed development is considered to be acceptable subject to completion of a Legal Agreement.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Community Services for approval subject to the satisfactory completion of a Legal Agreement, within 3 months from the date of this Committee meeting or delegated to the Director of Community Services in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions:

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

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

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Location Plan

2414.SK18-01B Proposed Site Layout (F) (received 8 August 2017)

2414-01-06 H1 – Split Level Detached Houses (Type 1) (Plans)

2414-01-07 H1 – Split Level Detached Houses (Type 1) (elevations & section)

2414-01-08 H2a – Extra Large Detached Houses (Type 2) (Ground Floor Plan)

2414-01-09 H2a – Extra Large Detached Houses (Type 2) (First & Second Floor Plans)

2414-01-10 H2a – Extra Large Detached Houses (Type 2) (elevations & section)

2414-01-11 H2b – Large Detached Houses (Type 3) (Ground Floor Plan)

2414-01-12 H2b – Large Detached Houses (Type 3) (First & Second Floor Plans)

2414-01-13 H2b – Large Detached Houses (Type 3) (elevations & section)

2414-01-16 B - Bungalows (Type 7) (Plans)

2414-01-17 B - Bungalows (Type 7)) (elevations & section)

2414.SK19-02 Type 4 – House

2414.SK19-03 Type 5 – House

2414.SK19-04 Type 6 – House

2414.SK19-05 Type 8 – Flat

2414.SK19-06 Type 8 – Flat nos. 24-27

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

3. Notwithstanding the details shown on plan reference 2414.SK18-01B (Proposed Site Layout (F)), prior to the commencement of development a revised site layout plan satisfying the points raised in the email from David Bloomer dated 21 August 2017 shall be submitted to the Local Planning Authority for approval. The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

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

REASON: To ensure that the materials to be used are appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

5. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of the alignment, height and appearance of all boundary treatments, fencing, walling, retaining wall structures and gates to be erected within the

development shall have been submitted to and approved by the Local Planning Authority. For the avoidance of doubt the submitted details shall include the precise nature and location for the provision of measures to maintain and enhance wildlife movement within and around the site by virtue of the inclusion of suitable sized gaps/corridors at ground level. The development shall be carried out in strict accordance with the approved details.

REASON: To comply with Key Statement EN4 and Policies DMG1, DME3 of the Ribble Valley Core Strategy, to ensure a satisfactory standard of appearance in the interests of the visual amenities of the area and to minimise the potential impacts of the development through the inclusion of measures to retain and enhance habitat connectivity for species of importance.

6. Prior to the commencement of development full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

REASON: To ensure a satisfactory form of development in the interest of visual and residential amenities and in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

7. Prior to the commencement of the development details of refuse/enclosed cycle storage provision for plots 22-33 shall have been submitted to and approved by the Local Planning Authority. The approved details shall be implemented as part of the development and be made available for use prior to the aforementioned plots being first occupied.

REASON: In order that the Local Planning Authority may ensure that the development provides adequate provision for the storage of domestic waste and encourages the use of sustainable means of transport in accordance with Key Statement DMI1 and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, the dwellings hereby permitted shall not be altered or extended, no new windows shall be inserted, no alterations to the roof shall be undertaken and no buildings or structures shall be erected within the curtilage of the dwellings hereby approved unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality in accordance with Policies DMG1 and DME2 of the Ribble Valley Core Strategy and could increase the rate of surface water run-off from the development.

9. Prior to the commencement of the development details of the design and position of the external meter boxes shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the details shall indicate that no meter boxes will be located on the primary elevations of the proposed dwellings or on locations that that are afforded a high level of visibility upon the streetscene. The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality and results in acceptable standard of appearance in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

10. Each dwelling, with the exception of those with communal parking facilities, shall incorporate provision to charge electric vehicles and a scheme to provide these facilities shall be submitted to the local planning authority for approval prior to any building work commencing on site. The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that provision is made for electric powered cars and to support sustainable methods of travel in accordance with Key Statement DMI2 and Policy DMG3 of the Core Strategy.

11. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

REASON: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

12. The new estate road/access between the site and Dale View shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

13. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

14. No part of the development hereby approved shall be occupied until the approved scheme referred to in Condition 13 has been constructed and completed in accordance with the scheme details.

REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

15. The parking and garaging and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and turning facilities to serve the site in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

16. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 2015 and the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2015, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and/or turning facilities to serve the dwelling in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

17. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- a) The parking of vehicles of site operatives and visitors
- b) The loading and unloading of plant and materials
- c) The storage of plant and materials used in constructing the development
- d) The erection and maintenance of security hoarding
- e) Details of working hours
- f) HGV delivery times and routeing to / from the site
- g) Contact details for the site manager

REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway during the construction phase of the development in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

18. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until a scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the local planning authority. The scheme shall incorporate the recommendations of the Ecological Appraisal dated 15 August 2017 and shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and specifications of all retaining structures (where applicable).

The approved soft landscaping scheme shall be implemented in the first planting season following occupation or use of the development unless otherwise required by the reports above, whether in whole or part and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

The hard landscaping shall be implemented in accordance with the approved details prior to the first occupation of the development and retained thereafter at all times.

REASON: To ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

19. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON: To ensure the proper long-term management and maintenance of the landscaped areas in the interests of visual amenity and biodiversity enhancement, in accordance with Key Policy DMG1 and DME3 of the Ribble Valley Core Strategy.

20. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees to be retained within the site shall be protected in accordance with the BS5837:2012 [Trees in Relation to Demolition, Design & Construction].

The protection zone must cover the entire branch spread of the trees, [the area of the root soil environment from the trunk to the edge of the branch spread] and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

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

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

REASON: In order to ensure that any trees affected by development and considered to be of visual, historic or botanical value are afforded maximum physical protection from the potential adverse effects of development.

21. The development shall be carried out in strict accordance with the recommendations outlined in the submitted Ecological Appraisal dated 15 August 2017. The actions, methods & timings included in the mitigation measures identified shall be fully implemented.

REASON: To minimise the impact on ecology in accordance with Policies DMG1 and DME3 of the Core Strategy.

22. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of the provisions to be made for building dependent

species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority.

For the avoidance of doubt the details shall be submitted on a dwelling/building dependent bird/bat species site plan and include details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into those individual dwellings during construction and be made available for use before each such dwelling is occupied and thereafter retained. The development shall be carried out in strict accordance with the approved details.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and protected species in accordance with Section 9 of the NPPF, and Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

23. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment Ref No. 3073 (rev.5) dated August 2017 which was prepared by Scott Hughes. No surface water will be permitted to drain directly or indirectly into the public foul or combined sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

REASON: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

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

Those details shall include, as a minimum:

- a) Information about the lifetime of the development, design storm period and intensity 1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;

- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

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

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to reduce the risk of flooding to the proposed development, elsewhere and to future users and; to ensure that water quality is not detrimentally impacted by the development proposal.

25. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:
 - a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
 - b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
 - c) Means of access for maintenance and easements where applicable.

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

REASON: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the flood risk to the development as a result of inadequate maintenance and; to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

NOTES:

1. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.
2. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Environment Directorate for further information by telephoning the Developer Support Section (Area East) on 0300 123 6780

3. United Utilities owns a parcel of land which is affected by the proposed development and a formal easement under UU Ref Z4432 dated 7/10/15 which has been granted in perpetuity. Under no circumstances should anything be planted or erected or any materials stored over the easements nor should anything occur that would affect the integrity of the pipe or United Utilities right to 24hr access.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offers a fully supported mapping service and we recommend the applicant contact our Property Searches Team at Property.Searches@uuplc.co.uk to obtain maps of the site.

4. Sustainable drainage systems under the adoptable highway will only be considered acceptable where they are adopted by United Utilities or they only retain highway surface water.

The applicant is also advised that the adoptable highway surface water drainage system must not be used for the attenuation of any flood waters from the adoptable United Utility surface water system or any private surface water drainage system etc.

The applicant is advised to begin early discussions between the section 38 officers at Lancashire County Council, the Lead Local Flood Authority at Lancashire County Council and United Utilities as advised in the Department of Transport Advice Note "Highway Adoptions" "The adoption of roads into the public highway (1980 Highways Act)", published in April 2017.

5. For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given.

The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found here: <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0133