

Land off Henthorn Road, Clitheroe
Ribble Valley Borough Council

Statement of Common Ground between
Gladman Developments Ltd and Ribble Valley Borough Council

Proposed development for up to 110 dwellings with associated open space
with all matters reserved saved for access

APP/T2350/W/19/3221189



Ribble Valley
Borough Council
ribblevalley.gov.uk

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1 INTRODUCTION

1.1 Background

1.1.1 This Statement of Common Ground (SoCG) has been prepared by Gladman Developments Ltd (the Appellant) and Ribble Valley Borough Council (RVBC/the Council) and identifies the areas of common ground between them.

1.1.2 It has been prepared in accordance with Annexe T of the PINS Procedural Guide, Planning Appeals – England January 2019).

1.1.3 The Statement is based upon the reason for refusal and statutory consultation responses received in respect of the application.

1.2 Parties

1.2.1 The SoCG is jointly agreed by:

Signed: 

Date: 10/4/19.

Neil Lewis

On behalf of Gladman Developments Ltd

Signed: 

Nicola Hopkins

Date: 10th April 2019

On behalf of Ribble Valley Borough Council

2 SITE LOCATION AND DESCRIPTION

2.1 The Appeal Site

- 2.1.1 The 5.2 ha site lies adjacent to the existing residential development on the edge of Clitheroe. Clitheroe is a town with a population of over 14,500. The site is bound by agricultural land to the south west, two new developments to the south east and north east and a country park created as part of one of the new developments to the north west. Henthorn Road runs along the south east boundary of the site.
- 2.1.2 Clitheroe is a principle settlement and therefore, offers a range of shops, services and employment opportunities.

2.2 The Appeal Proposal

- 2.2.1 The appeal seeks outline planning permission for the erection of the erection of up to 110 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Henthorn Road, with all matters reserved, except for access.
- 2.2.2 The appeal proposals include:
- The erection of up to 110 dwellings, of which 30% will be affordable homes
 - 15% housing onsite for over 55s
 - Vehicular access off Henthorn Road
 - Structural landscape planting and the retention and positive management of key landscape features;
 - 1.79 ha of formal and informal open space (circa 34% of the gross site outline application area);
 - Public access to land previously not available;
 - New access arrangements including an informal footpath/cycle link and highway improvements to Henthorn Road;
 - A financial contribution of £200,000 over five years towards public transport; and
 - A comprehensive surface water drainage scheme.
- 2.2.3 The appeal proposals include an illustrative Framework Plan showing one example of how the proposed development could be accommodated on site. The illustrative Framework Plan demonstrates a proposed residential area of 3.16ha. The density on site would be 35 dwellings per hectare for 110 dwellings, with units ranging from 1-5 bedrooms. The development would also include 1.79ha of open space. The drawings for which planning permission are sought are as follows:

Drawing ref	Drawing Name
8439-L-04	Location Plan

1616/13/B Access Plan

2.2.4 The indicative drawing submitted for information:

8439-L-02 Framework Plan

2.3 Planning History

2.3.1 There is no relevant planning history associated with this site

3 THE DEVELOPMENT PLAN

3.1 The extent of the Development Plan

3.1.1 The Development Plan currently comprises (so far as material for the purposes of this appeal):

- Ribble Valley Core Strategy, (2014);
- The Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, (2009); and
- The Joint Lancashire Minerals and Waste Local Plan: Site Allocation and Development Management Policies (2013).

3.1.2 While the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, (2009) and Joint Lancashire Minerals and Waste Local Plan: Site Allocation and Development Management Policies (2013) form part of the Development Plan they are not relevant to this proposal and therefore not considered further in this statement.

3.1.3 The parties agree that as all policies pre-date the revised National Planning Policy Framework (the revised Framework) an assessment of the relevant policies and their consistency with the revised Framework must be made as per paragraph 213 of the revised Framework.

3.1.4 The PPG refers to the requirements of Article 35 of the Town and Country Planning (Development Procedure) (England) Order 2015 which includes the requirements for LPAs that “... *where planning permission is refused, to state clearly and precisely the full reasons for refusal, specifying all policies and proposals in the development plan that are relevant to the decision*”. As such, both parties agree that it is only the policies listed in the Reason for Refusal (RfR) that the Council consider the proposal to conflict with. The proposal must therefore accord/not conflict with all other policies of the Development Plan.

3.2 Ribble Valley Core Strategy

3.2.1 Ribble Valley’s Core Strategy was adopted in December 2014 to guide development in the Borough from 2008 until 2028. It is the central document of the Local Development Framework and establishes the vision, underlying objective and key principles that guide the development of the Borough over the plan period 2008 to 2028. It sets out the overall strategy for development which includes focussing development in the principal settlements; including Clitheroe.

3.2.2 The parties agree the following policies are relevant to this appeal:

- **H1: Housing Provision**
- **DS1: Development Strategy**
- **DS2: Presumption in Favour of Sustainable Development**
- **H2: Housing Balance**
- **H3: Affordable Housing**
- **DMI2: Transport Considerations**
- **DMH1: Affordable Housing Criteria**
- **DMG1: General Considerations**
- **DMG2: Strategic Considerations**
- **DMG3: Transport and Mobility**
- **DMH3: Dwellings in the Open Countryside and AONB**

3.3 The Emerging Development Plan

3.3.1 The emerging Housing and Economic Development, Development Plan Document (HED DPD) will form part of the Local Development Framework (LDF) once adopted. The HED DPD compliments the policies of the Core Strategy and includes allocations for housing and employment land within the Borough.

3.3.2 The HED DPD was formally submitted to the Secretary of State on 28th July 2017, responses to the Inspectors Initial Questions were submitted in December 2017 and the hearing sessions were due to commence in January 2018. Due to the Inspectors ill health the Hearing Sessions were adjourned. Initial dates were proposed to sit between the 3rd and 5th July, however a number of key matters relating to housing land supply had taken place over the intervening period. This included the Council updating its Housing Land Supply evidence, appeal decisions and the publication of revised National Policy and Guidance. In light of this the Council suggested that the Inspector postpone the hearing sessions in order to consider additional allocations and for the participants to consider the new Housing Land Availability Report. The Inspector considered it was necessary for parties to have the opportunity to review that new information and the Hearings were re-scheduled for the 27th November 2018.

3.3.3 On the 27th July 2018 the Authority ran a 6 week consultation on proposed Main Modifications to the HED DPD in relation to additional housing allocations which closed on Friday the 7th September and all responses were sent to the Inspector.

3.3.4 The first hearing session of the Independent Examination into the Housing and Economic Development DPD was held on Tuesday the 27th November 2018. The session was then adjourned until the 22nd January 2019 to allow parties to have the opportunity to review the updated Housing Land Availability Survey (November 2018). The Authority were also requested to publish a 'Housing Position Statement' which includes the planned trajectory of housing provision over the plan

period. This was published in December 2018. The EIP Hearing Sessions reconvened on the 22nd January 2019 and closed on the 23rd January 2019.

- 3.3.5 The Authority are currently consulting on the proposed Main Modifications of the HED DPD in relation to proposed housing allocations. The consultation commenced on Friday 1st March 2019 and closes on Friday 12th April. The consultation document confirms the Council's position in respect of the consultation as follows:

The Council has subsequently revised its Housing Land Supply Evidence (September 2018) and holds the view that it can demonstrate a 5 year supply of housing as required by Government guidance. The previous consultation was predicated upon the need to ensure sufficient land was identified to meet 5 year supply, however the Council is mindful to ensure that there is sufficient flexibility in the plan to secure a stable and robust supply position which is capable of being delivered by the plan. This is achieved by flexible policies in the Core Strategy that enable development to be brought forward in a sustainable manner and by way of a reserve of allocated sites. Consequently the Council is proposing a number of additional sites are allocated to allow flexibility.

- 3.3.6 All responses to this consultation will be sent to the Inspector and the Authority awaits the Inspectors Final Report. There are unresolved objections to the HED DPD, as evidenced at the hearing sessions, relating but not limited to, the deliverability of the proposed allocations, the process to which the sites were selected and the flexibility of the plan. The weight to be attached to relevant policies in the emerging development plan needs to be considered in the context of paragraph 48 of the revised Framework. The appellant consider that in the light of these objections only limited weight can be afforded to the DPD. The Council consider that given the stage the DPD is at the DPD should be afforded moderate weight.

4 AREAS OF COMMON GROUND

4.1.1 This section of the Statement sets out the matters that are agreed between the two parties.

4.2 The National Planning Policy Framework

4.2.1 The parties agree that, under the provision of section 38(6) of the Planning and Compulsory Purchase Act 2004, the appeal should be determined in accordance with the development plan unless material considerations indicate otherwise.

4.2.2 Paragraph 2 of the revised Framework (July 2018) makes clear that the Framework is a material consideration in determining planning applications. The two parties are in agreement that the revised Framework is a material consideration in the determination of this appeal.

4.2.3 The parties agree that the sections of the Framework most pertinent to the appeal are:

- Section 2- Sustainable Development (specifically paragraph 11)

4.3 Settlement Sustainability, Site Status and Designations

4.3.1 The two parties agree that:

- The appeal site is situated outside, but directly adjacent to, the settlement boundary of Clitheroe;
- The Site is not allocated for any purpose within the adopted Development Plan;
- The Site is not the subject of any planning designations, including any environmental, historic environment, open space or landscape designations;
- The Site is not a valued landscape for the purposes of paragraph 170 of the revised Framework;
- Clitheroe is the most sustainable settlement in Ribble Valley as stated in the Settlement Hierarchy Paper (2008). This is reflected in its placing in the settlement hierarchy and has a range of services and facilities capable of meeting day to day needs and accommodating additional housing development.

4.4 Other Matters

4.4.1 It is agreed that, with appropriate mitigation where relevant, the following matters can be adequately addressed in respect of the appeal proposals:

Highways & Access

4.4.2 The application was accompanied by an access plan 1616/13/B which was subject to a Road Safety Audit that demonstrates that the proposal is a suitable and safe vehicular access to the site from Henthorn Road.

4.4.3 Both parties agree that the proposal would not result in any unacceptable impact in terms of capacity or safety on the existing highway network and any impacts can be mitigated by appropriate conditions.

4.4.4 The parties agree that the Travel Plan provides an adequate framework for travel planning initiatives for the new development and this can be secured by an appropriately worded condition.

Design and Residential Amenity

4.4.5 The application was submitted in outline and was accompanied by a Framework Plan and a Design and Access Statement, as such, no detailed design evidence will be presented by either party and as design is not a reason for refusal, both parties agree that an acceptable design would be secured at the reserved matters stage.

4.4.6 Notwithstanding that the proposals are in outline only, there are no amenity impact concerns such to dismiss the appeal.

Archaeology

4.4.7 It is agreed by both parties that LCC Archaeology service raised no objection to the application subject to a suitably worded condition requiring an archaeological programme to be implemented prior to commencement of development on site.

4.4.8 As such, both parties agree that with the imposition of a suitable condition, the scheme is entirely acceptable in archaeological terms.

Heritage

4.4.9 Both parties agree that there would be no impact on any heritage assets as a result of the appeal proposals.

Landscape and Visual Impact

4.4.10 Both parties agree that the appeal site is not located within an area of land that is covered by national, local or international landscape designations.

4.4.11 This limited harm is localised and subject to the use of a good layout and design, will not amount to a significant impact upon the character of the area.

4.4.12 Up to 110 dwellings can satisfactorily be accommodated on the site whilst preserving the character of the area.

Arboriculture

4.4.13 There are no trees within the site boundary which are the subject of TPO (Tree Preservation Orders) and no trees/hedgerows will be unacceptably harmed as a result of the proposal with the vast majority retained.

- 4.4.14 The proposal will result in significant additional tree and hedgerow planting around the boundary of the site, which will prevent any development within the root protection zones.

Ecology

- 4.4.15 Both parties agree that adequate ecological surveys have been carried out which demonstrate that there is no ecological reason to prevent the development of the proposal. Both parties agree that the development could, subject to appropriate conditions, result in a net biodiversity gain.

Economic Benefits

- 4.4.16 It is agreed that, in accordance with paragraph 80 and 81 of the revised Framework, significant weight should be attributed to the economic benefits of the proposal. The economic benefits of the proposal will include construction jobs along with associated expenditure on local goods and services from the residents of the new dwellings.

Affordable Housing

- 4.4.17 Both parties agree that 30% of the proposed residential dwellings shall be affordable homes and that this is compliant with Policy DMH1. It is also agreed that 15% of the units would be specifically for over 55s.
- 4.4.18 It is agreed that the provision of affordable housing within the development will contribute to the affordable housing need within the Borough.

Flood Risk and Drainage

- 4.4.19 The area of the site to be developed is situated within Flood Risk Zone 1, an area at least risk from flooding (<0.1% chance), where the principle of residential development is considered acceptable.
- 4.4.20 It is confirmed that the discharge rates will be limited to the greenfield runoff rate, this has been agreed with the Lead Local Flood Authority (LLFA).
- 4.4.21 There is no objection from the LLFA and it is recommended that conditions would ensure an appropriate drainage system at the reserved matters stage. It is agreed that the proposal would not result in any unacceptable impacts upon flood risk and drainage.

Open Space

- 4.4.22 The scheme proposes 1.79ha of open space on site. The parties agree that details of layout, maintenance and management of on-site POS would be secured through planning conditions and through a Planning Obligation.
- 4.4.23 The appeal proposal includes facilities for the use of the general public and local community in the form of informal recreational routes, public open space and play space. Both parties agree that the aforementioned are a benefit arising as a result of the appeal proposal.

4.5 Health Facilities

- 4.5.1 In respect of the nearest health care facilities to the appeal site Pendleside Medical Practice and the Castle Medical Group are located at the Health Centre within Clitheroe town centre.
- 4.5.2 In 2012 outline planning permission was granted for 270 dwellings (ref: 3/2010/0719) on the land that adjoins the northeast boundary of the site. This outline permission included provision for a doctor's surgery with a site identified and a financial contribution secured as part of the Unilateral Undertaking. However, the surgery element of the development was never taken forward by the CCG.
- 4.5.3 As part of the consultation process for the planning application a notification letter was sent to the Practice Manager at the Clitheroe Health Centre inviting them to make comments in relation to patient capacity in this area. No comments were received at application stage. The minimum extent of new residential development for Clitheroe up to 2028 was identified in 2014 as part of the Adopted Core Strategy. The Main Modifications required to make the Plan sound by the examining Inspector included paragraph 8.11 of the Core Strategy which confirms that:

8.11 The Council is committed to ensure the necessary infrastructure is brought forward to meet the needs of the area resulting from proposed growth and development. The Council will continue to work with relevant authorities, public bodies and agencies to secure the delivery of infrastructure in a timely and effective manner. In providing a policy framework through this Core Strategy and the use of its Planning powers relevant infrastructure can be delivered. Statutory undertakers such as United Utilities and relevant authorities such as Lancashire County Council, and NHS England will need to meet their legal responsibilities for the provision of water and water treatment, health services to meet the needs of the areas and school facilities. However much of this provision will be dependent upon the timing of development, the emerging needs to be addressed at the time and capacity of existing provision.

- 4.5.4 To date there has been no evidenced need or plans to expand either surgery to accommodate the minimum identified level of growth allocated to Clitheroe (established as part of the Adopted Core Strategy in 2014).
- 4.5.5 Following the Case Management Conference on the 18th March 2019, the practices within the Health Centre were contacted again by the Council and both the managers have commented (comments attached at Appendix 1 and Appendix 2) with concerns in respect of the number of housing developments planned within the area and health care provision. The correspondence from Pendleside Medical Practice states that the patient list has grown by 300 patients over the last 12 months and with the housing developments planned in the area they expect this to rise by another 2000 patients in the future, however no evidence has been produced to confirm these figures. In the Managers opinions both practices need additional space to serve the practice population.

- 4.5.6 However this opinion is not supported by the NHS website¹, which identifies that Pendleside Medical Practice is currently taking on new patients, has 10,734 registered patients and 8 Doctors and that The Castle Medical Group is also taking on new patients, has 14,476 patients registered and 13 Doctors. The NHS website² identifies that the average GP's per 1000 patients per practice in England is 0.58. This equates to 1,724 patients per GP. Both surgeries are well below the average number of patients per GP.
- 4.5.7 Through the ongoing partnership work with the Clinical Commissioning Group (CCG) the Council are aware that the CCG with the NHS are undertaking a facility review and options are being considered. The Council contacted the CCG for an update in this regard on the 27th March 2019. The CCG confirmed that in response to practice and public concerns about premises within Clitheroe, the CCG commissioned a feasibility study as a desk top exercise looking at NHS estate in the Clitheroe area. This however is only in draft form and requires input from the GPs. At the time of writing there is no evidence to confirm that the practices cannot accommodate residents of the appeal proposal.
- 4.5.8 Should an evidenced need be provided by the CCG, to increase capacity at either of the two practices, to accommodate the proposed development, then this is a matter that could be dealt with through a financial contribution secured through the Unilateral Undertaking, should it be demonstrated to be CIL compliant.

4.6 Planning Obligations

- 4.6.1 It is agreed by both parties that all planning obligations must be reasonably related in scale and kind to the proposed development and must also meet the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010.
- 4.6.2 A Unilateral Undertaking will be completed in respect of the appeal proposals which will address:

Affordable Housing

- 4.6.3 30% of the proposed residential dwellings shall be affordable homes and 15% of the units would be specifically for over 55s.

Open Space

- 4.6.4 On site Public open space will be provided to facilitate the increased infrastructure demands from the new dwellings.
- 4.6.5 A financial contribution towards the provision of Sport and Leisure Facilities within the vicinity is required as a result of the increased demand the new dwellings would create on existing facilities.

¹ www.nhs.uk/Services/GP/Overview

² <https://www.nhs.uk/Scorecard/Pages/IndicatorFacts.aspx?MetricId=100063>

Education

- 4.6.6 Lancashire County Council (LCC) are the relevant education authority for Ribble Valley and the parties agree that LCC have assessed the need for an education contribution from this development and raised no objection to the proposal (CD3.06). A contribution is required as LCC project that in five years there will be a shortfall of both primary school places (within the 2 mile catchment area of the site) and secondary school places (within the 3 mile catchment area of the site).
- 4.6.7 As such LCC have requested a financial contribution in respect of primary and secondary school places towards projects at Clitheroe Edisford Primary School and Bowland High School. The formula that LCC use to calculate pupil yield and an appropriate level of contribution are contained in the legal agreement and will ensure that the pupil yield relevant to the housing mix will be secured at the detailed application stage

Public Transport Contribution

- 4.6.8 A public transport contribution towards sustaining and promoting local public transport.

5 AREA OF DISAGREEMENT

5.1.1 The principle issues on which the parties do not agree are:

- Whether the proposals accord with Key Statements DS2 and DMI2 and policies DMG2 and DMG3 of the Adopted Core Strategy.
- The level of weight which can be afforded to provision of affordable housing within this location.
- The weight afforded to the HED DPD

6 CONDITIONS

- 6.1.1 Both parties agree on the following conditions being should the Inspector be minded to allow the appeal:

Time limit, plans and details

1. Application for approval of all reserved matters must be made not later than the expiration of 18 months beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates.

(a) The expiration of three years from the date of this permission; or

(b) The expiration of 18 months from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The approval of the Local Planning Authority shall be sought in respect of the following matters before the development is commenced:- appearance; landscaping; layout; and scale.

Reason: To comply with Policy DMG1 of the Ribble Valley Core Strategy and in order that the Local Planning Authority should be satisfied as to the details and because the application was made for outline permission.

3. Unless explicitly required by condition within this consent, the vehicle access shall be constructed in general accordance with the detailed shown on drawings:

1616/13 rev B (proposed access arrangements)

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

4. The details in respect of the submission of any reserved matters shall be generally in accordance with the design principles and parameters as set out within the submitted Design and Access Statement (August 2016) and illustrative Framework Plan (ref: 8439-L-02 rev C).

Reason: To ensure the development accords with the agreed general principles in relation to design, green infrastructure and pedestrian, cycle and vehicular movement within the site.

5. The development hereby permitted shall be limited to no more than 110 dwellings and shall be carried out in accordance with the following plans and documents

Title	Drawing Reference	Dated
Location Plan	8439-L-04 rev A	1 st August 2018

Reason: To define the permission and in the interests of the proper development of the site.

6. Any application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.

7. The first reserved matters application shall include full details of the proposed play area and a Play Space Management Plan including long term design objectives, timing of works, management responsibilities and maintenance schedules for the play area shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the Play Space Management Plan shall also provide precise details of all play equipment and its maintenance and indicate a timescale when the play area shall be provided and made available for use.

Prior to the marketing of the site full details of the marketing documentation/ publications as far as it relates to the status of the play area shall be submitted to and approved in writing by the Local Planning Authority. This part of the marketing information shall include full details of the approved play area including an annotated plan detailing the approved siting. Prior to the occupation of the dwellings sited within 25 metres of the play area the future occupants shall be provided with a copy of marketing documentation detailing the approved siting and specification of the play area. Thereafter the play area shall be constructed and completed in accordance with the approved plans (submitted as part of application) in accordance with the approved timing of works

Reason: To ensure that the application includes adequate areas on-site public open space provision

Drainage and floodrisk:

8. The first application for the approval of reserved matters shall be accompanied by full details of the proposed surface water attenuation pond. For the avoidance of doubt the submitted information shall include proposed sections through the pond including relevant existing and proposed land levels, details of all associated landscaping and boundary treatments where applicable and a timescale for implementation and completion of the pond. The development shall be carried out in strict accordance with the approved details and timetable.

Reason: To ensure a satisfactory form of development in the interests of visual and residential amenities and to ensure the Local Planning Authority can make an accurate assessment of the details relating to matters of flood risk and sustainable drainage

9. As part of any reserved matters application the following details shall be submitted:
 - 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 <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>), discharge rates and volumes, temporary storage facilities, means of access for maintenance and easements where applicable, 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 flood levels in AOD;
 - b) The drainage scheme should demonstrate that the surface water run-off will not exceed the existing pre-development runoff rate for the corresponding return period. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
 - c) A plan showing any overland flow routes and flood water exceedance routes, both on and off site – flow routes must be directed away from property and infrastructure;
 - d) A timetable for implementation, including phasing where applicable;
 - e) Details of water quality controls, where applicable.
 - f) Details of an appropriate management and maintenance plan for the lifetime of the sustainable drainage system.

The scheme shall be implemented in accordance with the approved details and agreed timetable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that the proposed development can be adequately drained, to ensure that there is no flood risk on or off the site resulting from the proposed development, to ensure that water quality is not detrimentally impacted by the development proposal and to reduce the flood risk to the development as a result of inadequate maintenance.

10. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Ref: SHF.1132.159.HY.R.001.A) and the following mitigation measures detailed within the FRA:

- 1. Finished floor levels are set no lower than 150mm above external ground levels;*
- 2. Limiting the built development (including surface water attenuation) outside the mapped extent of surface water flow pathways;*
- 3. No below surface building (i.e. basements);*
- 4. Providing a 4m easement free from development along either side of the watercourse;*

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding by ensuring the satisfactory disposal of surface water from the site.

11. 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. SHF.1132.159.HY.R.001.A, Dated July 2018 which was prepared by Enzygo. No surface water will be permitted to drain directly or indirectly into the public sewer. 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.

Archaeology

12. No development, site clearance/preparation, or demolition shall commence until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which shall be submitted to, and approved in writing by, the Local Planning Authority. The programme of works shall include an initial phase of both geophysical survey and trial trenching, as well as the compilation of a report on the work undertaken and the results obtained. These works should aim to establish the presence or absence of buried archaeological remains and their nature, date, extent and significance. If remains are encountered then a subsequent phase of impact mitigation (which may include preservation in situ by the appropriate design or siting of new roads, structures and buildings, formal excavation of remains or other actions) and a phase of appropriate analysis, reporting and publication shall be developed and a further written scheme of investigation submitted to and agreed with the local planning authority before development commences. All archaeological works shall be undertaken by an appropriately qualified and experienced professional archaeological contractor and comply with the standards and guidance set out by the Chartered Institute for Archaeologists (CIfA). The development shall be carried out in accordance with the agreed details.

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

Contamination

13. Prior to the commencement of development, ground investigation shall be carried out as recommended and described in Section 7 (Discussion and Recommendations) of the Phase I Geo-Environmental Report by enzygo (ref: SHF.1132.159.GE.R.001) that was submitted with the outline application; and a report of the findings of the investigation shall be submitted for the written approval of the Local Planning Authority. Any identified mitigation measures shall be carried out prior to the commencement of the construction of the dwellinghouses.

Reason: In the interests of providing an appropriate environment for the end users of the development

Ecology and trees

14. Each reserved matters application shall include an Arboricultural Impact Assessment and Tree Constraints Plan in respect of the existing trees situated within influencing distance of the development site and shall include details of all root protection measures to be undertaken during the construction process. The development shall be carried out in strict accordance with the approved details and the specified tree protection measures shall remain in place throughout the construction phase of the development.

Reason: To ensure the adequate protection of trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development

15. Each reserved matters application shall include full details of proposed mitigation measures detailed/recommended within Section 5 of the submitted Ecological Appraisal (dated August 2018) and Table 6 in Section 6.2 and sections, 6.3 and 7.2 of the Breeding Bird Report (August 2018). The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and reduce the ecological impact of development

16. No site clearance, preparation or development work shall take place until a Landscape/Habitat Management Plan to include long-term design objectives, timings of the works, habitat creation, enhancement, management responsibilities and maintenance schedules for all landscaped areas (other than privately-owned domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall be informed by the submitted Ecological Appraisal (dated August 2018) and carried out as approved.

Reason: In the interests of biodiversity and to enhance opportunities for species of conservation concern and reduce the impact of development.

17. Each reserved matters application shall include details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites. The details shall be submitted on a dwelling/building dependent bird/bat species development site plan and include details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building/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/buildings during the actual construction of those individual dwellings/buildings identified on the submitted plan before each such dwelling/building is first brought into use and retained thereafter.

Reason: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and reduce the impact of development

18. Each reserved matters application shall include details of a scheme for any external building or ground mounted lighting/illumination. For the avoidance of doubt the submitted details shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated.

The lighting schemes(s) shall be implemented in accordance with the approved details and retained as approved.

Reason: To enable the Local Planning Authority to exercise control over development which could prove materially harmful the character and visual amenities of the immediate area and to minimise/mitigate the potential impacts upon protected species resultant from the development.

19. Any removal of vegetation, including trees and hedges, should be undertaken outside the nesting bird season (March to August) unless an up-dated pre-clearance check has been carried out by a licensed ecologist on the day of removal and no nesting birds are present.

Reason: To ensure that there are no adverse effects on the favourable conservation status of birds and to protect the bird population from damaging activities

Highways

20. Each reserved matters application shall include details of a scheme of Electric Vehicle charging points for each residential property. All Electric Vehicle charging points shall be provided in accordance with the agreed details prior to the first occupation of each property.

Reason: To ensure that the development provides adequate and appropriate sustainable transport options and in the interest of lowering emissions resultant from vehicular movements associated with the development

21. Prior to the commencement of the development a detailed scheme for the new estate road within the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a timetable for implementation and completion. The estate road shall thereafter be implemented in accordance with the approved details and timetable.

Reason: To ensure that satisfactory access is provided to the site within a suitable timeframe.

22. Prior to the commencement of the development a scheme for the construction of the site access and the off-site works of highway improvement shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the site access and off site highway works shall be completed in accordance with the approved details prior to the occupation of the first dwelling on the site.

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

23. Prior to any dwelling hereby approved being brought into use, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan shall be implemented within the timescale set out in the approved details and will be audited and updated at intervals not greater than 18 months to ensure that the approved Plan is carried out.

Reason: To promote and provide access to sustainable transport options

24. 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 details in respect of:

- Timing of delivery of all off site highway works
- The parking of vehicles of site operatives and visitors
- The loading and unloading of plant and materials
- The storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding
- Details of working hours
- Contact details for the site manager
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Routes to be used by vehicles carrying plant and materials to and from the site
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings and to ensure the development would not

be of detriment to the safe operation of the immediate highway during the construction of the development

25. 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.

APPENDIX 1

Sent: 18 March 2019 16:56
To: Robert Major
Subject: Planning Application

Dear Mr Major

Thank you for your email.

As a practice we have concerns with the number of housing developments planned within the area as the current health centre is no longer fit for purpose.

The two surgeries combined have just over 25,000 patients registered, with this predicted to increase significantly.

We have outgrown our space within the surgery, our reception area is often overcrowded, all our consulting rooms are used every day and we are struggling to expand our services as we do not have the space to employ any additional staff to deliver the service.

We have one small admin office which is overcrowded with 7 workstations and due to lack of space we have now expanded into my office as there are no alternatives.

Our list size has grown by 300 patients over the last 12 months and with the housing developments planned in the area we expect this to rise by another 2000 patients in the future.

We are working at 100% capacity and need the additional space to allow us to recruit the additional workforce to serve the practice population.

Kind regards



Practice Manager
Pendleside Medical Practice

APPENDIX 2

Sent: 19 March 2019 16:52
To: Robert Major
Subject: FW: FAO Practice Manager at Castle Medical Group

Dear Mr Major,

Thank you for your email on 18 March with regards to a further planning application for 110 houses on Henthorn Road in Clitheroe.

Clitheroe Health Centre, as I am sure you will be well aware of if you are a local resident, is an aging building that was built approximately 43 years ago and not designed for the number of patients that now use this site on a daily basis.

A comment that is often made to me as practice manager when patients have issues around appointments is 'why can't you employ another GP?'. If only it was that simple!

Our main problem here is capacity. There simply are not enough rooms available within the Health Centre to accommodate any increase in clinical staff. Some days we don't have the room availability to accommodate the staff working on a particular day.

A further increase in housing and local population would only add additional strain to a system that is struggling to meet demand.

The local Patient Participation Group who have representatives from both Castle Medical Group and Pendleside Medical Practice have discussed the issue. In fact, they recently organised a meeting in November 2018 where members of the public, councillors, Nigel Evans MP and representatives from NHS Property Services who own the building attended. I have attached a copy of the minutes from this meeting for your information. The minutes are also available on our website. They have had a subsequent meeting that took place last Wednesday 13 March 2019 but I do not have the minutes from this at present.

To sum up, I feel that the health provision and limitations of the existing Health Centre building and whether it can meet the demand of Ribble Valley residents should be addressed before any further housing can be considered.

Yours sincerely

Julie Oliver


Practice Manager
The Castle Medical Group (P81100)
Clitheroe Health Centre
Railway View Rd
Clitheroe
Lancashire BB7 2JG

APPENDIX 3

From: WALKER, Alex (NHS EAST LANCASHIRE CCG) [REDACTED]
Sent: 27 March 2019 11:51
To: Colin Hirst; HOLLIS, Kirsty (NHS EAST LANCASHIRE CCG)
Subject: RE: Clitheroe Surgery comments for Public Inquiry Evidence.

Colin
I have discussed the statement with Kirsty and we are both happy with this
Regards
Alex

#hello my name is...

Alex Walker

Director of Commissioning (interim)
NHS East Lancashire CCG
Walshaw house
Nelson
BB9 8AS
[REDACTED]



From: Colin Hirst [REDACTED]
Sent: 27 March 2019 10:06
To: WALKER, Alex (NHS EAST LANCASHIRE CCG); HOLLIS, Kirsty (NHS EAST LANCASHIRE CCG)
Subject: RE: Clitheroe Surgery comments for Public Inquiry Evidence.
Importance: High

Hi Kirsty/ Alex, my colleague Nicola is seeking confirmation of the position from the CCG that we can include for the Planning Inspector as part of a Statement of Common Ground with the appellants. This relates to a Public Inquiry to be held in May regarding additional residential development on Henthorne Road. I have previously sent the Practice comments. Below is the position statement that we are looking at including with the statement that will be shared with the appellants and published ahead of the Inquiry. Please can you advise if it reflects the CCG position, or provide any amendments or CCG statement. Any comments provided will be in the public domain, and may be subject to debate/examination at the Inquiry.

Our proposed statement is

Through the ongoing partnership work with the Clinical Commissioning Group (CCG) the Council are aware that the CCG with the NHS are undertaking a facility review and options are being considered. The Council contacted the CCG for an update in this regard on the 20th March 2019. The CCG confirmed that in response to practice and public concerns about premises within Clitheroe, the CCG commissioned a feasibility study as a desk top exercise looking at NHS estate in the Clitheroe area. This however is only in draft form and requires input from the GPs. Other options to address the capacity concerns are also under consideration by the CCG and NHS however no firm proposals exist currently and any options will require consultation with key stakeholders.

Please telephone either myself or Nicola (I have put her contact details below) if you want to discuss.

Regards,

Colin.

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