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Ribble Valley
Borough Council

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Dear Councillor

The next meeting of the **PLANNING AND DEVELOPMENT** Committee will be held at **6.30 pm** on **THURSDAY, 1 JUNE 2023** in the **Council Chamber**.

I do hope you can be there.

Yours sincerely

M. H. Scott

CHIEF EXECUTIVE

AGENDA

1. **APOLOGIES FOR ABSENCE**
2. **TO APPROVE THE MINUTES OF THE PREVIOUS MEETING** (Pages 3 - 10)
3. **DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS**

Members are reminded of their responsibility to declare any disclosable pecuniary, other registrable or non-registrable interest in respect of matters contained in the agenda.

4. **PUBLIC PARTICIPATION**
5. **BRIEFING OF THE WORK OF THE PLANNING & DEVELOPMENT COMMITTEE**

Verbal Presentation

ITEMS FOR DECISION

6. **APPOINTMENT TO WORKING GROUPS** (Pages 11 - 12)
7. **PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990**

Report of the Director of Economic Development and Planning – copy enclosed

- i) 3/2022/1039 - Land adj Kemple View, Clitheroe BB7 2QJ (Pages 13 - 20)

- ii) 3/2023/0068 - Rose Garden within Clitheroe Castle (Pages 21 - 32)
Grounds, Clitheroe BB7 1AZ
 - iii) 3/2023/0199 - Roefield Leisure Centre Edisford Road (Pages 33 - 42)
Clitheroe BB7 3LA
8. **LOCAL VALIDATION CHECKLIST FOR PLANNING APPLICATIONS** (Pages 43 - 90)

Report of the Director of Economic Development and Planning enclosed.

ITEMS FOR INFORMATION

9. **UPDATED GUIDANCE NOTES FOR PRE-APPLICATION ENQUIRY FEES** (Pages 91 - 96)

Report of the Director of Economic Development and Planning enclosed.

10. **GOVERNMENT CONSULTATION ON INTRODUCING A USE CLASS FOR SHORT-TERM LETS** (Pages 97 - 100)

Report of the Director of Economic Development and Planning enclosed.

11. **APPEALS (IF ANY)** (Pages 101 - 104)

12. **MINUTES OF WORKING GROUPS**

13. **REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES**

14. **EXCLUSION OF PRESS AND PUBLIC**

ITEMS FOR DECISION

ITEMS FOR INFORMATION

Electronic agendas sent to members of Planning and Development – Councillor Anthony (Tony) Austin, Councillor Ian Brown, Councillor Stella Brunskill JP, Councillor Louise Edge, Councillor Mark French, Councillor Kevin Horkin MBE, Councillor Simon O'Rourke and Councillor James (Jim) Rogerson.

Contact: Democratic Services on 01200 414408 or committee.services@ribblevalley.gov.uk

Agenda Item 2

Minutes of Planning and Development

Meeting Date: Thursday, 13 April 2023, starting at 6.30 pm
Present: Councillor A Brown (Chair)

Councillors:

T Austin	K Fletcher
I Brown	M French
B Buller	S O'Rourke
J Clark	J Rogerson
L Edge	R Sherras

In attendance: Director of Economic Development and Planning, Head of Development management and Building Control and Head of Legal and Democratic Services

908 APOLOGIES FOR ABSENCE

Apologies for absence for the meeting were received from Councillors S Brunskill and S Carefoot.

909 TO APPROVE THE MINUTES OF THE PREVIOUS TWO MEETINGS

The minutes of the two meetings held on 16 March 2023 were approved as a correct record and signed by the Chair.

910 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS

There were no declarations of disclosable pecuniary, other registrable or non-registrable interests.

911 PUBLIC PARTICIPATION

There was no public participation.

912 PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990

913 3/2022/0878 - DUTTON MANOR MILL, CLITHEROE ROAD, RIBCHESTER PR3 2YT

Mr T Myers spoke in support of the application and Mr T Hobday spoke in opposition to the application.

RESOLVED THAT COMMITTEE:

Grant planning permission subject to the following conditions:

1. The development must be begun not later than the expiration of three years from the date of the original consent 3/2021/0440, dated 23rd September 2021.

REASON: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004

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 Reference JM-0207 LOCAL PLAN
 - Proposed Site Plan Reference JM-0207 LOCAL PLAN 004 Rev E (received 19.08.2021)
 - Proposed Ground Floor Plan Reference JM-0207 LOCAL PLAN 005 Rev D (received 19.08.2021)
 - Proposed First Floor Plan Reference JM-0207 LOCAL PLAN 006 Rev C (received 19.08.2021)
 - Proposed Elevation and Section Plan Reference JM-0207 LOCAL PLAN 007 Rev E (received 19.08.2021)
 -

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

3. The development shall be carried out in accordance with the external walls, roofing and rainwater goods materials detailed in the 'Proposed Materials Schedule for Discharge of Condition 3' document submitted and approved in discharge of conditions application reference 3/2022/0362.

REASON: To ensure that the materials to be used are appropriate to the locality.

4. The landscaping proposals hereby approved 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.

REASON: To ensure the proposal is satisfactorily landscaped and appropriate to the locality.

5. The working hours within the premises shall be restricted to the period from 0700 to 1900 Mondays to Friday and 0800 to 1600 on Saturdays. No work shall be undertaken on Sundays, Bank or Public Holidays.

REASON: In order to protect the residential amenity of the occupiers of the adjacent properties from noise related activities.

6. No goods, plant or materials shall be deposited or stored on the site other than in the buildings shown on the approved plans.

REASON: To ensure a satisfactory appearance of the site in the interests of local visual amenity and in the interests of the amenities of nearby residents.

7. Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 1m above the nearside carriageway level which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

REASON: To ensure adequate inter-visibility between highway users at the street junction or site access, in the interests of highway safety.

8. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with drawing number JM-0207 004 Rev E. Thereafter the onsite parking provision shall be so maintained in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019).

9. The Construction Method Statement and Proposed Site (Construction Phase) Layout Plan submitted and approved in discharge of conditions application reference 3/2022/0362 shall be adhered to throughout the construction period of the development.

REASON: In the interests of the amenity of the area and highway safety.

10. No construction work, construction traffic or operation of any plant/machinery shall take place on the site during the course of the development hereby approved except between the hours of 0800 hours and 1800 hours Monday to Friday and 0900 and 1300 on Saturdays. No construction work, construction traffic or operation of any plant/machinery shall take place on Sundays or Public Holidays. Furthermore, no deliveries or vehicles shall arrive on site outside these stipulated working hours.

REASON: In order to protect the residential amenity of the occupiers of the adjacent properties from noise disturbance.

11. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (as amended or re-enacted) the storage unit as indicated on plan reference JM-0207 LP 004 Rev E shall only be used for the purposes of B8 (Storage or distribution) and for no other purpose.

REASON: To define the scope of the permission hereby approved and to ensure that the development remains compatible with the character of the area.

914

3/2022/0926 - FORMER RAILWAY TUNNEL, HIGHER ROAD, LONGRIDGE PR3 2XY

RESOLVED THAT COMMITTEE:

Grant Listed Building Consent subject to the following conditions:

That Listed Building Consent be granted subject to the following conditions:

1. The development hereby permitted must be begun not later than three years from the date of this permission.

REASON: Required to be imposed by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

2. The development hereby permitted shall not be carried out otherwise than in conformity with the following submitted plans and details and recommendations therein received by the Local Planning Authority unless prohibited by any other condition.

Plans

Existing General Arrangement And Defects Drawing No: 1045-SWA-00-XX-DR-S-0001 REV P2

22 0926 Location Plan

Strengthening Works Drawing No: 1045-SWA-00-XX-DR-S-0002 REV P1

Reports

22 0926 Bat survey

22 0926 Heritage Statement

22 0926 Technical Note

REASON: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied with the details.

3. No development shall take place until an Approval In Principle (AiP) Structural Report setting out how any structures within 6 metres of the edge of the adopted highway (and outside of this measure where the failure of any structures would affect the safety of road users) will be assessed, excavated, constructed, strengthened or demolished has been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved AIP Report.

REASON: To ensure the works safeguard the structural integrity of the adopted highway during the demolition and construction phase of the development.

4. No part of the development hereby granted consent shall commence until details of a method statement have been submitted to and agreed in writing with the Local Planning Authority. The details of the method statement shall be in accordance with the Bat Mitigation Guidelines 2004 (or any equivalent updated guidance which may be subsequently published) and include information on measures that aim to avoid, cancel or reduce negative effects of the development on protected species / roosts / habitat, including timings of the work.

The details submitted shall also include information on enhancement and compensatory measures including the type and function of replacement roosts, bat access points and long term security for roosts, together with a timeframe for implementation. This shall include the installation of compensatory bat boxes on site in line with the mitigations measures detailed

within Bat Survey Report and Method Statement European Protected Species (Bats) Reasonable Avoidance and Mitigation Measures dated 10.03.2023.

The development shall then proceed in accordance with the approved method statement. Any approved enhancement and compensatory measures shall be implemented in accordance with the approved timeframe and shall thereafter be retained in perpetuity.

REASON: To ensure the protection of species/habitat protected by the Wildlife and Countryside Act 1981 (as Amended) and in the interests of biodiversity and to enhance habitat opportunities for species of conservation concern/protected species and to minimise/mitigate the potential impacts upon protected species resultant from the development.

Informative (Highways)

Prior to works commencing, the Design and Work certificates shall be submitted to the Local Planning Authority, in consultation with the Local Highway Authority. Once works are complete, the Construction Compliance certificate shall be submitted to the Local Planning Authority, in consultation with the Local Highway Authority.

Informative (Ecology)

Site contractors and site project managers shall be made aware of the legal protection afforded to all species of bats in the UK. In the event that any bats are found or disturbed during any part of the development, all work shall cease until further advice has been sought from a licensed ecologist.

915

LONGRIDGE S106

The Director of Economic Planning and Development submitted a report seeking authority from Members to release Section 106 contributions to Mardale Playing Pitches.

RESOLVED THAT COMMITTEE:

1. Agree to breakdown the total s106 payment of £69,423 secured for off-site public open space improvements from the planning permission at Chipping Road, Longridge (ref: 3/2014/0764) as follows:-
 - £34,711 improvements to Mardale playing pitches,
 - £24,000 play facility improvements at Kestor Lane and
 - £10,711.50 improvements to Longridge Cricket Club.
2. Authorise the commitment of £34,711 public open space payment received to date to the improvement work on Mardale playing pitches.
3. Agree to the commitment of the two remaining sums after they are receipted by the Council (the Longridge Cricket Club share will be subject to a further report setting out how the club intends to utilise the contribution).

916 LOCAL PLAN UPDATE

The Director of Economic Planning and Development submitted an information report to update Members on the progress with the replacement Ribble Valley Local Plan.

Members noted the updates provided relating to the Strategic Flood Risk Assessment (SFRA) and the Strategic Housing and Employment Land Availability Assessment (SHELAA) and they anticipate further updates on these and other items in future months.

917 DLUHC CONSULTATION ON INCREASING PLANNING FEES AND PERFORMANCE

The Head of Development Management and Building Control submitted an information report updating Members on the current government consultation on changes to planning fees and performance.

It was noted that the government published a 'Technical consultation: Stronger performance of local planning authorities support through an increase in planning fees' on 28 February 2023. Within this consultation document were a number of proposed changes to planning fees and the way government monitors and measures the performance of planning services.

The proposals include:

- To increase planning fees for major applications by 35% and to increase planning fees for all other applications by 25%
- To double planning fees for retrospective applications to discourage unauthorised development.
- To introduce legislation when parliamentary time allows for all planning fees to be adjusted annually in line with inflation.
- Building the resilience, capacity, and capability of local planning authorities. At this stage the government are only seeking views on skills gaps, recruitment issues and ideas to address these challenges.
- To amend the existing metrics that measure performance of local planning authorities for speed of decision-making.
- The performance of a local planning authority for speed of decision making should primarily be assessed on the percentage of applications that are determined within the statutory determination period, not an agreed extended period of time.

The Members noted the proposed changes to planning fees and performance outlined in the report and requested the Head of Development Management & Building Control to respond to the consultation.

918 TECHNICAL CONSULTATION ON THE INFRASTRUCTURE LEVY

The Director of Economic Planning and Development submitted an information updating Members on the technical consultation on the Infrastructure Levy.

The Levelling Up and Regeneration Bill ('the Bill') seeks to replace the current system of developer contributions with a mandatory, more streamlined, and locally determined Infrastructure Levy.

The Bill provides the framework for the new Levy, with the detailed design to be delivered through regulations.

The Bill introduces the following components of the Levy:

- The Levy will be a mandatory charge.
- Levy rates are to be set by charging authorities (generally the local authority), and when setting rates, they must take into account certain factors. This includes the viability of development in the area and the desirability that rates can deliver affordable housing at a level equalling or exceeding what developers deliver now in that area.
- There is a process of examination in public of Infrastructure Levy charging schedules, in order for rates to be adopted.
- The Secretary of State for DLUHC can intervene in the preparation of charging schedules in certain circumstances.
- Charging authorities must publish an Infrastructure Delivery Strategy.

The Members noted the consultation and the list of questions asked in the appendix the report. The Director of Economic Development and Planning will formally respond to the consultation questions.

919 PLANNING APPEALS (IF ANY)

Of particular note was the recent decision regarding the enforcement appeal for the Punch Bowl Inn, Hurst Green BB7 9QW. The appeal was dismissed and a full costs order was awarded to Ribble Valley Borough Council.

There was a hearing on 7 March 2023 relating to Twyn Ghull Caravan Site, Settle Lane, Paythorne BB7 4JD. The appeal was dismissed on 27 March 2023.

920 MINUTES OF WORKING GROUPS

There were no minutes from working groups.

921 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

922 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That by virtue of the next item of business being exempt information under Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 the press and public be now excluded from the meeting.

923 DEVELOPMENT MANAGEMENT STAFFING

The Director of Economic Development and Planning submitted a report updating members on staffing matters within the Directorate.

RESOLVED THAT COMMITTEE:

1. Refer the staffing changes within Development Management to Personnel Committee for a permanent change to the establishment.
2. Continue to obtain the services of Growth Lancashire for the 2023/24 year.

The meeting closed at 7.32 pm

If you have any queries on these minutes please contact the committee clerk, Jenny Martin 01200 413214 olwen.heap@ribblevalley.gov.uk.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

meeting date: THURSDAY, 1 JUNE 2023
title: APPOINTMENT TO WORKING GROUPS 2023/24
submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE
principal author: JENNY MARTIN

1 PURPOSE

- 1.1 To appoint members to any working groups under the remit of the Planning and Development committee and their membership.
- 1.2 Relevance to the Council's ambitions and priorities:
- Community Objectives – to be a well managed Council providing effective services.
 - Corporate Priorities – to protect and enhance the existing environmental quality of our area: to help make people's lives healthier and safer.
 - Other Considerations – to work in partnership with other bodies in pursuit of the Council's aims and objectives.

2 BACKGROUND

- 2.1 Working groups are set up by a parent committee to aid them in reaching a decision on specific aspects of their remit. Working groups have no powers and decisions are always made ultimately by the parent committee.
- 2.2 Working groups are made up of members from the parent committee.

3 ISSUES

- 3.1 The following working group comes under the remit of the Planning and Development committee and is an active working group. The membership of this working group for 2023/24 needs to be decided and committee may wish to consider if numbers need reviewing to approximate political balance on the Council.

Local Development Plan	2022/23 membership – 4 Conservatives, 1 Independent + 1 Liberal Democrat
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- 3.2 Working groups meet when there is a need to move an issue forward. For some this is on an annual basis and for others it can be as often as monthly.
- 3.3 Agendas, reports and minutes are done by the officers that serve on the working group. The minutes of each meeting are reported back to the parent committee once approved by the working group so that they are kept informed of progress.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – the costs associated with working groups is included in the budget for 2023/24.
- Technical, Environmental and Legal – no implications identified
- Political – No implications identified.
- Reputation – No implications identified.
- Equality & Diversity – No implications identified.

5 **RECOMMENDED THAT**

5.1 Committee approve the continuance of the working group under the remit of this committee as suggested and decide upon their membership.

Marshal Scott
CHIEF EXECUTIVE

Jenny Martin
Democratic Services Officer

RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

REFUSAL

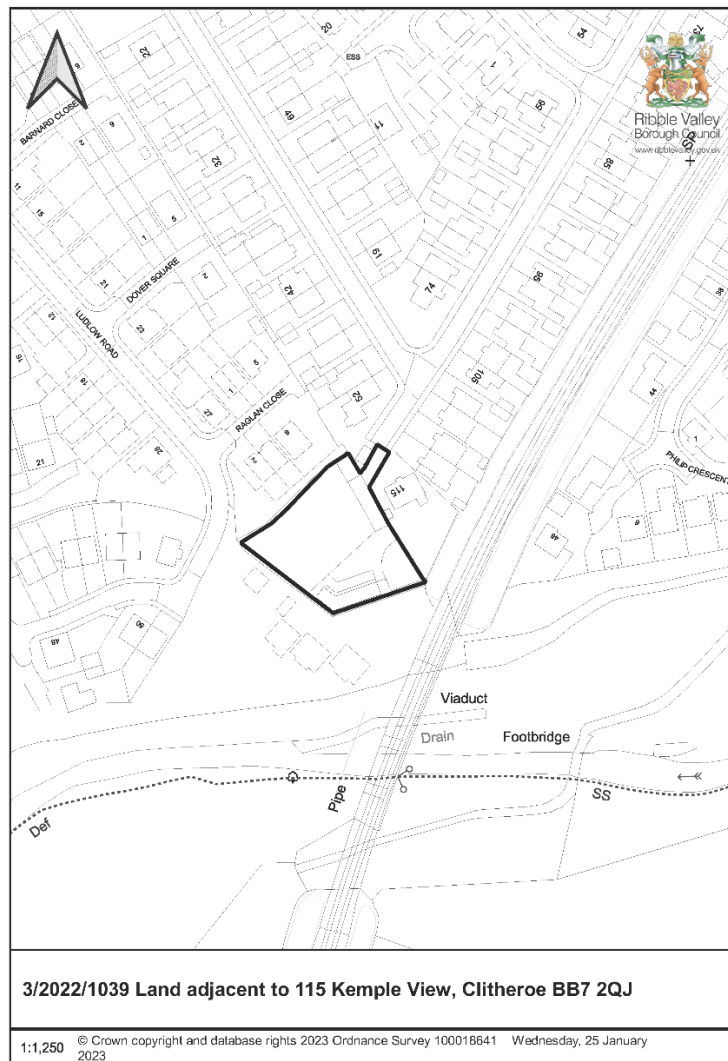
DATE: 1 June 2023
REF: SK
CHECKED BY: LH

APPLICATION REF: 3/2022/1039

GRID REF: SD 373384 440661

DEVELOPMENT DESCRIPTION:

PROPOSED CONSTRUCTION OF TWO NEW DETACHED DWELLINGS WITH ASSOCIATED ACCESS AND GARDEN AREAS. RESUBMISSION OF 3/2021/1263.
LAND ADJACENT TO 115 KEMPLE VIEW, CLITHEROE BB7 2QJ.



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

No representations received in respect of the application.

LANCASHIRE COUNTY COUNCIL (LOCAL HIGHWAYS AUTHORITY):

The level of car parking and turning areas are considered acceptable. There are no garages proposed. Each dwelling requires a secure, covered cycle store and electric vehicle charging point. The proposed highway drain diversion shown on drawing 'Site drainage diversion and proposed building outline' PHA/366-100 is acceptable.

Should consent be granted, the following conditions are requested:

- 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
- Prior to commencement of any building works, the drainage diversion works shown on drawing 'Site drainage diversion and proposed building outline' PHA/366-100 shall be completed in accordance with Lancashire County Council Specification under an appropriate agreement with access rights agreed thereafter.
- The new estate road 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.
- Prior to the first occupation of any dwelling, the car parking and turning areas shall be provided and maintained thereafter for the purposes of vehicle parking.
- Prior to the first occupation each dwelling shall have an electric vehicle charging point. Charge points must have a minimum power rating output of 7kW, be fitted with a universal socket that can charge all types of electric vehicle currently.

UNITED UTILITIES (UU):

United Utilities have identified that a number of assets (public sewers) cross the site. Following review of the proposed site layout, along with the CCTV investigations of the sewer and the topographical survey, it appears that our required access to the public sewers are provided. Request that the submitted drainage easement, drainage diversion and building outline plans are listed as approved documents on any subsequent Decision Notice.

Further site-specific investigations would be needed to determine the precise location of United Utilities assets. Should consent be granted, UU have requested the following condition(s):

1. *No construction shall commence until details of the means of ensuring the sewers that are laid within the site boundary are protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts from construction activities and the impacts post completion of the development on the sewers that cross the site and identify mitigation measures to protect and prevent any damage to the pipelines both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.*

2. *Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:*

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;*
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);*
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;*
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and*
- (v) Foul and surface water shall drain on separate systems.*

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

ADDITIONAL REPRESENTATIONS:

Six letters of representation have been received objecting to the application on the following grounds:

- Scale of the proposed dwellings are too large and not in character with the area
- Impacts upon drainage/flooding
- Noise impacts
- Loss of privacy by virtue of direct overlooking
- Overbearing impact
- Lack of amenity space for proposed dwellings

1. Site Description and Surrounding Area

- 1.1 The application relates to a 0.18 Ha area of land at the eastern extents of Kemple View, Clitheroe. The land currently accommodates a disused stable building and a sand paddock that historically was used for private domestic purposes ancillary to the property no 115 Kemple View. The private equestrian use of this piece of land was established through the granting of planning consent 3/1989/0360. The immediate area is largely residential in character with the site also being located within the defined settlement boundary of Clitheroe.
- 1.2 The site historically benefits from an outline planning consent for the erection of three dwellings reference 3/2018/0740 (granted 11th December 2018), however the outline consent is no longer considered extant having expired on 11th December 2021. The site is bounded to the south by a newly constructed housing development and to the north-

east by 115 Kemple View. A number of dwellings fronting Raglan Close bound the site to the north-west.

2. **Proposed Development for which consent is sought**

2.1 This application is brought before Planning and Development Committee at the request of Councillor M Robinson.

2.2 The application seeks consent for the erection of two detached dwellings, one being located towards the eastern extents of the site (Building 2) with the remaining dwelling being located to the southern extents of the site (Building 1). Both dwellings are part single-storey, part two-storey with the upper floors, for the most part being accommodated within the roof-space save that for a full two-storey gable on the north-east facing elevation of 'Building 1' and the south-west and north facing elevation of 'Building 2'. To facilitate the provision of habitable accommodation within the roof-space a number of the elevations of the dwellings benefit from 'elevated' eaves heights to create usable floorspace at first-floor.

2.3 the submitted details propose that the dwellings will be faced in 'stone facings and render' to be agreed with roofs faced in primarily a slate finish. The submitted details also propose the gating-off of the entrance, however at this stage no details have been provided in respect of the proposed gate or associated boundary treatment to the site frontage. Parking provision for both dwellings would be accommodated within each respective residential curtilage with a bin storage area being located to the northern extents of the site.

3. **Relevant Planning History**

3/2021/1263:

Proposed construction of two new detached dwellings. (Refused)

3/2020/0390:

Proposed two detached dwellings. (Withdrawn)

3/2018/0740:

Application for outline planning permission for three dwellings, access and parking. (Approved)

3/2014/0461:

Outline application for three dwellings, access and parking. (Approved)

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy
Key Statement DS2 – Sustainable Development
Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport & Mobility
Policy DME1 – Protecting Trees & Woodland
Policy DME2 – Landscape & Townscape Protection
Policy DME3 – Site and Species Protection and Conservation

National Planning Policy Framework (NPPF)
Technical Guidance to National Planning Policy Framework

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 The principle of the development of the site for residential purposes has historically been established as acceptable through the granting of outline consents 3/2014/0461 and 3/2018/0740, however members should note that both outline consents have since expired.

5.1.2. Notwithstanding the above matter, the proposal site is located within the defined settlement of Clitheroe (Principal Settlement) and as such it is considered that the principle of the development of the site for residential purposes, notwithstanding other development management considerations, remains compatible with the adopted development strategy for the borough as embodied within Policy DMG2 of the Ribble Valley Core Strategy in relation to the locational aspirations for housing growth within the borough.

5.2 **Impact upon Residential Amenity:**

5.2.1 Given the proposal site is bounded on three-side by residential development, considerations must be given in respect of the potential for the proposal to have undue impacts upon existing residential amenity.

5.2.2 Building 2 is located within close proximity to the shared boundary with 115 Kemple View. Taking account of the solar orientation of the site in concert with the overall scale of building 2 and the extent of the footprint located adjacent the shared boundary, in concert with the elevated eaves height of the proposed dwelling, it is considered that building 2 is likely to result in a significant overbearing impact upon 115 Kemple View and its associated residential curtilage area, including a measurable loss of light, not only to the dwelling but also the private garden area of number 115.

5.2.3 In respect of the adjacent housing development to the south of the application site, the application site benefits from land-levels that are significantly above (approximately 1.4m) that of the garden levels and finished floor-levels of the existing dwellings. Taking account of the difference in site levels, whilst taking account of the scale and proximity of building 1 to the shared boundary with the properties to the south, it is likely that the proposed dwelling will result in a significant overbearing relationship with the affected dwellings and as such will significantly compromise the residential amenities enjoyed by the existing and future occupiers of the dwellings.

- 5.2.4 Taking account of the above it is considered that the proposed development would result in conflict with Policy DMG1 of the Ribble Valley Core Strategy insofar that the proximity, scale and orientation of 'Building 2' would significantly undermine and compromise the residential amenities of the occupiers of 115 Kemple View by virtue of a direct unsympathetic overbearing relationship.
- 5.2.5 It is further considered that the proximity, scale and orientation of 'Building 1' would significantly undermine and compromise the residential amenities of the occupiers residential dwellings to the south-west by virtue of an overbearing relationship, exacerbated by the differing topographies between that of the application site and garden areas/land-levels associated with the existing affected dwellings, thereby resulting in further conflict with Policy DMG1 which seeks to protect existing and future residential amenities from undue detrimental impacts.

5.3 Visual Amenity/External Appearance

- 5.3.1 Both dwellings are of a differing configuration with both consisting of single-storey and two-storey elements. The architectural language of both dwellings is largely similar, being of a largely simplistic austere appearance. The footprint and overall cumulative scale of the proposed dwellings is significantly in excess of that of any of the nearby or adjacent residential properties, with the proposed building footprints being in excess of double of that of nearby adjacent built-form which establish the pattern and scale of development within the immediate vicinity.
- 5.3.2 Further to the above, the overall site configuration/building orientation(s) in parallel with the lack of usable amenity green garden-space for 'Building 1' and excessive area of driveway/gravel parking area, results in the building appearing cramped within its respective plot curtilage further exacerbating the anomalous and discordant appearance of the building in respect of the defining characteristics of the immediate area.
- 5.3.3 As such it is considered the resultant built-form would result in the introduction of an anomalous and discordant form of development that that by virtue of its scale and site configuration , would fail to respond positively to the inherent pattern and scale of adjacent built-form, being of significant detriment to the character and visual amenities of the area, also being in direct conflict with Policy DMG1 of the Ribble Valley Core Strategy which requires that development 'be sympathetic to existing and proposed land uses in terms of size intensity, nature as well as scale and massing'.

5.4 Landscape and Ecology:

- 5.4.1 The application has been accompanied by a Preliminary Bat Roost Assessment, which at the time of being undertaken identifies that no evidence was recorded to suggest bats were roosting within the building, no bats were observed or recorded using the building for roosting and that the building is considered to be of negligible potential for roosting bats. Enhancement in the form of new bat and bird roosting habitats could be secured by condition. The proposal is therefore considered to satisfy Policy DME3 of the Ribble Valley Core Strategy in terms of biodiversity conservation and enhancement.

5.4.2 The site is bounded by a number of trees, with a grouping being located directly to the north of the existing access point, and with a substantial grouping being located at the south-eastern extents of the site. Based on the submitted information it appears that the tree's adjacent the access point lie outside the site extents. In respect of the grouping at the south-eastern extents of the site, the submitted details are not clear in respect of whether these fall within the site extents, however no tree removal has been proposed associated with the submitted details therefore the proposal is considered to satisfy Policy DME2 of the Ribble Valley Core Strategy in terms of landscape protection.

5.5 Highway Safety and Accessibility:

5.5.1 The Local Highways Authority have raised no objection to the proposal subject to the imposition of conditions. As such and in this respect it is not considered that the proposal raises any significant direct conflict with Policy DMG3 of the Ribble Valley Core Strategy which requires that all development proposals 'provide adequate car parking and servicing' and the NPPF (Paragraph 111) which requires development to have an acceptable impact on highway safety. To encourage sustainable travel conditions could be imposed requiring cycle storage provision and electric vehicle charging points.

5.6 Flood Risk and Drainage

5.6.1 The site lies within Flood Zone 1 (lowest risk of flooding) therefore it is not necessary to apply the flood risk sequential or exception tests. No details of surface water drainage have been forthcoming therefore a detailed scheme would need to be secured by condition. Whilst it is acknowledged that public sewers cross the site, the proposed site plan illustrates that the building footprint would not interfere with these assets and no objection is raised by United Utilities subject to the imposition of conditions. Therefore the proposal is considered to satisfy Policy DME6 of the Ribble Valley Core Strategy in terms of water management.

6. Observations/Consideration of Matters Raised/Conclusion

6.1 For the reasons outlined above the proposed development is considered to be in significant direct conflict with Policy DMG1 of the Ribble Valley Core Strategy insofar that approval would result in a form of development that will significantly undermine and compromise the residential amenities of adjacent nearby neighbouring residential occupiers by virtue of an unacceptable overbearing impact.

6.2 It is further considered that the proposed development would result in the introduction of an incongruous and discordant form of development, insofar that the overall scale and footprint of the proposed dwellings fails to respond positively to inherent scale of nearby build-form or the inherent character of the area, being in direct conflict with Policy DMG1 of the Ribble Valley Core Strategy and Paragraphs 130 and 134 of the National Planning Policy Framework

RECOMMENDATION: That the application be REFUSED for the following reason(s):

1. The proposal is considered contrary to Policy DMG1 of the Ribble Valley Core Strategy insofar that the proximity, scale and orientation of 'Building 2' would significantly

undermine and compromise the residential amenities of the occupiers of 115 Kemple View by virtue of a direct unsympathetic overbearing relationship.

2. The proposal is considered contrary to Policy DMG1 of the Ribble Valley Core Strategy in that the proximity, scale and orientation of 'Building 1' would significantly undermine and compromise the residential amenities of the occupiers of residential dwellings to the south-west by virtue of an overbearing relationship, exacerbated by the differing topographies between that of the application site and garden areas/land-levels associated with the existing affected dwellings.
3. The proposal is considered contrary to Policy DMG1 of the Ribble Valley Core Strategy and Paragraphs 130 and 134 of the National Planning Policy Framework insofar that approval of the proposal would result in the introduction of an anomalous and discordant pattern and form of development, that by virtue of the scale of the proposed dwellings, their inherent footprints and site configuration, would fail to respond positively to the inherent pattern and scale of adjacent built-form being of significant detriment to the character and visual amenities of the area.

BACKGROUND PAPERS

https://webportal.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2022%2F1039

RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

APPROVAL

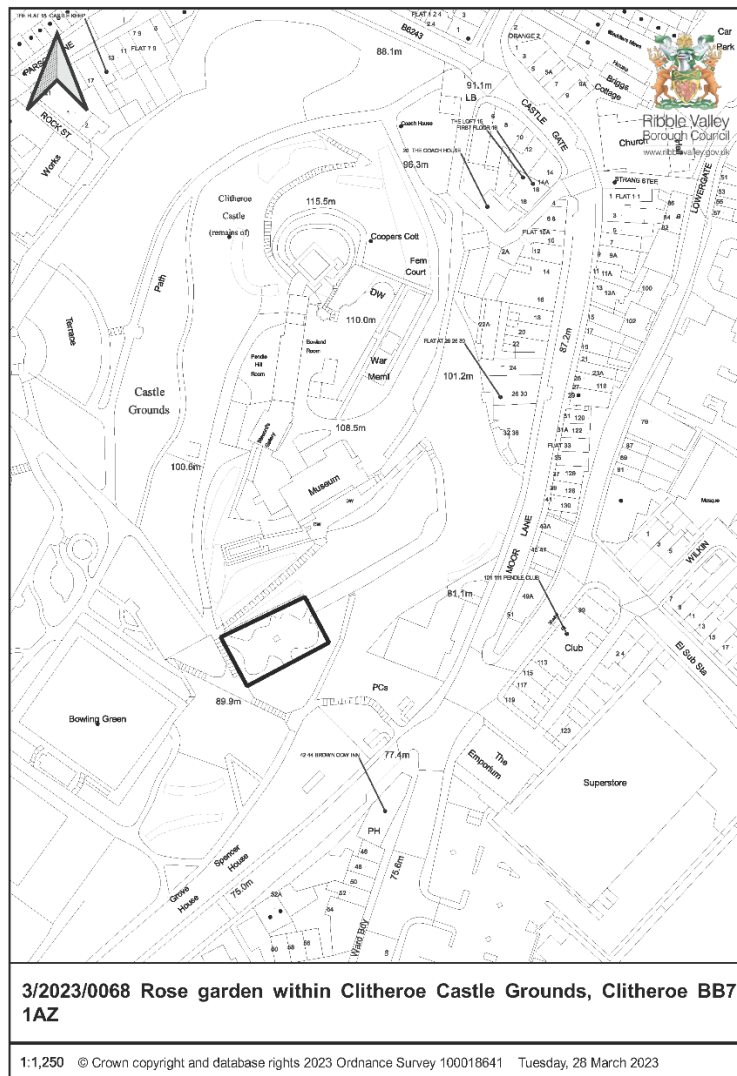
DATE: 1 JUNE 2023
REF: SK
CHECKED BY: LH

APPLICATION REF: 3/2023/0068

GRID REF: SD 374244 441693

DEVELOPMENT DESCRIPTION:

LISTED BUILDING CONSENT TO INSTALL A PLAQUE IN THE ROSE GARDEN WITHIN THE GROUNDS OF CLITHEROE CASTLE. ROSE GARDEN WITHIN CLITHEROE CASTLE GROUNDS CLITHEROE BB7 1AZ



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Clitheroe Town Council have raised no objections to the proposed development.

GARDENS TRUST:

The Gardens Trust have offered the following observations in relation to the proposal:

Thank you for consulting the Gardens Trust in its role as Statutory Consultee on the above application which affects Clitheroe Castle, a historic designed landscape of national importance which is included by Historic England on the Register of Parks and Gardens of Special Historic Interest at Grade II.

We have considered the information provided in support of the application and on the basis of this confirm we do not wish to comment on the proposals at this stage. We would however emphasise that this does not in any way signify either our approval or disapproval of the proposals.

THE COUNCIL FOR BRITISH ARCHAEOLOGY:

The Council for British Archaeology (CBA) have offered the following observations in relation to the proposal:

The CBA consider that these proposals have the potential to enhance public understanding and appreciation of Clitheroe's history and British political history more broadly, and could add to the Rose Garden's communal significance. It is our judgement that under paragraph 202 of the National Planning Policy Framework, this public benefit is sufficient to justify the proposals. The CBA therefore recommend that this application be approved.

ADDITIONAL REPRESENTATIONS:

One letter of representation has been received in respect of the proposal offering the following comments/observations:

- The location should be correctly referred to as the 'Pinnacle Garden'.
- The submitted details do not include precise information in relation to the location of the plaque.
- The plaque may give rise to visual distraction of other features within the 'Rose Garden'.
- The concept and proposals for the new plaque are excellent and will link the iconic site and Clitheroe's first C20th elected member of parliament – where the adjacent pinnacle once stood, with all other locations relating to the 'Pendle radicals' project.

1. Site Description and Surrounding Area

- 1.1 The application relates to an area of natural stone walling located at the southern extents of the 'Rose Garden' located within the grounds of Clitheroe Castle (Grade II Park and Garden Designated Heritage Asset – List Entry: 1001361) adjacent the 'Turret from the

Houses of Parliament' (Grade II Designated Heritage Asset – List Entry: 1071555) also known as the 'Pinnacle'.

- 1.2 The synopsis of the listing description in respect of Clitheroe Castle Grounds (Grade II) reads as follows:

A castle mound, used as the grounds of a private residence, with garden terraces laid out in the early C19, the mound and adjacent land being developed for use as a public park in the 1920s.

DESCRIPTION LOCATION, AREA, BOUNDARIES, LANDFORM, SETTING The Castle and grounds of 6.8ha are situated on the western side of Clitheroe. The land falls steeply on all sides from the castle mound, down to level ground to the west and south, on which the grounds are laid out. The western boundary is formed by the railway line and the southern boundary is Eshton Terrace and the gardens of the houses, built in the 1840s, which stand along the north side of this road. The other boundaries are marked by the buildings on Parson Lane to the north-west, the buildings on Moor Lane to the north-east, and by Woone Lane to the east.

ENTRANCES AND APPROACHES The main entrance to the Castle grounds is the gateway at the southern end of Castle Street, which leads into the northern tip of the site. From the Castle Street gate a drive, laid out around 1830, leads up along the east side of the mound to Castle House. The original approach was very steep, taking a straight rather than curving line. A pair of stone gate piers mark the approximate site of a former gatehouse. There are also entrances from Moor Lane to the east, the west end of Eshton Terrace to the south, and the west end of Parson Lane to the west.

PRINCIPAL BUILDINGS The Castle (listed grade I), which is also a scheduled ancient monument (scheduled ancient monument) was noted in the Domesday Book and consists of a small C12 square tower keep, built on a steep crag. The keep survives today (1990s) as four walls, open to the elements, the result of considerable restoration work carried out in 1848.

GARDENS AND PLEASURE GROUNDS To the east of the stable buildings is a levelled area, held by a retaining wall along its eastern side, currently (1990s) used as the park depot and storage area. At the southern end of this terrace is the site of the former castle chapel, the Chapel of St Michael, now occupied by a toilet block. Below is a second terrace, laid out as gardens round the War Memorial. Both garden terraces were in place by 1844 (1st edition OS map published 1844).

At the northern end of the range of buildings is the keep. A walkway runs along the top of the encircling wall which encloses a small garden area within. A flight of steps leads down the wooded north slope of the mound through patches of exposed rock, the path having been laid out pre 1844 (OS).

To the west, a walk put in as part of the original public park improvements leads round the grassy lower slopes of the mound to the lower areas of the park. At the southern end of these western slopes, within a hedged enclosure, is the bandstand, an arc of associated terraced seating rising from it. The present structure, of the mid 1970s, replaces the original park bandstand which was destroyed by fire.

The southern slope of the mound is laid out with ornamental grounds including a walk parallel to the south front of Castle House, which forms part of the mid C19 improvements to the grounds. This leads west to a formal rose garden, the centrepiece of which is a pinnacle from the Houses of Parliament (listed grade II), presented to the Borough of Clitheroe by the local MP in 1937 to commemorate the coronation of George VI. This scheme replaced a bowling green, formed on a garden terrace constructed in the mid C19, the green being part of the scheme of conversion of the site for public use. South of the rose garden is an area laid out as a putting green. To the west, below and to the south-west of Castle House, is a square, hedge-enclosed bowling green with a shelter at its southern end, roughly occupying the area developed in the mid C19 as a kitchen garden. South of the green lie tennis courts, both facilities being part of the park developments in the 1920s.

- 1.3 With the listing description in respect of the 'Turret from the Houses of Parliament' (Grade II) or 'Pinnacle' reading as follows:

Used as the centrepiece of pond in rose garden to South of castle. Octagonal stone turret with 4 lions rampant with shields at base. Plinth. Lancet ornament with cusped heads, gargoyles, crocketed finials. Inscription records the presentation of the turret, which originally formed part of the parapet of the Houses of Parliament, erected 1840-54, and was presented to the Borough of Clitheroe by a local MP in 1937, in commemoration of the coronation of George VI.

2. **Proposed Development for which consent is sought**

- 2.1 This application is brought before Planning and Development Committee as the applicant is Ribble Valley BC.

- 2.2 The application seeks Listed Building Consent for the erection/mounting of an interpretation plaque upon the southern wall of the Rose Garden within the grounds of Clitheroe Castle. The submitted details propose that the plaque will measure 378mm in height, 297mm in width and 30mm in depth. The plaque will be fabricated from 'Stantonmoor' sandstone with sandblasted-etch lettering with the etching being filled with black and red weatherproof paint. It is proposed that the plaque will be affixed to the existing stone-built wall by 4 drill and dowel fixings which will be drilled with anchor resin to secure.

- 2.3 The submitted information in support of the application states the following:

The proposed plaque for David Shackleton is intended to be one of a series of Radical Trails plaques sited around the Pendle Hill area to celebrate people and places that highlight the radical history of this part of East Lancashire e.g suffragettes, writers, religious dissenters, outdoor campaigners etc. The Shackleton plaque will be the only plaque in Clitheroe and will mean the town is part of the trail which will be shown on a map and encourage visitors to explore the area.

Pendle Radicals is a Mid Pennine Arts project. It is part of the Pendle Hill Landscape Partnership, supported by National Lottery players through the Heritage Lottery Fund.

Shackleton's relevance to Clitheroe is that he served as MP for the town and the old constituency from 1902-1190. He was Lancashire bore, a cotton worker and only the third

Labour MP in the country. He will also have a page on the Pendle Radicals website. As far as is known, there is no other memorial to Shackleton in Clitheroe.

As he served in the Houses of Parliament, he has direct relevance to the Pinnacle and Rose Garden which also highlights another of the towns MP's – William Brass, who gave the Pinnacle to the town and was MP only 12 years after Shackleton. Siting the plaque adjacent to the pinnacle will give visitors a chance to link the man and the Houses of Parliament and hopefully bring new visitors following the Radicals Trail to the Pinnacle and Clitheroe Castle.

3. **Relevant Planning History**

No recent planning history directly relevant to the determination of the current application.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1: Development Strategy

Key Statement DS2: Sustainable Development

Key Statement EN5: Heritage Assets

Policy DMG1: General Considerations

Policy DME1: Protecting Trees & Woodland

Policy DME2: Landscape & Townscape Protection

Policy DME4: Protecting Heritage Assets

Planning (Listed Buildings and Conservation Areas) Act

National Planning Policy Framework (NPPF)

5. **Assessment of Proposed Development**

5.1 **Principle of Development/ Impact on Heritage:**

5.1.1 The application site lies within the grounds of Clitheroe Castle (Grade II Park and Garden Designated Heritage Asset – List Entry: 1001361) adjacent the 'Turret from the Houses of Parliament' (Grade II Designated Heritage Asset – List Entry: 1071555) also known as the 'Pinnacle'. The site and surrounding Castle Grounds also lie within Clitheroe Conservation Area.

5.1.2. Given that the proposal affects a number of Designated Heritage Assets, significant regard must be given to the duties imposed under Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990. With Key Statement EN5 (Heritage Assets), Policy DME4 (Protecting Heritage Assets), Policy DMG1 (General Considerations) being primarily, but not solely engaged for the purposes of assessing the proposal. With Paragraphs 130, 134, 199, 200 and 202 of the National Planning Policy Framework (NPPF) also being of prime relevance.

5.1.3 In respect of the statutory duties imposed under the Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 in relation to the preservation of the special character of heritage assets, including their setting - the Act states that:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.1.4 Further to the above, due consideration must also be given in respect of the requirements of the NPPF insofar that in the determination of planning applications Local Planning Authorities should take account of:

- a) *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) *the desirability of new development making a positive contribution to local character and distinctiveness.*

5.1.5 Paragraphs 199, 200 and 202 of the NPPF are also relevant insofar that they state that:

Paragraph 199:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200:

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) *grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) *assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

Paragraph 202:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

5.1.6 In parallel with the above national-level legislation and policy, Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy are primarily, but not solely, engaged for the purposes of assessing the proposal. In this respect Key Statement EN5 states that:

There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.

This will be achieved through:

- *Recognising that the best way of ensuring the long term protection of heritage assets is to ensure a viable use that optimises opportunities for sustaining and enhancing its significance.*
- *Keeping Conservation Area Appraisals under review to ensure that any development proposals respect and safeguard the character, appearance and significance of the area*
- *Considering any development proposals which may impact on a heritage asset or their setting through seeking benefits that conserve and enhance their significance and avoids any substantial harm to the heritage asset.*
- *Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place.*
- *The consideration of Article 4 Directions to restrict permitted development rights where the exercise of such rights would harm the historic environment.*

5.1.7 With Policy DME4 stating, in respect of development within conservation areas or those affecting the listed buildings or their setting, that development will be assessed on the following basis:

1: CONSERVATION AREAS

Proposals within, or affecting views into and out of, or affecting the setting of a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves and enhances the special architectural and historic character of the area as set out in the relevant conservation area appraisal. development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported.

In the conservation areas there will be a presumption in favour of the conservation and enhancement of elements that make a positive contribution to the character or appearance of the conservation area.

2: LISTED BUILDINGS AND OTHER BUILDINGS OF SIGNIFICANT HERITAGE INTEREST

Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported. Any proposals involving

the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist.

- 5.1.8 Policy DMG1 is also engaged in parallel with Key Statement EN5 and Policy DME4 insofar that the policy sets out general Development Management considerations, with the policy having a number of inherent criterion that are relevant to the assessment of the current proposal, which state:

In determining planning applications, all development must:

DESIGN

1. *Be of a high standard of building design which considers the 8 building in context principles (from the CABE/English Heritage building on context toolkit).*
2. *Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.*
3. *Consider the density, layout and relationship between buildings, which is of major importance. particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.*

AMENITY

1. *Not adversely affect the amenities of the surrounding area.*

ENVIRONMENT

3. *All development must protect and enhance heritage assets and their settings.*

- 5.1.9 In considering the above local level adopted policies, as contained within the Ribble Valley Core Strategy, it is clear that they place a fundamental emphasis on the protection and enhancement of heritage assets and their setting. With the NPPF advising at paragraph 199 that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

- 5.1.10 Where significance is considered to be harmed or lost through the alteration or destruction of those assets or from development within their setting, paragraph 200 of the NPPF states there should be clear and convincing justification for this harm. Where that harm is considered to be less than substantial, paragraph 202 states this harm should be weighed against the public benefits of the proposal.

- 5.1.11 The introduction of a modern plaque into an historic area, including the proposed fixing of the sign into historic fabric, will result in some harm to the significance of the heritage assets listed at paragraph 5.1.1 above. However the small-scale nature of the proposal means that efforts have been made to mitigate for this harm and there is clear and convincing justification and resultant public benefits to be

had, as the proposal serves to enhance the understanding of the cultural history of the area (which provides public and cultural benefit).

5.1.12 The proposal is therefore considered to satisfy the aforementioned Planning (Listed Building and Conservation Areas) Act 1990, the NPPF and relevant Ribble Valley Core Strategy policies and is considered to be acceptable in principle.

5.2 Impact upon Residential Amenity:

5.2.1 Taking account of the nature of the proposal and its relative location/siting, it is not considered that the erection of the plaque will result in any measurable significant impacts upon residential amenities.

5.3 Visual Amenity/External Appearance

5.3.1 The proposed plaque will be fabricated from 'Stantonmoor' sandstone with sandblasted-etch lettering with the etching being filled with black and red weatherproof paint. In this respect the proposed plaque is typical in appearance of that of a common 'interpretation panel' and as such will not be read as being incongruous or anomalous when considering its siting within the 'Rose Garden'.

5.3.2 Given the random coursing of the natural-stone wall upon which the plaque is to be mounted, whilst taking account of the proposed fixing method(s), the authority considers that the points of fixing should be located within the mortar-joints between the stonework. Particularly insofar that this will protect the integrity of the 'stone-blocks' of the walling. This will further ensure, that should the plaque be removed, that the holes left by the method of fixing can be successfully visually and physically remediated without affecting the fabric of the stonework.

5.3.3 As such and in respect of the above matter, the authority considers it appropriate to impose a condition that will require the submission of a detailed methodology for the fixing (including precise location) of the plaque, including the marking out of 'drill-points' to be agreed on site with officers prior to installation. It is also considered appropriate to impose a condition that requires a detailed methodology for the on-going maintenance and remediation/repair of the wall post-removal – should the plaque be removed at a future date to ensure the long-term protection of the integrity of the walling upon which it is to be mounted.

5.4 Landscape and Ecology:

5.4.1 No implications result from the proposed works.

6. **Observations/Consideration of Matters Raised/Conclusion**

6.1 In respect of the above material matters, whilst having significant regard to the duties imposed under Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990, the proposed development is considered to be in broad compliance with Key Statement EN5 (Heritage Assets), Policy DME4 (Protecting Heritage Assets), Policy DMG1 (General Considerations) and Paragraphs 130, 134, 199, 200 and 202 of the NPPF.

- 6.2 As such, for the above reasons and having regard to all material considerations and matters raised that the application for Listed Building Consent is recommended for approval.

RECOMMENDATION: That the application for listed building consent be APPROVED subject to the imposition of the following condition(s):

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

REASON: Required to be imposed pursuant to Section 18 of the Planning (Listed Building and Conservation Areas) 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:

Site Plan – (14/03/23)
Rose - Garden Location Plan
Plaque 'mock-up'

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

3. Prior to the commencement of development or any works associated with the consent hereby approved, a detailed methodology for the fixing/mounting (including precise location) of the plaque, shall have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the submitted details shall include the marking out of 'drill-points' to be agreed on site prior to installation. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the fixing of the plaque does not undermine the integrity of built-fabric inherent to a designated heritage asset.

4. Prior to the commencement of development or any works associated with the consent hereby approved, a detailed methodology including the maintenance responsibilities, on-going maintenance and remediation/repair of the wall post-removal shall have been submitted to and approved in writing by the Local Planning Authority. The development and future maintenance/removal of the plaque shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure the adequate maintenance of the plaque and that any subsequent removal does not undermine the integrity of built-fabric inherent to a designated heritage asset.

BACKGROUND PAPERS

https://webportal.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2023%2F0068

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RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

APPROVAL

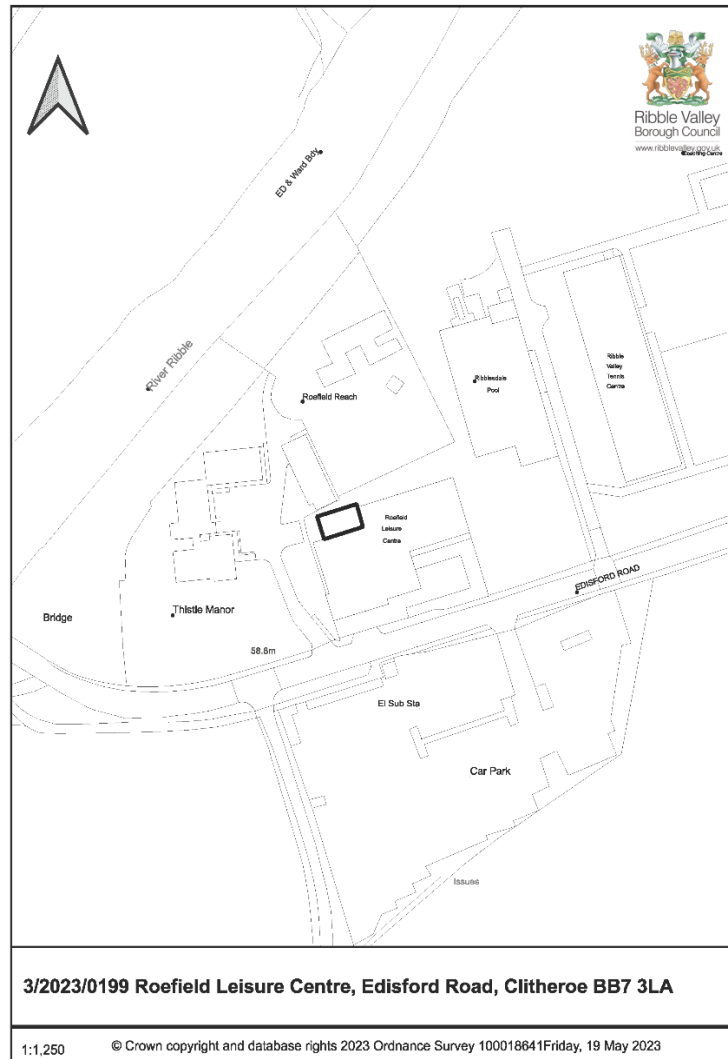
DATE: 1 JUNE 2023
REF: SK
CHECKED BY: LH

APPLICATION REF: 3/2023/0199

GRID REF: SD 372782 4441460

DEVELOPMENT DESCRIPTION:

PROPOSED INTERNAL ALTERATIONS TO FORM SPIN ROOM AND ACTIVITY ROOM. AIR CONDITIONING CASSETTES TO BE MOUNTED ON THE EXTERNAL REAR WALL. ROEFIELD LEISURE CENTRE, EDISFORD ROAD, CLITHEROE BB7 3LA.



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

No representations received in respect of the proposal.

ADDITIONAL REPRESENTATIONS:

No representations received in respect of the proposal.

1. Site Description and Surrounding Area

- 1.1 The application site relates to Roefield Leisure Centre located at the western extents of Edisford Road Clitheroe. The site is located outside but adjacent the defined settlement limits of Clitheroe with the site benefitting from an 'OS1 Designation' (Existing Open Space) as set out within the Ribble Valley Housing and Economic Development - Development Plan Document.
- 1.2 The building to which the application relates is a later extension to the 'Former Stables to Roefield' (Grade II Designated Heritage Asset – List Entry: 1163883) with the list entry reading as follows:

EDISFORD ROAD 1. 5295 Former stables to Roefield SD 74 SW 7/51A II GV C18. Coursed stone with rusticated quoins and modillion cornice. Stone slate roof. Centre rusticated carriage entry. Round windows, 2 of 2 lights and 1 single light and door to right. Roefield and Former Stables to Roefield form a group.

2. Proposed Development for which consent is sought

- 2.1 This application is brought before Planning and Development Committee as Ribble Valley BC own the land on which the building is located.
- 2.2 The application seeks consent for the erection/mounting of five external air conditioning units on the north-facing elevation of the existing building accommodating the 'climbing wall' associated with Roefield leisure facilities. It is proposed that the units will measure approximately 950mm in width being 770mm in height and benefit from a projection of approximately 400mm from the fabric of the wall upon which they are to be mounted.
- 2.3 It is further proposed that internal works will be undertaken to the existing 'Climbing Wall' room including the installation of a first-floor into the existing double-height void to accommodate a 'Spin Room' with the ground floor also being reconfigured to accommodate spinning facilities.

3. Relevant Planning History

3/2021/1243:

Proposed extension and alterations to a leisure centre. (Approved)

3/2019/0922:

Construction of first floor extension over existing flat roof. (Withdrawn)

3/2019/0752:

Construction of first floor extension over existing flat roof. (Withdrawn)

3/2016/0804:

Proposed two storey extension to rear to house toilet facilities at ground floor with a first-floor room over. (Approved)

Members will additionally note that the site has an extensive planning history that pre-dates the planning applications referenced above which are not considered to be directly relevant to the determination of the current application.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1: Development Strategy

Key Statement DS2: Sustainable Development

Key Statement EN5: Heritage Assets

Policy DMG1: General Considerations

Policy DMB4: Open Space Provision

Policy DME1: Protecting Trees & Woodland

Policy DME2: Landscape & Townscape Protection

Policy DME4: Protecting Heritage Assets

Ribble Valley Housing & Economic Development - Development Plan Document (DPD)

Policy OS1 – Open Space

Planning (Listed Buildings and Conservation Areas) Act

National Planning Policy Framework (NPPF)

5. **Assessment of Proposed Development**

5.1 **Principle of Development/ Impact on Heritage:**

5.1.1 The building to which the application relates is a later extension to the 'Former Stables to Roefield' (Grade II Designated Heritage Asset – List Entry: 1163883)

5.1.2. Given that the proposal affects a building/extension to a Designated Heritage Asset, significant regard must be given to the duties imposed under Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990. Key Statement EN5 (Heritage Assets), Policy DME4 (Protecting Heritage Assets) and Policy DMG1 (General Considerations) are primarily, but not solely engaged for the purposes of assessing the proposal. Paragraphs 130, 134, 199, 200 and 202 of the National Planning Policy Framework (NPPF) are also of prime relevance.

5.1.3 In respect of the statutory duties imposed under the Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 in relation to the preservation of the special character of heritage assets, including their setting - the act states that:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.1.4 Further to the above, due consideration must also be given in respect of the requirements of the NPPF insofar that in the determination of planning applications Local Planning Authorities should take account of:

- a) *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) *the desirability of new development making a positive contribution to local character and distinctiveness.*

5.1.5 Paragraph 199 of the NPPF is also relevant insofar that it states that:

Paragraph 199:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

5.1.6 In parallel with the above primary and national-level legislation, Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy are primarily, but not solely, engaged for the purposes of assessing the proposal. In this respect Key Statement EN5 states that:

There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.

This will be achieved through:

- *Recognising that the best way of ensuring the long-term protection of heritage assets is to ensure a viable use that optimises opportunities for sustaining and enhancing its significance.*
- *Keeping Conservation Area Appraisals under review to ensure that any development proposals respect and safeguard the character, appearance and significance of the area*
- *Considering any development proposals which may impact on a heritage asset or their setting through seeking benefits that conserve and enhance their significance and avoids any substantial harm to the heritage asset.*

- *Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place.*
- *The consideration of Article 4 Directions to restrict permitted development rights where the exercise of such rights would harm the historic environment.*

5.1.7 With Policy DME4 stating, in respect of development within conservation areas or those affecting the listed buildings or their setting, that development will be assessed on the following basis:

2: LISTED BUILDINGS AND OTHER BUILDINGS OF SIGNIFICANT HERITAGE INTEREST

Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported. Any proposals involving the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist.

5.1.8 Policy DMG1 is also engaged in parallel with Key Statement EN5 and Policy DME4 insofar that the policy sets out general Development Management considerations, with the policy having a number of inherent criterion that are relevant to the assessment of the current proposal, which state:

In determining planning applications, all development must:

DESIGN

1. *Be of a high standard of building design which considers the 8 building in context principles (from the CABE/English Heritage building on context toolkit).*
2. *Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.*
3. *Consider the density, layout and relationship between buildings, which is of major importance. particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.*

AMENITY

1. *Not adversely affect the amenities of the surrounding area.*

ENVIRONMENT

3. *All development must protect and enhance heritage assets and their settings.*

5.1.9 In considering the above local level adopted policies, as contained within the Ribble Valley Core Strategy, it is clear that they place a clear fundamental

emphasis on the protection and enhancement of Heritage assets and their setting. With the NPPF advising at paragraph 199 that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Where harm is identified, Paragraphs 200 and 202 outline the need for clear and convincing justification, and in cases where a development will lead to less than substantial harm, that harm must be necessary to achieve substantial public benefits.

- 5.1.10 Given the nature of the proposed external mounting of the air-conditioning units, in that they are both small-scale and will be mounted on a relatively modern extension to the existing Designated Heritage Asset, in a location that will not be read directly in context with the original Grade II Listed Building, it is not considered that the mounting of the external units will result in any significant quantifiable nor measurable harm to the 'Former Stables to Roefield' (Grade II Designated Heritage Asset – List Entry: 1163883). Furthermore, in respect of the proposed internal reconfiguration works, given these solely relate to and are contained within a latter modern extension, it is not considered that there will be any measurable impacts upon the fabric nor inherent character of the original listed building.
- 5.1.11 The proposal is therefore considered to satisfy the aforementioned Planning (Listed Building and Conservation Areas) Act 1990, the NPPF and relevant Ribble Valley Core Strategy policies and is considered to be acceptable in principle and with no resultant harm to the designated heritage asset.

5.2 Impact upon Residential Amenity:

- 5.2.1 Given the proposal involves the mounting of external air-conditioning (A/C) units, consideration must be given in respect of the potential of the A/C units and their operation to have undue impacts upon nearby/adjacent residential amenity by virtue of noise and disturbance.
- 5.2.2 The application site lies directly adjacent and to the east of 'Roefield Barn' and 'Thistle Manor' Specialist Care Facility (Grade II Designated Heritage Asset). In respect of potential noise impacts the Council's Environmental Health Team have raised no objections to the proposal subject to the imposition of the following condition:

The rating level of sound emitted from any fixed plant and/or machinery associated with the development hereby approved shall not exceed background sound levels by more than 5dB(A) between the hours of 0700 - 2300 (taken as a 15 minute LA90 at the nearest sound-sensitive premises) and shall not exceed the background sound level between 2300 - 0700 (taken as a 15 minute LA90 at the nearest/any sound-sensitive premises).

All measurements shall be made in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound-sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound-sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the local planning authority.

- 5.2.3 As such, taking account of the above noise limitations that will be secured by condition, and taking account of the relationship of the proposed A/C units and their relative separation distances from any nearby residential receptors, it is not considered that the proposed units will result in any measurable detrimental impact upon nearby or adjacent residential amenities nor result in any measurable direct conflicts with Policy DMG1 of the Ribble Valley Core Strategy in this respect.

5.3 Visual Amenity/External Appearance

- 5.3.1 The submitted details propose the external mounting of five external air conditioning units on the north-facing elevation of the existing building accommodating the 'climbing wall' associated with Roefield leisure facilities. It is proposed that the units will measure approximately 950mm in width being 770mm in height and benefit from a projection of approximately 400mm from the fabric of the wall upon which they are to be mounted. Three of the units will be mounted at low-level with two being mounted at an intermediate height above the internal first-floor of the building (6.85m above ground level at their highest point).

- 5.3.2 The units will be mounted on the north elevation of the building affording them negligible visibility from the public realm. In respect of the appearance of the proposed units, the building upon which they are to be mounted is of a largely utilitarian modern appearance, therefore it is not considered that they will be read as being overtly anomalous or incongruous.

- 5.3.3 As such, taking account of the modest scale of proposed external works and the lack of significant direct-intervisibility from the public realm, it is not considered that the external mounting of the five air conditioning units will result in any significant measurable harm to the character or visual amenities of the area not that of the inherent character of the building upon which they are to be mounted. The proposal therefore satisfies Policy DMG1 of the Ribble Valley Core Strategy in this respect.

5.4 Landscape and Ecology:

- 5.4.1 No implications result from the proposed works.

5.5 Other Matters

- 5.5.1 Policy OS1 of the Ribble Valley Housing & Economic Development DPD protects open space and recreation sites. The proposal will not impact on this designation and will support the continued function of the site as a recreational use.

6. Observations/Consideration of Matters Raised/Conclusion

- 6.1 In respect of the above material matters, whilst having significant regard to the duties imposed under Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990, the proposed development is considered to be in broad compliance with Key

Statement EN5 (Heritage Assets), Policy DME4 (Protecting Heritage Assets), Policy DMG1 (General Considerations) and Paragraphs 130, 134 and 199 of the NPPF.

- 6.2 As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for approval.

RECOMMENDATION: That the application be APPROVED subject to the imposition of the following condition(s):

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

REASON: Required to be imposed pursuant to Section 18 of the Planning (Listed Building and Conservation Areas) 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:

0677/93 Drawing 00: Proposed Location Plan
0677/99 Drawing 05: Proposed Site Plan
0677/99 Drawing 10C: Proposed Ground Floor Plan
0677/99 Drawing 11A: Proposed First Floor Plan
0677/99 Drawing 17A: Proposed Elevations

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

3. The rating level of sound emitted from the external air-conditioning units hereby approved shall not exceed background sound levels by more than 5dB(A) between the hours of 0700 - 2300 (taken as a 15 minute LA90 at the nearest sound-sensitive premises) and shall not exceed the background sound level between 2300 - 0700 (taken as a 15 minute LA90 at the nearest/any sound-sensitive premises).

All measurements shall be made in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound-sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound-sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the local planning authority.

REASON: To protect nearby residential amenities and to ensure the proposed development does not cause undue noise disturbance.

BACKGROUND PAPERS

https://webportal.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2023%2F0199

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 1st JUNE 2023
title: LOCAL VALIDATION CHECKLIST
submitted by: NICOLA, HOPKINS, DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING
principal author: LYNDSEY HAYES, HEAD OF DEVELOPMENT MANAGEMENT & BUILDING CONTROL

1. PURPOSE

- 1.1 To seek authority from Members to publish a consultation draft version of the Council's updated Local Validation Checklist (Appendix 1) for a six-week consultation period. This document sets out the information that is required to validate a planning application.

2. BACKGROUND

- 2.1 Paragraphs 43 and 44 of the National Planning Policy Framework (the NPPF) identify that the right information is crucial to making decisions on planning applications, and that local planning authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions and should be reviewed at least every two years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.
- 2.2 The current local validation checklist (local list) was published by the Council in August 2021. Therefore it requires reviewing and updating in accordance with the two year ruling.

3. PROPOSAL

- 3.1 Section 1 of the document provides information on procedural matters of validation. Section 2 sets out the national requirements which are set by central government. These are: application form, ownership certificate and agricultural land declaration; plans and drawings; application fee; design and access statement; and fire statement. Not all are required for every application type. Section 3 sets out the local requirements which are determined by the Local Planning Authority.
- 3.2 In terms of the Council's local requirements, particular regard is given to the requirements outlined in the NPPF, National Planning Policy Guidance (NPPG) and the Ribble Valley Core Strategy policies. In doing so, the local list is considered to meet the statutory tests¹ in that the information requested is considered to be:
- Reasonable having regard, in particular, to the nature and scale of the proposed development; and
 - About a matter which it is reasonable to think will be a material consideration in the determination of the application.

¹ These statutory tests are set out in section 62 (4A) of the Town and Country Planning Act 1990 (inserted by the Growth and Infrastructure Act) and article 11(3)(c) of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015.

- 3.3 The NPPG sets out the recommended process for reviewing and revising local lists. After reviewing the existing local list and making any changes it considers are necessary revisions, the next step is for a local planning authority to consult on the proposed changes. This will be in the form of a six-week consultation period, in which key stakeholders will be consulted. The document will also be available for public view on the Council's website.
- 3.4 After the period of consultation ends, consultation responses will be taken into account in preparing the final revised list. This will be brought back to Members of this Committee (expected July 2023) along with a summary of the representations received, for Members to take a decision on approval of the final version, which will then be published on the Council's website and used as the basis for validating planning applications. Until such time in the interim period the Council will continue to use the current local validation checklist.

4. RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:
- Resources – Any changes should be met with existing staffing and consultee arrangements. Members should however note that the local list includes reference to the Biodiversity Net Gain requirements which are due to become mandatory in November 2023 for major development proposals and April 2024 for all other development proposals. Grant funding from Defra has been made available to assist Local Planning Authorities prepare for BNG. However with final details still to be published the full impact on resources is somewhat unknown at this stage.
 - Technical, Environmental and Legal – The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out the provisions in respect of a local authority's ability to request information in respect of validating an application. This is considered to be satisfied.
 - Political – N/A
 - Reputation – N/A
 - Equality and Diversity – N/A

5. RECOMMENDED THAT Committee

- 5.1 Agree for the Local Planning Authority to publish the draft version of the updated Local Validation checklist (Appendix 1) for a six-week consultation period.

LYNDSEY HAYES
HEAD OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL



Ribble Valley
Borough Council

www.ribblevalley.gov.uk

Local Validation Checklist for Planning Applications

**Consultation Draft
June 2023**

Contents

1.0 Introduction

2.0 National Requirements

3.0 Local Requirements

1.0 Introduction

1. This document has been prepared by Ribble Valley Borough Council and sets out the information that is required to validate a planning application.
2. The National Planning Policy Framework (NPPF) states that local planning authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions and should be reviewed at least every two years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.
3. The current local validation checklist was published by the Council in August 2021 and requires reviewing and updating in accordance with the two year ruling.
4. If the application is submitted with the required information at the outset then it will be made **valid** and the agent or applicant will receive notification of this by email, or by post if no email address is provided. This notification letter will include details of what the planning department considers to be an accurate description of the development, a link to where the application is published on the council's website, details of the case officer who will be dealing with the application, and a target date of when the Council aim to determine the application by.
5. If the application is submitted without the required information at the outset then it will be made **invalid** and the agent or applicant will receive notification of this by email, or by post if no email address is provided, giving 21 days to submit the relevant information required.
6. If the requested information is not received to the required standard within 21 days of the date it is requested, a further notification will be sent giving an extra 7 days, after which time the application will be treated as withdrawn and any hard copy documents returned. Due to the volume of invalid applications being handled by the planning department an administrative charge will be levied. The charge seeks to recover some of the cost of officer time involved in handling them.
7. Should you disagree with the Council's reasons for invalidating a planning application then the planning department will make every effort to resolve disagreements by informal negotiation. If negotiation fails then the agent or applicant must send the local planning authority a notice under the provisions of article 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO). Further information on this procedure can be found in the Planning Practice Guidance.
8. The Council encourages agents and applicants to enter into **pre-application discussions** with the planning department. As well as early engagement helping to shape better quality, more accepted schemes and avoiding wasted effort it also presents the opportunity for the planning department to outline what information requirements it considers are necessary, potentially speeding up the validation and decision processes. Details of the pre-application service is available on the [Council's website](#).

2.0 National Requirements

National requirements are set by central government and are applicable to all local planning authorities. They are required for all planning applications. If any item is missing the application will be deemed invalid.

The national requirements are as specified in the DMPO and are as follows:-

1. Standard Application Form
2. Ownership Certificate and Agricultural Land Declaration
3. Plans and Drawings
4. Application Fee
5. Design and Access Statement
6. Fire Statement

Details on each are set out below:-

1. Standard Application Form

A completed standard application form is available to view and download via the Planning Portal. Applicants are encouraged to apply online via the Planning Portal. Alternatively an application can be completed electronically and submitted directly to the Council (e.g. on a CD or USB storage device or by email depending on file size). Alternatively an application can be completed on a paper version of the form, which can be provided by the Council on request. Paper versions can be posted to the planning department or brought into the main Council offices (only 1 copy is required).

2. Ownership Certificate and Agricultural Land Declaration

Under section 65(5) of the Town and Country Planning Act 1990 and Articles 13 and 14 of the DMPO all applications for planning permission (except for approval of reserved matters) must include a declaration by the applicant with regards to ownership of the application site and whether the site is an agricultural holding.

Declaration of ownership is made by the applicant signing either :-

Certificate A - This should only be completed if the applicant is the sole owner of the land to which the application relates and there are no agricultural tenants.

Certificate B - This should be completed if the applicant is not the sole owner, or if there are agricultural tenants, and the applicant knows the names and addresses of all the other owners and/or agricultural tenants.

Certificate C - This should be completed if the applicant does not own all of the land to which the application relates and does not know the name and address of all of the owners and/or agricultural tenants.

Certificate D - This should be completed if the applicant does not own all of the land to which the application relates and does not know the names and addresses of any of the owners and/or agricultural tenants.

For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than seven years. An 'agricultural tenant' is a tenant of an agricultural holding, any part of which is comprised in the land to which the application relates.

Notice(s) - If the site is not wholly owned by the applicant or of the site is occupied by an agricultural tenant, then the applicant must serve notice upon those parties affected. Templates are available via the Planning Portal.

If the application site includes land within the public highway then the applicant is required to sign ownership certificate B, C or D and serve notice on Lancashire County Council as the local highway authority.

If the development proposes connection to non-mains drainage requiring pipework to cross land outside the applicant's ownership, the land in question must be included in the red edge where possible and the applicant is required to sign ownership certificate B, C or D and serve notice on the owner(s) of that land.

3. Plans and Drawings

The following plans or drawings should be drawn to an identified scale and accurately show the direction of north (where appropriate). The inclusion of a linear scale bar is useful especially in the case of electronic submissions.

a) Location Plan

As a minimum applicants will need to submit a Location Plan that shows the application site in relation to the surrounding area¹.

- The plan should be based on an up-to-date map, typically at a scale of 1:1250 or 1:2500. Wherever possible the plan should be scaled to fit onto A4 or A3 size paper.
- The plan should identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear.
- The application site should be edged clearly with a red line. It should include all land necessary to carry out the proposed development (e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings)
- A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.

b) Any other plans and, drawings necessary to describe the development which is the subject of the application

Additional plans and drawings (existing and proposed) will in most cases be necessary to describe the proposed development. These can include:-

- Site Layout Plans

¹ Except where the application is made pursuant to section 73 (determination of applications to develop land without conditions previously attached) or section 73A(2)(c) (planning permission for development already carried out) of the 1990 Act

- Floor Plans
- Elevations
- Site Levels Plans
- Sectional Drawings
- Roof plans

4. Plans to support an application

Information on planning fees can be found on the Planning Portal.

Planning fees can be paid:

- over the phone (01200 425111) by debit or credit card;
- by cheque - Payable to Ribble Valley Borough Council – please quote 'Planning Fee' on back of cheque; or
- via on-line banking - please quote planning fee and application site address
- for details please contact our finance department directly.

5. Design and Access Statements

In accordance with the DMPO, a Design and Access Statement is a national requirement for the following types of applications:-

- Major development¹
- Listed Building Consent
- Development in a conservation area consisting of either (i) the provision of one or more dwellinghouses; or (ii) the provision of a building or buildings where the floor space created by the development is 100 square metres or more.

The Design and Access Statement shall:

- a) Explain the design principles and concepts that have been applied to the development;
- b) Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
- c) Explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;
- d) State what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation;
- e) Explain how any specific issues which might affect access to the development have been addressed; and
- f) Include any alternative options which have been considered and discounted.

Design and Access Statement are not required to accompany applications:

¹ Major development is categorised as a development containing 10 dwellings or more, outline sites of 0.5 hectares or larger where the number of dwellings is not known, new building(s) with a floorspace of 1000sq.m or greater, or development carried out on a site having an area of 1 hectare or more.

- for permission to develop land without compliance with conditions previously attached made pursuant to section 73 of the 1990 Act(a);
- of the description contained in article 20(1)(b) or (c) of the DMPO;
- for engineering or mining operations;
- for a material change in use of the land or buildings;

6. Fire Statements

Following the Grenfell Tower fire on 14th June 2017, the government commissioned the independent review of Building Regulations and Fire Safety. As a result of this developers are now required to submit a fire statement for “relevant buildings¹” setting out fire safety considerations specific to the development.

Fire statements must be submitted on a [form](#) published by the Secretary of State (or a form to similar effect) that contain the particulars specified or referred to in the form, which includes information about (not exhaustive list):

- The principles, concepts and approach relating to fire safety that have been applied to each building in the development;
- The site layout;
- Emergency vehicle access and water supplies for firefighting purposes;
- What, if any, consultation has been undertaken on issues relating to the fire safety of the development, and what account has been taken of this; and
- How any policies relating to fire safety in relevant local development documents have been considered.

Further information about Fire statements is available at:

[Fire safety and high-rise residential buildings \(from 1 August 2021\) - GOV.UK \(www.gov.uk\)](#)

Outline Planning Applications

Outline applications are about establishing whether a particular type of development is acceptable on a site in principle.

Part 3 of the DMPO identifies certain ‘reserved matters’, which may be set aside at the outline stage for subsequent approval by the local planning authority. These are:

- Layout;
- Scale;
- Appearance;
- Access; and
- landscaping

Regardless of which matters are set aside for subsequent approval, the outline application is required to set out information about the proposed use/uses and the amount of development proposed for each use.

¹ “Relevant buildings contain two or more dwellings or educational accommodation and meet the height condition of 18 metres or more in height, or seven or more storeys.

Even where **access** is a reserved matter, the outline application must state the area or areas where access points to the development proposed will be situated. This is to enable an early assessment of whether safe vehicular and pedestrian access will be possible.

Where **layout** is a reserved matter, the outline application shall state the approximate location of buildings, routes and open spaces included in the development proposed.

This will typically be in the form of an illustrative site layout plan showing how the amount and type of development proposed will be distributed across the site.

Where **scale** is a reserved matter, the outline application shall state the upper and lower limit for the height, width and length of each building included in the development proposed.

This is in order to establish a three dimensional building envelope within which the detailed design of the buildings will be constructed.

It is advised that prior to submitting an outline planning application formal pre-application discussions are entered into to establish the level of detail required to accompany the application.

Any plans submitted for illustrative purposes will not form part of the list of approved plans on any outline planning approval and should be clearly marked '**illustrative**' on the plans.

Environmental Impact Assessment (EIA)

All EIA development¹ will require an Environmental Statement (ES) which assesses the existing and potential environmental impacts of the proposed development either direct or indirect. The ES must be structured in accordance with Schedule 4 of the EIA Regulations and must be provided alongside a non-technical summary. Technical appendices should also be included where relevant.

If you suspect that a proposal may need an ES you can submit a request to the Local Planning Authority for a 'Screening Opinion' before submitting an application. This request will need to be accompanied by:

- (a) a plan sufficient to identify the land;
- (b) a description of the development, including in particular—
 - (i) a description of the physical characteristics of the development and, where relevant, of demolition works;
 - (ii) a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;
- (c) a description of the aspects of the environment likely to be significantly affected by the development;
- (d) to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from—
 - (i) the expected residues and emissions and the production of waste, where relevant; and

¹ Listed in Schedule 1, and in some cases Schedule 2, of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations)

- (ii) the use of natural resources, in particular soil, land, water and biodiversity; and
- (e) such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

On receipt of a 'screening opinion' the Local Planning Authority will consult the relevant organisations and respond to the request normally within 3 weeks. If the Local Planning Authority considers that the proposal could have significant effects on the environment then they will require an ES to be submitted with the planning application.

If a proposal is EIA development then a request for a 'Scoping Opinion' can be submitted to the Local Planning Authority before submitting an application. This will seek to provide sufficient information that the scope of an ES can be agreed, i.e. the significance of the various impacts and the level of detail to be explored. The Local Planning Authority will consult the relevant organisations and respond to the request normally within 5 weeks.

An application proposing EIA development has a target date for consideration of 16 weeks to allow the Local Planning Authority and all the interested parties' greater opportunity to consider the impacts of the proposed development.

Please Note: Following the Court of Appeal Judgement *SAVE Britain's Heritage v SSCLG* the demolition of buildings is now classed as 'development'. As a result, where demolition works are likely to have a significant effect on the environment, by virtue of factors such as its nature, size, or location, EIA screening must be carried out to consider whether EIA is required.

S73 (minor material) and s96A (non-material) amendments

Applications for removal/ variation of condition(s) (submitted under S73 of the Town and Country Planning Act 1990) or applications for minor non-material amendments will be required to be accompanied by the following information:

- Application form
- Plans/Information to clearly identify the proposed amendments

3.0 Local Requirements

This section will clearly outline what the Council's local requirements are to validate an application, having regard to national guidance and informed by policy.

The list is considered to meet the statutory tests in so far that the information requested is considered to be:

- Reasonable having regard, in particular, to the nature and scale of the proposed development; and
- About a matter which it is reasonable to think will be a material consideration in the determination of the application.

Please note when submitting any document which contains any commercially sensitive or personal information you are requested to submit two copies, one of which redacts the sensitive information so that it is suitable to be made publicly available. It will rarely be acceptable to make entire documents or entire sections of reports that contain commercially sensitive information exempt from publication, even in those circumstances an executive summary will be required to ensure a transparent and accountable system.

Meeting the requirements of this list does not preclude a request for further information later in the decision making process where this is deemed necessary to fully assess the development proposal.

Whilst **planning obligations** are not a validation requirement, it would potentially reduce delays if Heads of Terms were submitted alongside an application where a planning obligation is considered likely to be necessary. It is advised that planning obligations are considered at pre-application stage.

Applicants should be aware that there will be a legal fee which the applicant will need to pay on completion of a Section 106 Agreement/Unilateral Undertaking. Details of fees are available on the [Council's website](#).

Plans to support an application

The following are additional to the National requirements identified in Section 2. The plans should be provided at the stated scale including the paper size (e.g. 1:500 at A1) and should accurately show the direction of north (where appropriate):

Site Location Plan

- Depending on the development proposed, plans at scales other than 1:1250 or 1:2500 may also be required (e.g. showing the extent of an agricultural holding owned by the applicant).
- Wherever possible the plan should include at least two named roads and it may be necessary for buildings to be numbered/named to ensure that the application site is clearly identified.

Site Layout Plans (Existing and proposed)

When required? Every application¹

Scale? Typically 1:200 or 1:500

They should accurately show:

- The proposed development in relation to the site boundaries, any existing buildings on site and any adjacent built development, with written dimensions including those to the boundaries and adjacent built form
- All buildings, roads, footways, public rights of way or watercourses that may cross or adjoin the site
- The position of all trees on site or any immediately adjoining the site, where they are affected by the development
- The extent and type of any hard surfacing including any parking provisions
- The location of any new or altered boundary treatments
- The extent of curtilages where residential development is proposed

Floor Plans (Existing and Proposed)

When required? All applications which include new buildings, alterations to buildings or changes to the use of any space within a building

Scale? Typically 1:50 or 1:100

Where existing buildings or walls are to be demolished these should be clearly shown.

The plans should include the dimensions of the proposal annotated onto the plan

Elevations (Existing and Proposed)

When required? All applications where elevation change is proposed including where adverts are to be fixed onto a building

Scale? Typically 1:50 or 1:100

All sides of the proposal that are visible (even in part) must be shown.

The plans should include the dimensions of the proposal annotated onto the plan

Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings and detail the positions of the openings on each property.

Elevational details shall clearly show and include all proposed architectural detailing including eaves, guttering/rain water goods, soffit/overhangs and window/door framing profiles (associated surrounds) and any transitions in materials. All elevations shall be clearly dimensioned including dimensions of eaves, ridge heights and building extents.

¹ Except where the application is made pursuant to section 73 (determination of applications to develop land without conditions previously attached) or section 73A(2)(c) (planning permission for development already carried out) of the 1990 Act

Roof Plans (Existing and Proposed)

When required? all applications where new roof details are proposed

Scale? typically smaller than the scale used for the floor plan(s) (i.e. 1:50/ 1:100/ 1:200)

Such plans are required to show the shape of the roof and shall also include details such as the roofing material, vents and their location where necessary.

Site Levels Plans (Existing and Proposed)

When required? All applications which propose new building(s), extensions to building(s), decking area(s) and/or other engineering operations.

Scale? Typically 1:200 or 1:500.

The plans should include finished floor levels where new buildings, floor level changes to existing buildings or extensions to buildings in Flood Zones 2 or 3 are proposed.

Where no change in ground level is being proposed then fixed datum points included on existing and proposed site layout plans would be acceptable.

Sectional Drawings (Existing and Proposed)

When required? All applications which propose new building(s), extensions to building(s) including roof lifts, habitable rooms in basements and/or roof spaces, decking area(s) and alterations to listed buildings. Also applications which propose engineering operations not listed above (e.g. hard surfacing, retaining wall structures) which require ground level alterations or are on a site with differing ground levels.

Scale? Typically 1:50 or 1:100

Such plans are required to show a cross section(s) through the proposed development and adjacent built form and should include existing and proposed finished floor and site levels (including levels related to a fixed datum point off site wherever possible)

Where possible the submitted plans should include details of foundations and eaves and how encroachment onto adjoining land is to be avoided.

In the case of householder development, the levels may be evident from floor plans and elevations, but particularly in the case of sloping sites it will be necessary to show how proposals relate to existing ground levels or where ground levels outside the extension would be modified.

Levels should also be considered in design and access statements.

Streetscene Plan (Existing and Proposed)

When required? All applications proposing new buildings or increasing the height of existing buildings which front a public highway or public realm and lie adjacent to neighbouring buildings.

Such plans shall detail the proposed scheme within the existing street scene.

Additional Plans for specific development types

Listed Building Consent

When required? Applications for Listed Building Consent where elevational changes are proposed

Scale? Typically 1:20

Section details shall be provided of each elevation affected which clearly indicates eaves, guttering/rain water goods, soffit/overhangs and window/door reveals and the proposed window/door framing profiles/systems and materials as well as any internal alterations which may be proposed (e.g. panelling, fireplaces, plaster moulding and other decorative details)

Major housing developments

When required? All major applications (as defined by the GDPO) for housing development where design/appearance and/or layout is being considered.

The following plans shall be provided:-

- Landscape Plans - showing full details of all existing trees and those to be removed, all existing and/ or proposed ground cover planting, size, species, density and position of proposed trees and details of all existing and proposed hardstanding/parking areas¹.
- Materials Plan – showing full details of the proposed external facing materials.
- Boundary Treatment Plan – showing the proposed walls, fencing etc to be erected on the site along with plans detailing the height and appearance of these boundary treatments.

Access Ramp Details

When required? Any application which includes a new external access ramp

Floor plans shall detail the position and gradient of the ramp along with a plan detailing any handrails/ barriers and anti-skating measures.

Shopfront Details

When required? Any application which includes a new shopfront or an alteration to an existing shopfront

The following plans shall be provided:-

- A section plan of the proposed shopfront, at a scale of 1:1 or 1:2, detailing the projection of any signage, canopies and roller shutters

¹ The Council will require either the use of permeable materials on a permeable base for the construction of driveways or provision for drainage facilities within the site to ensure that surface water does not drain onto the highway.

- Elevation plans detailing the existing and proposed shopfront, at a scale of 1:10 or 1:20

Flues and Ventilation Extraction Details

When required? All applications which require air conditioning or extraction and filtration equipment

A site plan and roof plan are required to detail the location of all equipment together with elevational plans detailing the written dimensions and design.

Documents to support an application

Affordable Housing Statement

When required? For housing schemes which require an element of affordable housing in accordance with Policy DMH1 of the Adopted Core Strategy

This will be required to detail how the required percentage of affordable housing will be achieved on site, the tenure mix of the affordable units, details of the types and size (including number of bedrooms and internal space standards) of the affordable units, and details of the Registered Provider / Housing Association who will manage the affordable units (if applicable). The scheme should demonstrate how the split responds to local needs.

Unless otherwise agreed with the Council, a relaxation of the Policy requirements of Policy DMH1 of the Adopted Core Strategy may be considered if it is demonstrated that this would result in the development being financially unviable based on the findings of an economic viability assessment submitted to and approved by the Council.

Affordable housing will be expected to be provided on-site as part of a suitable mix of housing for the site. In rare situations the Council may assess a location as unsuitable for affordable housing. In those cases financial contributions, instead of on-site affordable housing, may be considered acceptable.

Agricultural Appraisal

When required? Applications for new agricultural buildings, horticultural enterprises and agricultural workers dwellings

An Agricultural Appraisal will need to include the following information in respect of the existing and proposed site arrangements:

- Full details of all the land which forms part of the agricultural holding
- Full details of the business enterprise
- Full details of existing farm buildings and their uses
- Full details of the proposed development including why the proposal is reasonably required and designed for the purposes of agriculture and any future plans that are relevant
- Any further information deemed necessary. In respect of agricultural workers dwellings this will be expected to include full details of the employees of the business and financial details directly linked to the proposed development

The Council have produced a pro-forma document for the above which should be completed and submitted. This can be found on the Council's website at:

https://www.ribblevalley.gov.uk/download/downloads/id/10001/agricultural_information_form.pdf

AONB Major Development Test

When required? Major development within the AONB¹

The NPPF requires major development within an Area of Outstanding Natural Beauty (AONB) to be refused other than in exceptional cases, and where it can be demonstrated that the development is in the public interest. This is known as the AONB 'major development' test.

The application submission should include an assessment of:-

- a) The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

If you consider your proposal may fall within the definition of major development for the purposes of this assessment, please contact the Local Planning Authority for clarification before you submit your planning application.

Biodiversity Report

When required? All developments that have the potential to affect protected and priority species or protected and priority habitats, including:-

- Conversion of existing buildings
- Demolition
- Work affecting roof spaces
- Removal of trees and hedgerows
- Development impacting upon:-
 - Biological Heritage Sites
 - International or National designated sites - Site of Specific Scientific Interest (SSSI) / Special Protection Area (SPA) / Special Area of Conservation (SAC) / RAMSAR site
 - Ancient Woodland/ Ancient Woodland Buffer Zone/ woodland areas
 - A water body, pond, ditch or other similar feature
 - Geological Heritage Site

This is not an exhaustive list. For further information please see **Appendix A**.

The Environment Act 2021 will place a statutory duty on most developments to achieve a 10% gain in biodiversity, as measured using a recognised Biodiversity Metric. The Act is expected to become mandatory for major developments in November 2023 and for all other developments (unless they meet the exemptions²) in April 2024. After this

¹ Whether a proposal is major development in this case is a matter for the Local Planning Authority, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined

² Development schemes that impact a small habitat (25sqm, or 5m for linear features such as hedgerows), household applications, biodiversity gain sites (such as habitat land banks) and small-scale self-build homes

date, most planning applications will need to be submitted with a Biodiversity Metric and a Biodiversity Gain Plan, demonstrating how the proposals will achieve the required gain in biodiversity.

The NPPF and Key Statement EN4 and Policy DME3 of the Adopted Core Strategy place considerable importance on protecting, conserving and enhancing biodiversity. Development which has the potential to impact on biodiversity will be required to be supported by adequate information about important species, habitats and geological features, and appropriate design solutions.

This requirement cannot be conditioned, as the Local Planning Authority is obliged by Law to make a full assessment of the impact of the proposed development at the time of its consideration.

The report shall include the following:

- Details of the appointed ecologist to demonstrate their competence. The ecologist must be appropriately qualified. If the surveyor does not hold a license, other evidence of knowledge and experience would need to be provided. Whilst ecologists do not legally need a license to carry out survey work, this is strongly recommended to avoid the risk of committing a criminal offence should protected species be disturbed.
- Confirmation when the surveys were undertaken or updated. Surveys must have been undertaken within 24 months immediately preceding the validation date of the application otherwise they will be considered out of date and a new survey will be required (the need for more recent surveys may become apparent during consultation)
- A detailed method for the biodiversity assessment. This would be expected to include desktop information and surveys. Desk top information will be expected to include a search for ecological or geological data from local environmental records including the Lancashire Environment Record Network (LERN). Surveys must be undertaken during appropriate times of the year, in suitable weather conditions and using recognised surveying techniques
- Detailed results of the desktop/ survey findings and an evaluation of the ecological interest
- An assessment of likely impacts (these should include both direct and indirect effects both during construction and afterwards)
- Proposals to avoid, mitigate or compensate for any ecological impacts
- In the case of developments affecting European Protected Species (e.g. bats, otters, great crested newts, badgers) and therefore likely to require a license from Natural England, information required to enable the Local Planning Authority to assess the proposal against the three licensing tests of the Habitats Regulations¹.

Where harm is likely, evidence must be submitted to show:

- How alternatives designs or locations have been considered
- How adverse effects will be avoided wherever possible

¹ The three tests include:

- (a) the activity must be for imperative reasons of overriding public interest or for public health and safety;
- (b) there must be no satisfactory alternative; and
- (c) favourable conservation status of the species must be maintained.

- How unavoidable impacts will be mitigated or reduced
- How impacts that cannot be avoided or mitigated will be compensated.

Proposals are to be encouraged that will enhance, restore or add to features or habitats used by protected species, designated site priority habitats, other biodiversity features or geological features. The assessment should give an indication of whether there will be a net loss or net gain, with the expectation that overall gain and enhancement in biodiversity will be achieved. Indeed this will become mandatory when the Biodiversity Net Gain legislation comes into force.

It will be expected that each new residential unit (including conversions and replacement dwellings) shall provide integral nesting provision for birds at a ratio of one nesting box per residential unit within the scheme. It will also be expected that artificial bat roosting provision be provided for at a ratio to be agreed on a site by site basis.

Other developments (e.g. commercial) will also be required to provide a detailed scheme for artificial nesting provision for species of conservation concern including, but not limited to, integrated nesting boxes/provision for bats and birds and should also seek to demonstrate a net enhancement in biodiversity.

Under Article 6(3) of the Habitats Directive 92/43/EEC, the Local Planning Authority has a responsibility to undertake an Appropriate Assessment where development could impact upon a Designated National/International Site (i.e. SSSI, SPA, SAC or Ramsar sites). In such cases the applicant will be required to provide sufficient information to inform this process, which should typically include details of construction (and demolition) as well as the resultant development. The Local Planning Authority will work with Natural England in this regard. Where the impact is such that a Habitats Regulations Assessment (HRA) is required (see 2017 Regulations on www.legislation.gov.uk) then the applicant will typically be required to prepare the HRA, which the LPA can then use as the basis for its own Assessment.

Useful sources of biodiversity information, including to check whether your site falls within a SSSI Impact Risk Zone, include:

Magic Map Application (defra.gov.uk) <https://magic.defra.gov.uk/>

The Lancashire Environment Record Network (c/o Lancashire County Council) <https://www.lancashire.gov.uk/lern/>

National Planning Guidance
<https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications>

Crime Impact Statement

When required? ATM's and other developments which may increase the risk of crime

A Crime Impact Statement should outline how the development proposal has considered 'designing out' potential crime risks and 'designing in' security measures to mitigate against crime. It should demonstrate what crime issues have been considered and what security measures have been incorporated to mitigate risk during the early

design phase. The Crime Impact Statement can be incorporated into a Design and Access Statement or Planning Statement but will need to include:-

- an assessment of crime and disorder issues in the vicinity of the development site;
- an assessment of the development proposal in terms of its likely impact on crime and disorder;
- suggested design solutions that will reduce the proposal's vulnerability to crime and disorder (for example consideration given to design, layout, and hours of use); and
- information on the consideration of achieving Secured By Design accreditation

Financial Viability Assessment

When required? Where an application is submitted which would fail to provide the necessary infrastructure provision (affordable housing/ public open space, sport or leisure facilities/ education contributions/ off-site highway improvements if required)

The application will be required to be supported by a financial viability assessment containing the following information:

- Value of the land (2 or 3 different estate agents valuations)
- Abnormal development costs
- Construction costs
- Price Registered Provider will pay for the units (in the case of affordable housing)
- Open market value of the dwellings/ value of the development
- Developer return
- Details of the proposed obligations/ specific elements of the scheme which are proposed to be included (i.e. Open Space)

The Assessment may include 3 different scenarios to demonstrate the financial impacts of the scheme which include:

- 1.Details of the scheme with no financial obligations/ elements which increase costs on site
- 2.Details of the scheme with both the financial obligations and/or specific scheme details which accord fully with Planning Policy
- 3.Details of the scheme as proposed including proposed financial obligations and specific details of the scheme.

Any financial viability assessment submitted will need to accord with the RICS guidance note '[Assessing viability in planning under the National Planning Policy Framework 2019 for England](#)' 1st edition March 2021 or any subsequent amendment.

Please note when submitting a document which contains any commercially sensitive information you are requested to submit two copies, one of which redacts the sensitive information so that it is suitable to be made publicly available. It will rarely be acceptable to make entire documents or entire sections of reports exempt from publication. Even in those circumstances an executive summary will be required to ensure a transparent and accountable system.

Further information is available at: [Viability - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

In all cases an independent auditor will be appointed, **at the cost of the applicant**, to undertake a site specific economic viability assessment.

Flood Risk Assessment and Sequential and Exception Tests

When required? A site-specific flood risk assessment (FRA) is required for development proposals:

- within flood zone 2 or 3 including minor development and change of use
- within flood zone 1 and more than 1 hectare (ha)
- Within flood zone 1 and less than 1 ha, where the Ribble Valley Strategic Flood Risk Assessment (SFRA) shows that the site could be affected by flooding from rivers or sea in the future (e.g. because of climate change) or from other sources (for example surface water drains, reservoirs)
- within flood zone 1 which has critical drainage problems as notified by the Environment Agency

Further information on whether your site is located within a flood zone can be found at <https://flood-map-for-planning.service.gov.uk/>

A FRA identifies and assesses the extent of flood risk to a proposed development taking into account all sources of flood risk and climate change, and should consider whether the proposed development will increase flood risk elsewhere. The FRA should identify measures to address any flood impacts on the proposed development or likely to arise from it and describe why and how these measures are appropriate. The FRA should explain how any flood risk will be controlled and then mitigated, and any residual risk managed.

The FRA should also consider opportunities to reduce the causes and impact of flooding, including through the use of sustainable drainage systems, and describe the provisions for safe access and escape routes to and from the areas at risk of flooding.

For householder applications located within a Flood Risk Zone the planning application shall be accompanied by a simple flood risk assessment. For further guidance see: <https://www.gov.uk/guidance/flood-risk-assessment-standingadvice#what-to-include-in-your-assessment>

A **Sequential Test** will be needed if the development is in Flood Zone 2 and 3. However one is not required if the development is a minor development as defined by the Environment Agency i.e. changes of use (except for changes of use to a caravan, camping or chalet site, or to a mobile home or park site, where the sequential and exception tests should be applied as appropriate), householder development, and non-residential extensions with a footprint less than 250 square metres. One is also not required if a sequential test has already been undertaken for a development of the same type through the Local Plan process.

If the sequential test is deemed to have been passed then an **Exception Test** is required if the development is:

- Highly vulnerable and in flood zone 2

- Essential infrastructure in flood zone 3a and 3b
- More vulnerable in flood zone 3A

As set out in Table 2 of the 'Flood risk and coastal change' section of the NPPG, the vulnerability of the use proposed can be established from the 'Flood Risk Vulnerability Classification' set out in Annex 3 of the NPPF.

For more information on submitting a sequential or exception test please see: <https://www.gov.uk/guidance/flood-risk-assessment-the-sequential-test-for-applicants>

Flues and Ventilation / Extraction Details

When required? All applications which involve the preparation of hot food and other uses which require air conditioning or extraction and filtration equipment

Applications should provide details of the manufacturer's specification(s) of the equipment required (together with the required plans and noise or odour assessment).

Green Belt calculations

When required? Applications for replacement buildings and extensions to a building in the Green Belt

The NPPF identifies exceptions where new buildings could be considered appropriate development in the Green Belt. This includes:

- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building¹.

To enable the Local Planning Authority to assess whether or not the replacement building is "materially larger", applications for replacement buildings should include volume calculations of the existing building and proposed building.

To enable the Local Planning Authority to assess whether or not the extension would result in "disproportionate additions over and above the size of the original building", applications for extensions should include volume calculations of the original building, the existing building (if the original building has been extended already) and the proposed building the subject of the application.

Heritage Statement

When required? For planning applications which involve a Listed Building, Scheduled Monument, Registered Park or Garden, impact on the setting of a Listed Building, involve work within a Conservation Area and/or involve work to a local heritage asset (e.g. as identified by a local list or through the pre-application process).

Details of whether a site is within a Conservation Area can be found at: <https://www.ribblevalley.gov.uk/conservation-listed-buildings/conservation-areas>

¹ Original building: A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

A Heritage Statement should include a description of the significance of any heritage asset(s) affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance.

As a minimum the relevant historic environment record should be consulted and the heritage asset(s) assessed using appropriate expertise where necessary.

This information together with an assessment of the impact of the proposal will be required as part of the explanation of the design concept. It should detail the sources that have been considered and the expertise that has been consulted.

Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest an appropriate desk-based assessment and, where necessary, a field evaluation will be required.

Landscape and Visual Impact Assessment

When required? For sites that are considered to be particularly sensitive in landscape or visual terms a Landscape and Visual Impact Assessment (LVIA) will be required. For example:

- where large scale developments are proposed, particularly vertical developments for example wind turbines, pylons and telecommunication mast infrastructure;
- where developments are within – or affect the setting of - areas with a national or international landscape or landscape heritage designation (e.g. AONB) and the proposal involves measurable landscape or visual impacts; or
- where developments will be particularly visible from publicly accessible viewpoints.

A LVIA should include an evaluation of the existing character of the landscape and an assessment of what the proposed development's impact will be, including cumulative impacts where necessary. Applications involving wind power should also refer to the 'Wind Energy Application' section of this document.

It should be carried out by qualified landscape professionals in accordance with the Landscape Institute and Institute of Environmental Management and Assessment's Guidelines for Landscape and Visual Assessment (GLVIA) 3rd Edition (2013) or any subsequent amendment.

Landscape strategies may be required for especially complex or phased developments where an overview or framework is needed. It is recommended that landscape strategies are included either as supporting information or as part of Design and Access Statements or EIAs.

Lighting Assessment

When required? Planning applications which include new external lighting near established residential properties, heritage assets, protected wildlife areas and countryside areas.

A lighting scheme should include the following:

- Plans detailing the location of the lighting, any adjacent sensitive (residential, heritage, wildlife) receptors, site boundaries and measured luminance
- Specifications, including equipment design and Lux levels to determine glare, intensity and spill and recommendations to control these
- Risk assessment – in relation to crime and disorder and impact on light sensitive premises
- Schedule of installation
- Hours of illumination / schedule of use

Applicants shall be aware that where necessary, regard should be given to the impacts of the development on sensitive ecological receptors, as well as human receptors.

Listed Building Consent

When required? Any application for Listed Building Consent

A Method Statement should be submitted for replacement, repair or renovation of any historic fabric including works to historic fabric (e.g. window/door/roof repairs, re-rendering) and specifications of any joinery/masonry.

This will enable the Local Planning Authority to fully assess the impact of the proposed development on the significance of the designated heritage asset.

Marketing Statement

When required? Development proposals for loss of employment generating uses or designated employment sites to non-employment generating uses as well as loss of existing retail premises outside the settlements of Clitheroe, Longridge and Whalley.

In accordance with Policy DMB1 of the Adopted Core Strategy the loss of existing employment generating uses or designated employment sites to non-employment generating uses are required to demonstrate that attempts have been made to secure an alternative employment generating use for the site, or that the current use is not viable for employment purposes, which would typically be in the form of a Marketing Statement.

The Marketing Statement must be supported by evidence that the property/business has been marketed for business use by a property agent/surveyor at an appropriate price reflecting the current market or rental value. It must be advertised for a minimum period of six months and targeted at an appropriate audience with suitable advertisement. It should include details of all expressions of interest/ offers made and any offers refused and the reasons for this.

Where it is claimed that the current use is not viable for employment purposes, the Marketing Statement must have considered the potential for refurbishment; redevelopment for new commercial uses; sub-division, amalgamation or selective demolition, in order to improve the format, layout and access arrangements.

In accordance with Policy DMR3 of the Adopted Core Strategy in assessing any application for the change of use of ground floor commercial premises to residential

accommodation within the village boundaries the Council will require evidence to demonstrate there is no demand to retain the premises in commercial use, which would typically be in the form of a Marketing Statement.

The Marketing Statement must be supported by evidence that the property/business has been marketed for business use by a property agent/surveyor at an appropriate price reflecting the current market or rental value. It must be advertised for a minimum period of twelve months and targeted at an appropriate audience with suitable advertisement. It should include details of all expressions of interest/ offers made and any offers refused and the reasons for this.

Please note when submitting any document which contains any commercially sensitive or personal information you are requested to submit two copies, one of which redacts the sensitive information so that it is suitable to be made publicly available. It will rarely be acceptable to make entire documents or entire sections of reports that contain commercially sensitive information exempt from publication, even in those circumstances an executive summary will be required to ensure a transparent and accountable system.

Mineral resource assessment

When required? Large scale or major development proposals located with a mineral safeguarding area

Details of mineral safeguarding areas can be downloaded at:

<https://www.lancashire.gov.uk/media/305791/Proposals-Map-2-MSA-A0.pdf>

A minerals resource assessment is required to ensure sufficient information is available to enable the Local Planning Authority to determine whether the proposal would satisfy Policy M2 (Mineral Safeguarding) of the Joint Lancashire Minerals and Waste Site Allocation and Development Management Policies Local Plan. The purpose of Policy M2 is to prevent the needless sterilisation of mineral resources from non-mineral development. It does not support any form of development that is incompatible by reason of scale, proximity and permanence with the working of minerals unless certain criteria can be met.

The minerals resource assessment should specify whether there are minerals present and, if so, whether it is practicable or sustainable to extract them. Information could be provided on:

- the depth of overburden,
- the quantity and quality of any mineral present,
- the height of the water table,
- the proximity and nature of any surrounding land uses,
- the size of the site.

The level of detail should be appropriate to the scale and nature of the proposed development.

Noise Assessment

When required? Proposals which are likely to generate noise located close to noise sensitive areas (e.g. close to residential areas and International / Nationally designated conservation sites); proposals which are likely to generate significant noise (e.g. heavy industry) regardless of their location; and proposals for noise sensitive development such as housing in a location with existing noise emissions (e.g. adjacent to an industrial/ commercial area, railway line, motorway or busy A-road).

The Noise Assessment should indicate the levels of noise expected to be created and methods for mitigating any impact, or in the case where noise sensitive development is proposed, measures to protect the new development from noise. Where noise mitigation is deemed necessary (for example acoustic fencing), the details of that mitigation shall be included in the planning submission.

The type of noise assessment required will be dependent on the nature of the proposed development, but the following is typically considered to be appropriate:

- New residential housing (including the conversion of non-residential development to residential) – A noise assessment that meets the criteria of BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.
- Commercial / industrial activities where noise from equipment / machinery, plant, flues / fans, delivery / collection vehicles, etc, will occur – A noise assessment that meets the criteria of BS4142:2014 +A1:2019 Methods For Rating and Assessing Industrial and Commercial Sound

Odour Assessment

When required? Proposals which are likely to generate odours close to odour sensitive areas (e.g. existing or proposed residential areas); or proposals for odour sensitive development such as housing in a location with existing odour sources (e.g. wastewater treatment works)

In line with paragraph 005 of the NPPG (Water supply, wastewater and water quality) there is a requirement for an odour assessment for proposed developments which are located within close proximity to an existing wastewater treatment works, and there are a number of this within the borough that could be a potential source of odour if new sensitive receptors are proposed within close proximity.

A risk assessment of the impact of odour (as well as noise) is essential to be completed as early as possible in the planning process to ensure development is planned in the most appropriate way. Given that potential sources of pollution can have a significant impact on development layout, it is critical that a risk assessment is submitted upfront alongside a planning application for development.

Planning Statement

When required? All major planning applications. Also useful for some minor planning applications where the development is likely to be controversial or to enable the case for the development to be put forward.

The Planning Statement shall provide an explanation of, and justification for, the proposal(s) in the context of relevant national and local planning policies affecting the site.

The Statement shall include:

- an assessment of the site and its context
- a description of the development proposal
- an assessment of the planning policy context
- an appraisal of the proposed development against relevant planning policies affecting the site.

Where relevant, it could also include details of the economic benefits of a given proposal and how this helps mitigate the impact of the development. Such details could also identify the need for development, details of jobs created and any community benefits.

Please note when submitting any document which contains any commercially sensitive or personal information you are requested to submit two copies, one of which redacts the sensitive information so that it is suitable to be made publicly available. It will rarely be acceptable to make entire documents or entire sections of reports that contain commercially sensitive information exempt from publication, even in those circumstances an executive summary will be required to ensure a transparent and accountable system.

Retail Sequential Test and Impact Assessment

When required? A sequential test is required for any main town centre use that is not proposed within an existing centre (and not in accordance with an up-to-date Local Plan). An exception to this is any small-scale¹ rural office or other small scale rural development (as set out within the NPPF). The subsequent impact assessment is required for retail and leisure development outside of town centres (and not in accordance with an up-to-date Local Plan) if the development is over 1,000m² (200m² in the case of extensions to existing premises)².

Proposals for main town centre uses should be located in town centres, then in edge of centre locations, and only if suitable sites are not available will out of centre sites be considered. The sequential test shall demonstrate:

- that sites have been assessed for their availability, suitability and viability
- that all in-centre options have been thoroughly assessed before less central sites are considered
- that there are no town centre sites to accommodate a proposed development (in these circumstances preference will be given to edge of centre locations which are well connected to the centre by means of easy pedestrian access)

For proposals on an edge of centre site, developers shall demonstrate flexibility in terms of:

¹ Whether a proposal is small-scale is a matter for the Local Planning Authority

² Local threshold outlined in Policy DMR1 of the Ribble Valley Core Strategy

- scale i.e. reducing the floorspace of their development;
- format i.e. more innovative site layouts and store configurations such as multi-storey developments with smaller footprints;
- car parking provision i.e. reduced or reconfigured car parking areas; and
- the scope for disaggregating specific parts of a retail or leisure development, including those which are part of a group of retail or leisure units, onto separate, sequentially preferable, sites.

If the sequential test is passed, the impact assessment (if required) shall include:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

Statement of Community Involvement

When required? Planning applications for major development¹ where there is likely to be significant public interest in the proposals. Any development involving an installation for the harnessing of wind power for energy production where (a) the development involves the installation of more than 2 turbines; or (b) the hub height of any turbine exceeds 15 metres².

The Statement of Community Involvement should capture how the applicant has engaged with relevant sections of the community in shaping the development proposal, detailing any responses to the consultation that were received; and how those responses have been taken into account. Options for engagement include:

- Meeting(s) with relevant Ward Councillors and Parish/ Town Council;
- Issue letters or leaflets in the locality
- Local exhibition or public consultation event
- Press release/advertisement in local newspapers / social media
- Public meeting or meeting with particular groups in the community.

Street Adoption Statement

When required? Any development which involves the construction of new internal roads or alterations/ connections to existing public highways

It is essential that arrangements for the future management and maintenance of new roads within developments is addressed at the planning stage. Streets that are not

¹ As defined by the DMPO

² A requirement of the DMPO unless applications are made pursuant to section 73 of the 1990 Planning Act

proposed for adoption are likely to require more detailed consideration of access and waste collection proposals.

The Street Adoption Statement shall include:

- Full details of the proposed arrangements for the future management and maintenance of the proposed streets within the development. In situations where streets are not proposed for adoption, details of a Private Management and Maintenance Company shall be included confirming funding, management and maintenance regimes
- An Estate Road Phasing and Completion Plan setting out the development phasing and phasing of the construction of the roads (if available)

Structural Survey

When required? Applications for the conversion/ re-use of existing buildings and which include elements of demolition and rebuild or additional structural support; and applications involving full or partial demolition of existing buildings/ structures where the justification for the demolition is based on its structural integrity

Buildings that are proposed for conversion must be structurally sound and capable of conversion for the proposed use without the need for extensive building or major alteration. The Council will require a Structural Survey to be submitted for all planning applications of this nature as well as where a case is made for demolition of the building/ structure based on its structural integrity.

The specialist report on the condition of the building should be undertaken by a qualified structural surveyor, structural engineer and/or timber-frame specialist if appropriate. The report must clearly identify the extent of any rebuilding required and detail, via a method statement, the means by which the retained structure is to be safeguarded.

Sustainable Drainage Strategy

When required? any development requiring a Flood Risk Assessment (as set out above), or in any other case, all major development with surface water implications¹

The purpose of a Sustainable Drainage Strategy is to set out how surface water from a development site will be managed sustainably under both current and future conditions, using sustainable drainage systems (SuDS) which are designed to control surface water run-off close to where it falls, combining a mixture of built and natural techniques to mimic natural drainage as closely as possible. SuDS also provide benefits for water quantity, water quality, biodiversity and amenity.

The layout and function of drainage systems needs to be considered at the start of the design process for new development, as integration with road networks and other infrastructure can maximise the availability of developable land.

¹ As defined by the DMPO 2015

The Sustainable Drainage Strategy should demonstrate that surface water will be discharged according to the following hierarchy of drainage options:-

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

There shall be clear evidence when demonstrating why more preferable options within the hierarchy have been discounted. In most circumstances surface water is not permitted to be connected to the public foul sewers.

The Strategy must also set out how sustainable drainage components will be constructed, managed and maintained to ensure that the sustainable drainage system will continue to perform throughout the lifetime of the development.

For outline applications an Outline Drainage Strategy is required which includes:

- Ground conditions, including infiltration rates and flow routes
- Existing and proposed surface water drainage arrangements, including runoff rates and volumes (hydraulic calculations and details of software used)
- Details of the flood risks to the development site arising from main rivers, coastal sources, surface water and ground water
- SuDS components

For full applications the requirements are as above plus:

- Details of the proposed drainage arrangements, including sustainable drainage systems; information about proposed outfalls, the lifetime of the development design storm period and intensity with supporting calculations (1 in 1 , 1 in 30 and 1 in 100 year + allowance for climate change as set out within the Environment Agency's advice on Flood risk Assessments: climate change allowances' or any subsequent replacement EA advice note), temporary storage facilities, the methods employed to restrict discharge rates, the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and any required off-site works (refurbishment of existing culverts and headwalls or removal of unused culverts where relevant)
- Demonstration that the surface water run-off would not exceed the pre-development greenfield runoff rate
- Flood water exceedance routes, both on and off site
- Demonstrate that the drainage strategy meets the requirements of the surface water hierarchy
- Where sustainable drainage systems are not considered appropriate, provide clear evidence to justify this
- Set out the multifunctional benefits of the scheme including habitat value
- A timetable for implementation, including phasing as applicable and access to/from interconnecting phases
- Details of adoption, and/or maintenance and management information for un-adopted sections, including access for maintenance and easement
- Details of water quality controls, where applicable

Applicants for major development can seek pre-application advice from the [Lead Local Flood Authority](#) (LLFA). The [LLFA website](#) also contains further advice on the above requirements.

For completeness the Sustainable Drainage Strategy is also expected to include details of how foul water is to be drained.

The following foul drainage options must be considered and discounted in the following order in accordance with national guidance:

1. Connection to the public sewer
2. Package sewage treatment plant (which can be offered to the sewerage undertaker for adoption)
3. Septic Tank
4. If none of the above are feasible, a cesspool

Options 2) and 3) should only be considered if it can be clearly demonstrated that a connection to the public sewer is not feasible.

Where the development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, then a fuller foul drainage assessment will be required including details of the method of storage, treatment and disposal. A foul drainage assessment should include a full assessment of the site, its location and suitability for storing, transporting and treating sewage.

Non-mains drainage falls under the Environment Agency's remit and the Environment Agency require that any such proposals ensure they do not pose an unacceptable risk of pollution to the water environment.

Further information is available within the National Planning Policy Practice Guidance at: <https://www.gov.uk/guidance/water-supply-wastewater-and-water-quality>

For additional information regarding septic tanks please see guidance at: <https://www.gov.uk/permits-you-need-for-septic-tanks>

If the proposed development results in any changes or replacement to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will also need to be provided. This will include a location plan, cross sections/elevations and specification. Drainage details that will achieve Building Regulations Approval will be required. If connection to any of the above requires crossing land that is not in the applicant's ownership, other than on a public highway, then notice may need to be served on the owners of that land.

Sustainable Drainage Pro-Forma

When required? all major development with surface water implications¹

The pro-forma supports applicants in summarising and confirming how surface water from a development will be managed sustainably under current and future conditions.

¹ Major development as defined by the DMPO

Applications for major development with surface water implications should be accompanied by a Suds Proforma which can be found [here](#).

Applicants can seek pre-application advice from the [Lead Local Flood Authority](#) (LLFA). The [LLFA website](#) also contains further advice on the above requirements.

Telecommunications Development

When required? all applications for telecommunications equipment

In addition to existing and proposed plans and elevations, applications should be accompanied by the following:

- A statement of compliance with ICNIRP guidelines
- Evidence of an assessment of alternative sites and/or mast sharing with justification for rejecting them
- An explanation as to why the installation is needed

Transport Statement, Transport Assessment and Travel Plan

When required? All developments which generate significant amounts of transport movement shall be accompanied by a Transport Statement or Assessment and Travel Plan. Typically the thresholds are as follows, in addition to applications for wind power:

Land use	Unit measure	Transport Statement	Transport Assessment and Travel Plan
Food retail	GFA	>250 <800sq.m	>800sq.m
Non-food retail	GFA	>800 <1500sq.m	>1500sq.m
Financial and professional services	GFA	>1000 <2500sq.m	>2500sq.m
Restaurants and cafes	GFA	>300 <2500sq.m	>2500sq.m
Drinking establishments	GFA	>300 <600sq.m	>600sq.m
Hot food takeaway	GFA	>250 <500sq.m	>500sq.m
Business (E(g))	GFA	>1500 <2500sq.m	>2500sq.m
General industrial	GFA	>2500 <4000sq.m	>4000sq.m
Storage or distribution	GFA	>3000 <5000sq.m	>5000sq.m
Hotels	Bedroom	>75 <100 bedrooms	>100 bedrooms
Hospitals and nursing homes	Beds	>30 <50 beds	>50 beds
Residential education	Students	>50 <150 students	>150 students
Institutional hostels	Residents	>250 <400 residents	>400 residents
Dwelling houses	Unit	>50 <80 units	>80 units
Non-residential institutions	GFA	>500 <1000sq.m	>1000sq.m
Assembly and leisure	GFA	>500 <1500sq.m	>1500sq.m

Any development which it is considered would have a significant impact on the highway network

Transport Assessments and Transport Statements primarily focus on evaluating the potential transport impacts of a development proposal. They may propose mitigation measures where these are necessary to avoid unacceptable or “severe” impacts. Travel Plans can play an effective role in taking forward those mitigation measures which relate to on-going occupation and operation of the development.

In some cases, the transport issues arising out of development proposals may not require a full Transport Assessment. In these instances a simplified report in the form of a Transport Statement may be more appropriate.

Please note the above thresholds are for guidance purposes and should not be read as absolutes as some parts of the local highway network will be more sensitive to change than others. Early pre-application consultation with Lancashire County Council as the [Local Highway Authority](#) is recommended to determine the level and scope of the assessment that may be required.

Full details of what should be included within a Transport Statement, Transport Assessment and Travel Plan can be found at: <https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements>. Applications involving wind power should also refer to the ‘Wind Energy Application’ section of this document.

Lancashire County Council’s Sustainable Travel Team will be able to advise on the requirements for a Travel Plan:- Email sustainabletravel@lancashire.gov.uk

Tree Survey / Arboricultural Impact Assessment

When required? Proposals which have the potential to impact on trees or hedgerows (either within the application site or adjacent to the application site) shall be accompanied by an Arboricultural Impact Assessment (AIA).

The AIA is a statement that must:

- Include a survey of existing trees and hedgerows present within/ adjacent to the application site (this shall indicate the species and height of the trees and hedgerows plus canopy diameter and show their location on a tree constraints plan)
- Indicate which trees and hedgerows will be retained as part of the development and which trees/hedgerows are proposed to be removed (including a tree retention and removal plan)
- In terms of those trees and hedgerows to be retained it shall include a method statement indicating how the work will be carried out including site preparation and earth works, as well as a tree / root protection plan.
- In terms of those trees and hedgerows to be removed it shall include clear justification

An AIA must be produced by an appropriately qualified arboriculturalist, and the works proposed must conform to “BS 5837 (2012) Trees in Relation to Design, Demolition and Construction – Recommendations.”

Further details can be found at:-

<https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences#ancient-woodland>

<https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications>

Tree Works Application

When required? applications for works to trees subject to a tree preservation order (TPO) or notification of proposed works to trees in a conservation area

The following information will be required:

- Application form
- Sufficient evidence to support the case for works to trees, typically in the form of a report from an arboriculturist (or other expert) or diagnostic information. This may include details of the condition of the trees and/ or the damage they are causing or details on the presence and impact of pests, diseases or fungi
- A sketch plan clearly identifying the trees subject to the application. The sketch plan should also include the site boundaries, adjacent properties (including house names/ numbers), the position of the trees in relation to nearby buildings, and any other trees on the site (clearly marked that they are not subject to the application). All individual trees/ groups of trees should be numbered.
- If individual trees cannot be clearly identified (i.e. they are part of a woodland/ group on trees) the approximate location should be marked on the plan and identified as part of a site visit with the Council's Countryside Officer.
- Photographs can be utilised to identify the trees subject to the application and/ or specific features of the trees which directly relate to the application.

Waste Management Strategy (refuse and recycling)

When required? All proposals which will result in the need for residential or commercial waste disposal

A Waste Management Strategy will be required to include details of the proposed facilities for the storage and collection of refuse, as well as for the provision of recycling facilities. Hot food takeaways should indicate the provision of litter bins along with a regime for litter picking associated with the hot food takeaway use.

Wind Energy Applications

When required? All wind energy applications

In addition to the aforementioned requirements the following are specifically required:

Transport Statement

The assessment should include details of the following:

- The proposed total number of lorry and crane movements and routes of travel
- Details of what measures will be required to accommodate oversize loads on the road network
- Details of the proposed engineering design and construction of access tracks, including details of their permanence or removal once the wind turbine(s) are erected, and source of materials.
- Details of crane hard standings
- Details of any concrete mixing to be carried out on site, and details of disposal of excess concrete and washing out of equipment
- Location and design of construction compound where appropriate
- Design and location of any electricity transmission equipment
- Proposed hours of construction

Landscape and Visual Impact Assessment

The assessment should include details of the following:

- Alternative sites which have been considered for the development
- Alternative turbine amounts / layouts / configurations which have been considered
- Alternative turbine heights / models / appearances which have been considered
- Alternative access arrangements / routes which have been considered
- Landscaping arrangements which have been considered to mitigate the visual / landscape impact of the proposed turbine(s)

For the above, it should be clearly demonstrated why the chosen arrangements represent the best option in terms of visual and landscape impact minimisation. The cumulative visual impact of the proposed turbine(s) with other existing operational or permitted turbines, or turbines currently subject to a planning application should be fully addressed in the Landscape and Visual Impact Assessment.

Heritage Statement

Applications shall include an assessment of the impacts of the proposed turbine(s) on significant cultural, recreational or heritage assets which could potentially be affected. This should include any potential sub-surface archaeological issues. For turbines with a total height of under 40m, this should cover assets within a minimum radius of ten times turbine height (the Council reserves the right to request an assessment of the impacts on significant assets outside this radius if it is deemed necessary). For proposed turbines with a total height of 40m or above, the assessment should extend to significant assets within a radius of 5km of the nearest boundary of the site. For schemes of greater than 100 metre total height the 5km distance may be extended.

Photomontage and/or Wireframe Diagrams:

The Council will expect all wind turbine applications to be accompanied by a representative range of photomontages and/or wireframe diagrams to demonstrate how the proposed turbine(s), ancillary equipment and access roads will fit into the landscape. Photomontages and wireframe diagrams should be created by a suitably

qualified person or organisation. Locations for photomontage and wireframe diagram viewpoints should be agreed with the Council at the pre-submission stage.

Zone Theoretical Visibility Maps:

Unless the application is for a single turbine with a height of 25m or less (which is not within 1km of any other operational or permitted turbines, or turbines currently subject to a planning application), the Council will expect applications to be accompanied by two Ordnance Survey based maps showing the Zone Theoretical Visibility (ZTV) of the proposed turbine(s):

- The first of the maps should show the ZTV of the proposed turbine(s) only.
- The second map should show the cumulative ZTV of the proposed turbine(s) along with any other operational and permitted turbines (and those currently subject to a planning application). Applicants should contact the Council to obtain an up to date list of such turbines.

The radius of the ZTV maps required depends on the proposed height of the turbine(s) and other factors. The following table sets out the Council’s general requirements:

Turbine Height (to blade tip)	Number of Turbines	Is the site within 1km of any other operational or permitted turbines, or turbines currently subject to a planning application?	Required Radius of ZTV Maps
0-25m	1	No	Not required
0-25m	1	Yes	2km
0-25m	2-5	No	10km
0-25m	2-5	Yes	15km
0-25m	6-10	No	20km
0-25m	6-10	Yes	20km
0-25m	10+	No	20km
0-25m	10+	Yes	30km
26-60m	1	No	20km
26-60m	1	Yes	30km
26-60m	2+	No	30km
26-60m	2+	Yes	30km
Over 60m	1	No	30km
Over 60m	1	Yes	30km
Over 60m	2+	No	30km
Over 60m	2+	Yes	30km

Public Rights of Way Map

The Council will expect a plan to be submitted which identifies all Public Rights of Way within a radius of 10 times turbine height from the centre of the turbine. The impact on locally and sub-regionally significant or recreational routes or long distance trails should be fully addressed where the turbine(s) will be located within 1km of such a route applicants are advised to contact the Council’s Development Control department for clarification where they are unsure if such a route exists in proximity to the proposed turbine(s).

Noise & Shadow Flicker Assessment

For all wind energy applications the Council will expect that a plan is submitted which identifies any occupied buildings situated within a radius of ten times turbine height from the centre of the proposed turbine. In exceptional circumstances a greater distance may be prescribed. Site-specific noise assessments for all buildings within the identified radius should be carried out and full details and recommendations included within a report accompanying the planning application. The report should demonstrate that any noise is compliant with ETSU-R- 97, as amended. Depending on the size of the proposed turbine(s) and the proposed location, submission of manufacturers' standard noise output specifications for a given turbine model may or may not be sufficient, as such specifications do not generally address site-specific conditions. Applicants should contact the Council at preapplication stage to confirm the likely requirements for information relating to noise.

In terms of shadow flicker effect, the Council will expect a report to be submitted which demonstrate that the impact on occupied properties within a radius of 10 times turbine height and if necessary any mitigating measures. The effects of Shadow flicker on the users of bridleways within a 10 times turbine height radius should also be addressed. Such reports should be carried out by a suitably qualified person or organisation, and set out clear recommendations.

Details of Decommissioning Bond / Arrangements

An indication of how decommissioning will be undertaken shall be provided. For all single wind turbines over a height of 40m (or multiple turbines of any height), the Council will expect that evidence is provided to demonstrate that a bond has been put in place with the Local Authority to cover the entire costs of decommissioning and removing the wind turbine(s) from site once they have reached the end of their 25 year operational period. This should be done through a Unilateral Undertaking. This is necessary to prevent redundant wind turbines from remaining in the landscape once the end of their operating life has been reached, and acts as a safeguard in case of any financial constraints which may prevent the owner / operator of the turbine(s) from carrying out decommissioning works in future.

Details of proposed community benefits

Applicants for wind energy developments with a total generating capacity of 250kW or above should indicate how consideration has been given to compensating the community for the negative effects of the proposal. Provision of a community benefit scheme to compensate the communities likely to be most heavily impacted by proposed turbines will be expected for proposals generating 1Mw of power or greater.

Details of impacts on communications / broadcast equipment

The Council will consult the Ministry of Defence (Defence Infrastructure Organisation) and National Air Traffic Services (NATS) on wind turbine applications. As such, there is no requirement for applicants to consult with these two bodies prior to submission of an application. However, it is the responsibility of the applicant to demonstrate that the proposed turbine(s) will not cause any interference to the operation of any communications or broadcast equipment, through consultation with the operators of any masts or antennae which may be subject to adverse effects from the proposed turbine(s). Consultation responses from any such individuals or organisations should be submitted to the Council alongside the planning application.

Applicants should also demonstrate that any possible effects on telecommunications equipment, including television reception, have been considered and if necessary mitigation measures taken.

Appendix A – Additional Biodiversity Requirements

Protected Species

If the application involves any of the development proposals shown in **Table 1** (Column 1), a protected species assessment must be submitted with the application. This is intended as a guide only and protected species may be present in other situations beyond those listed.

Exceptions for when an assessment may not be required:

- a) Following consultation by the applicant at the pre-application stage, the LPA has stated in writing that no protected species assessment is required.
- b) If it is clear that no protected species are present, despite the guidance in the above table indicating that they are likely, the applicant should provide evidence with the planning application to demonstrate that such species are absent (e.g. this might be in the form of a letter or brief report from a suitably qualified and experienced person, or a relevant local nature conservation organisation).
- c) If it is clear that the development proposal will not affect any protected species present, then only limited information needs to be submitted. This information should, however,
 - demonstrate that there will be no significant effect on any protected species present and
 - include a statement acknowledging that the applicant is aware that it is a criminal offence to disturb or harm protected species should they subsequently be found or disturbed.

In some situations, it may be appropriate for an applicant to provide a protected species survey and report for only one or a few of the species shown in the Table 1 e.g. those that are likely to be affected by a particular activity. Applicants should make clear which species are included in the report and which are not because exceptions apply.

Designated Sites and Priority Habitats

In addition to the designated sites listed within the main body of this document, if the application is likely to affect any of the priority habitats or biodiversity features listed in **Table 2** an assessment for the relevant feature must be submitted with the application.

Exceptions for when an assessment may not be required:

International and National Sites: A survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence with Natural England, which confirms in writing that the proposed development will not affect any statutory sites designated for their national or international importance.

Regional and Local Sites and Priority Habitats: A survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence from the Local Planning Authority, independent ecological advisor or the Local Wildlife Trust that the proposed development will not affect any regional or local sites designated for their local nature conservation importance or any other priority habitats or listed features.

Survey Timings:

For certain species and habitats surveys can be carried out at any time of year, but for other species, particular times of year are required to give the most reliable results, as indicated in **Table 3**.

Surveys conducted outside of optimal times (Table 3) may be unreliable. For certain species (e.g. Great Crested Newt) surveys over the winter period are unlikely to yield any useful information. Similarly negative results gained outside the optimal period should not be interpreted as absence of a species and further survey work maybe required during the optimal survey season. This is especially important where existing surveys and records show the species has been found previously on site or in the surrounding area. An application may not be valid until survey information is gathered from an optimum time of year.

Species surveys are also very weather dependent so it may be necessary to delay a survey or to carry out more than one survey if the weather is not suitable, e.g. heavy rain is not good for surveying for otters, as it washes away their spraint (droppings). Likewise bat surveys carried out in wet or cold weather may not yield accurate results.

Absence of evidence of a species does not necessarily mean that the species is not there, nor that its habitat is not protected (e.g. a bat roost is protected whether any bats are present or not).

Where a preliminary assessment is conducted outside of the optimum survey period which identifies potential risk to protected species / priority habitat and recommends additional survey work, in most cases the Local Planning Authority is unable to positively determine any application until the results of further survey work are known. Therefore applicant's are strongly advised to hold off making their application until the further survey has been conducted and can be included in the application submission.

TABLE 1

Proposals for Development that will trigger a Protected Species Survey	Species likely to be affected and for which a survey will be required									
	Bats	Barn Owls	Breeding Birds	Great Crested Newts	Otters	Water Vole	Badger	Reptiles	Amphibians	Plants
<p>(1) Conversion, modification, demolition or removal of buildings and structures (especially roof voids) (including hotels, schools, hospitals, churches, commercial premises and derelict buildings) which are:</p> <ul style="list-style-type: none"> • agricultural buildings (e.g. farmhouses, barns and outbuildings) particularly of traditional brick or stone construction and/or with exposed wooden beams; • buildings with weather boarding and/or hanging tiles that are within 200m of woodland and/or water; • pre-1960 detached buildings and structures within 200m of woodland and/or water; • pre-1914 buildings within 400m of woodland and/or water; • pre-1914 buildings with gable ends or slate roofs, regardless of location; • located within, or immediately adjacent to woodland and/or water; • Dutch barns or livestock buildings with a single skin roof and board-and-gap or Yorkshire boarding if, following a preliminary roost assessment the site appears to be particularly suited to bats. 	•	•	•							

<p>(2) Development affecting built structures:</p> <ul style="list-style-type: none"> tunnels, mines, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures unused industrial chimneys that are unlined and brick/stone construction; bridge structures, aqueducts and viaducts (especially over water and wet ground). 	<ul style="list-style-type: none"> • • • 									
<p>(3) Floodlighting of:</p> <ul style="list-style-type: none"> churches and listed buildings, green space (e.g. sports pitches) within 50m of woodland, water, field hedgerows or lines of trees with connectivity to woodland or water; any building meeting the criteria listed in (1) above. 	<ul style="list-style-type: none"> • • 	<ul style="list-style-type: none"> • • 	<ul style="list-style-type: none"> • • 							
<p>(4) Tree work (Felling, removal or lopping) and/or development affecting:</p> <ul style="list-style-type: none"> woodland; field hedgerows and/or lines of trees with connectivity to woodland or water bodies; old and veteran trees that are more than 100 years old; mature trees with obvious holes, cracks or cavities, or which are covered with mature ivy (including large dead trees). 	<ul style="list-style-type: none"> • • • • 		<ul style="list-style-type: none"> • • • • 				<ul style="list-style-type: none"> • • 			<ul style="list-style-type: none"> • •
<p>(5) Proposals affecting water bodies:</p> <ul style="list-style-type: none"> within 200m of rivers, streams, canals, lakes, reed beds or other aquatic habitats. 	<ul style="list-style-type: none"> • 		<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 			<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •

(6) Proposals located in or immediately adjacent to: <ul style="list-style-type: none"> • quarries or gravel pits; • natural cliff faces and rock outcrops with crevices or caves and swallets. 	• •		• •					• •		
(7) Proposals for wind farm developments of multiple wind turbines and single wind turbines	•									
(8) Proposed development affecting any type of buildings, structures, feature or location where protected species are known to be present	•	•	•	•	•	•	•	•	•	•

Table 2

Priority Habitats
Arable field margins
Traditional orchards
Hedgerows
Aquifer-fed naturally fluctuating water bodies
Eutrophic standing waters
Mesotrophic lakes
Oligotrophic and dystrophic lakes
Ponds
Rivers
Lowland calcareous grassland
Lowland dry acid grassland
Lowland meadows
Purple moor-grass and rush pastures
Upland calcareous grassland
Upland hay meadows
Lowland heathland
Mountain heaths and willow scrub
Upland heathland
Calaminarian grasslands
Inland rock outcrop and scree habitats
Limestone pavements
Open mosaic habitats on previously developed land
Blanket bog
Lowland fens
Lowland raised bog
Reedbeds
Upland flushes, fens and swamps
Lowland beech and yew woodland
Lowland mixed deciduous woodland
Upland mixed ashwoods
Upland oakwood
Wet woodland
Wood-pasture and parkland

Table 3 Ecological Survey Seasons Optimal Time **Extending Into**

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Badgers												
Bats (Hibernation Roosts)												
Bats (Summer Roosts)												
Bats (Foraging/Commuting)												
Birds (Breeding)												
Birds (Over-Wintering)												
Great Crested Newts			TERRESTRIAL									
			AQUATIC									
Otters												
Reptiles												
Water Voles												
White Clawed Crayfish												
Habitats/ Vegetation			WOODS									

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 1st JUNE 2023
 title: PRE-APPLICATION SERVICE
 submitted by: NICOLA HOPKINS, DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING
 principal author: LYNDSEY HAYES, HEAD OF DEVELOPMENT MANAGEMENT & BUILDING CONTROL

1. PURPOSE

- 1.1 To update Members on the Local Planning Authority's recently published Pre-Application guidance note (included at Appendix 1).
- 1.2 Relevance to the Council's ambitions and priorities:-
 - To be a well-managed Council providing efficient services based on identified customer needs
 - To protect and enhance the existing environmental quality of our area

2. BACKGROUND

- 2.1 The National Planning Policy Framework encourages pre-application engagement between local planning authorities and applicants prior to formal planning applications being submitted. As well as early engagement helping to shape better quality, more accepted schemes and avoiding wasted effort it also presents the opportunity for the planning department to outline what information requirements it considers are necessary, potentially speeding up the validation and decision processes.
- 2.2 Ribble Valley BC has offered a paid pre-application service on a wide range of development types for many years. Certain development types also have the option of a fast track service whereby an increased fee is paid in order to accelerate the pre-application response time. Pre-application fees are set annually within the Council Budget. The current fees for 2023/24 were approved by Full Council on 7th March 2023.
- 2.3 How the pre-application service is delivered is down to the Head of Service and Director, in consultation with the Planning and Development Committee as appropriate, having regard to demand for the service and resources within the team to deliver it.

3. PROPOSED SERVICE

- 3.1 The recently published guidance note includes information on:-
 - Fees (as approved by Full Council)
 - A description of what type of proposals fall within each of the development categories
 - Timescales for when customers can expect to receive responses
- 3.2 The inclusion of timescales in this year's guidance note is something in particular that members may wish to take note of. Last year timescales were not expressed because of a significant shortage of staff resources within the team which led to uncertainty as to what pre-application service could be delivered, given that planning applications are typically given priority. For the same reason, the fast-track service was suspended.
- 3.3 Now that the Development Management service is up to a full complement of staff, it is now considered appropriate to include timescales of when we will aim to provide a response by. As customers are paying for a service, it is reasonable for them to have some expectation as to what service they can expect, and it gives something for officers to work towards to try and achieve consistency. However, as planning

applications will continue to take priority, there is a caveat stipulating that whilst the Planning Department will endeavour to provide a response within the target time period occasionally it may take longer owing to staff commitments and/or resources.

- 3.4 Timescales vary depending on the development category. Householders are six weeks (four weeks for fast-track). For minor and intermediate development (e.g. 1-9 new dwellings) and for alterations to listed buildings requiring Listed Building Consent the response rate is 6-8 weeks. For major and largescale major development (e.g. 10-100+ units) the response rate is 8 weeks. For tree works (high hedges or trees with Tree Preservation Orders or trees within conservation areas prior to formal application) the response time is four weeks and for advertisements and prior notifications the response time is six weeks.
- 3.5. This year the fast-track service is being re-introduced for those development types where fast track fees were set within the budget. For householder development this fast track service is available now. For major and largescale development this fast track service is expected to resume on 1st July 2023 once the Principal Planning Officers have cleared their backlog of planning applications.

4. NEXT STEPS

- 4.1 There will be:
- Continued monitoring of the pre-application service to see if timescales are being achieved or require further review.
 - Continued monitoring of backlog of planning applications to see if fast track service for majors and largescale majors can be resumed on 1st July 2023.
 - Consideration of including a fast-track service for other development types in next year's budget.

5. CONCLUSION

- 5.1 That Members note the content of this report.

LYNDSEY HAYES
HEAD OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL

APPENDIX 1 – PRE-APPLICATION GUIDANCE NOTES

GUIDANCE NOTES FOR PRE-APPLICATION ENQUIRY FEES from 1st April 2023

PLEASE NOTE

Whilst the planners are working to clear their backlog of planning applications, our FAST TRACK pre-application service for major and largescale major developments will remain suspended however it is hoped this will resume on 1st July 2023.

FAST TRACK SERVICE

- The Planning Department offers a FAST TRACK pre-application advice service on request for certain development types (householder, major and largescale major) - see fee details below. This service will accelerate the processing of your enquiry – see timescales below.

Householder Development £66.00 with no meeting. £132.00 for one meeting. £66.00 for each additional meeting. (Fast Track Householder service £200.00 includes one meeting)

Advice relating to development within one domestic curtilage including:-

- domestic extensions and/or alterations to an existing dwelling
- domestic sheds/garages/structures within existing gardens
- solar panels
- decking
- new or replacement driveways
- new domestic access (dropping the kerb)
- new or replacement windows

Timescale – aim to respond within 6 weeks (4 weeks for fast-track). Aim to have a meeting within 4 weeks (3 weeks for Fast Track).

Minor Developments £300.00 for one meeting. Additional meetings £150.00 each

- Creation of less than 3 (i.e. 1 or 2) new dwellings
- Offices/research/business and light industry < 500m²
- General industry/manufacturing/storage and warehousing < 500m²
- Retail proposals < 500m²
- All other developments covering less than half a hectare (if outline enquiry i.e. advice on principle of development only)

Timescale – aim to respond within 6-8 weeks. Aim to have a meeting within 5 weeks.

Intermediate Developments £562.00 for one meeting. Additional meetings £275.00 each

- Creation of 3 to 9 new dwellings (i.e. 3,4,5,6,7,8 or 9)
- Offices/research/business and light industry 500m²–1000m²
- General industry/manufacturing/storage and warehousing 500m²–1000m²
- Retail proposal 500m² –1000m²
- All other developments covering less than one hectare (if outline enquiry i.e. advice on principle of development only)

Timescale – aim to respond within 6-8 weeks. Aim to have a meeting within 5 weeks.

Major Developments £1700.00 for up to two meetings. Additional meetings £850.00 each (Fast Track £2600.00 includes up to two meetings)

- Residential schemes involving the creation of more than 9 dwellings but less than 100 dwellings, or where the number of dwellings is not specified, a site area measuring between 1 Ha – 3.5 Ha (if outline enquiry i.e. advice on principle of development only);
- Retail, commercial or industrial schemes that involve development in between 1000m² – 2,500m², or sites measuring between 1ha – 2.5ha;
- Educational, hospital, leisure and recreational schemes on sites between 1ha – 2.5ha (if outline enquiry i.e. advice on principle of development only).

Timescale – aim to respond within 8 weeks (6 weeks for Fast Track). Aim to have first meeting within 4 weeks (3 weeks for Fast Track).

Largescale Major Developments £2300.00 for up to two meetings. Additional meetings £1150.00 each (Fast Track £3500.00 includes up to two meetings)

- Residential schemes of over 100 units or, where the number of dwellings is not specified, a site area of over 3.5ha;
- Retail, commercial and industrial schemes with a floor space of 2,500² or more or on sites of 2.5ha or more;
- Educational, hospital, leisure and recreational schemes on sites of 2.5 hectares or more;
- Schemes with 2 or more land uses on sites of 2 hectares or more;
- Changes of use of building(s) with a gross floor area of 2,500 sq. m. or more;
- Schedule 1 or Schedule 2 Environmental Impact Assessment (EIA) Development

Timescale – aim to respond within 8 weeks (6 weeks for Fast Track). Aim to have a meeting within 4 weeks (3 weeks for Fast Track).

Listed Buildings or work in Conservation Areas Free of Charge or £125.00 – see below

- Advice for development in a Conservation Area or work to a Listed Building that consists **only of like for like repairs and maintenance** to the existing fabric (not replacement) will be free of charge. Beyond this threshold, advice for **internal alterations only** to Listed Buildings will require a fee of £125.00. **All other advice** is covered by the other categories.

Timescale – aim to respond within 4 weeks if like for like repairs and maintenance to the existing fabric. Aim to respond within 6-8 weeks if beyond this threshold .

Tree Work £88.00

- Services relating to high hedges or tree issues prior to a formal application.

Timescale – aim to respond within 4 weeks.

Advertisements £88.00

- Advice on signs, banners, notices etc.

Timescale – aim to respond within 6 weeks.

Prior Notification £150.00

- Advice on applications involving telecommunications equipment and on all other prior notification such as agricultural, changes of use, Class Q etc...

Timescale – aim to respond within 6 weeks.

All fees are inclusive of VAT (VAT rate of 20.00%) VAT No. 175 3401 74

- Please note whilst the Planning Department will endeavour to provide a response within the target time period occasionally it may take longer owing to staff commitments and/or resources.
- Whilst we are dealing with a backlog of planning applications, we have reduced our FAST TRACK pre-application service as described at the top of this form until further notice.
- For non-major development involving a meeting, in most cases this will be a phone or Teams meeting after the planning officer has conducted a site visit. A face to face meeting in the office or on site will only take place where the planning officer considers this necessary.
- In some cases, there may be a reduced charge for certain groups, i.e., Parish Councils or Community Councils.

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 1st JUNE 2023
 title: GOVERNMENT CONSULTATION ON SHORT TERM LETS
 submitted by: NICOLA HOPKINS, DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING
 principal author: LYNDSEY HAYES, HEAD OF DEVELOPMENT MANAGEMENT & BUILDING CONTROL

1. PURPOSE

- 1.1 To update Members on the current government consultation on 'Introduction of a use class for short term lets and associated permitted development rights'.
- 1.2 Relevance to the Council's ambitions and priorities:-
- To sustain a strong and prosperous Ribble Valley
 - To match the supply of homes in our area with the identified housing needs

2. BACKGROUND

- 2.1 The government published a consultation on 12th April 2023: 'Introduction of a use class for short term lets and associated permitted development rights'. Public consultation runs for 8 weeks to 7 June 2023.
- 2.2 The increase in the number of short term lets in certain areas, such as coastal towns, national parks and some cities can impact on the availability and affordability of homes to buy or to rent for local people and on the sustainability of communities more broadly. While short term lets can support tourism and the local economy in such areas it is important that this is balanced with meeting the needs of the local community. The government is therefore consulting on planning measures that would help local areas have greater ability to control any future increase in the number of short term lets in their area and support the retention of existing properties to buy or to rent.
- 2.3 This consultation seeks views on the introduction of a short term let use class. In addition it seeks views on the introduction of new permitted development rights to provide flexibility where short term lets are not a local issue, and which allows for this flexibility to be removed where there is local concern. The consultation additionally seeks views on how homeowners might be provided with flexibility to let out their sole or main home for up to 30 nights in a calendar year.

3. PROPOSED CHANGES

- 3.1 Currently the Town and Country (Use Classes) Order 1987, as amended, groups uses of land and buildings into various categories known as 'Use Classes'. What are generally referred to as 'homes' typically fall within the 'C3 Dwellinghouses' use class. This use class makes no distinction between whether the dwellinghouse is used as a sole or main home, for personal or commercial use, or its tenure (rental or home ownership).
- 3.2 Section 55 of the Town and Country Planning Act 1990 sets out that planning permission is required for development, including the material change of use. The planning system allows for local consideration of the merits of individual cases "as a matter of fact and degree" as to whether there is a material change of use requiring planning permission. This gives rise to existing properties being used in a variety of ways. For example, a homeowner may be able to let out a room to boost their household income. In other cases, the whole property may be let out for a two week holiday period while the owner is away. Other properties however may be let out as a

series of short term lets, over all the holiday periods or for several weekends. Planning permission will be required in respect of any such cases where there has been a material change of use.

- 3.3 To allow for greater local control where in future additional dwellinghouses seek to become used as a short term let, the proposal is to introduce a new use class for short term lets. This would also allow local planning authorities to consider planning applications for new build short term lets and grant permission conditioned to the new class where appropriate.
- 3.4 The new use class is proposed as 'C5: Short Term Let' which would be defined as 'Use of a dwellinghouse that is not a sole or main residence for temporary sleeping accommodation for the purpose of holiday, leisure, recreation, business or other travel.' This definition is intended to capture short term lets that may be let out for a limited period while the owner themselves go on holiday as well as properties that provide for a series of lets for holidays etc or very short term overnight sleeping accommodation including renting an individual bedroom while the owners are in situ.
- 3.5 When the use class comes into effect the intention is that existing properties that meet the C5: short term let definition would fall into the new C5 use class. Those that don't will remain as C3 dwellinghouse.
- 3.6 Some homeowners let out a room within their house to boost their income and for some to help with rising costs. The creation of the new use class may provide greater clarity about whether permission is required for a change of use to a short term let. The proposed structure of the new use class means the letting out of a room or rooms, for example to a lodger, within a 'sole or main' dwellinghouse will be unaffected by the introduction of the new class.
- 3.7 'Second homes' that are additionally let out for part of the year will fall into the C5 short term let use class where they meet the definition.
- 3.8 It is proposed that the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) could be amended to introduce permitted development rights to allow:
 - A) The change of use from a C3 dwellinghouse to a C5 short term let. This would allow for continued flexibility to use a property as a home or short term let where there is no local issue
 - B) The change of use from a C5 short term let to a C3 dwellinghouse. This would allow short term let properties to be made available to rent or to buy without the need for a planning application for the change of use.
- 3.9 Where there is evidence of a local issue, the permitted development right for the change of use to a short term let (A) may be removed by making an Article 4 direction in line with national policy. This should apply to the smallest geographical area possible and could therefore be focussed on those areas or streets that see the highest numbers of short term lets, or individual properties
- 3.10 A second right, (B) could allow the change of use from a short term let to a C3 dwellinghouse. This would allow those premises that fall into the short term let use class when the changes are introduced to return to use as dwellinghouse for rent or to buy without the need for a planning application.
- 3.11 To minimise planning requirements where there is no local issue, it is proposed that the rights would not be subject to any limitations or conditions. This means there would

be no size limits or exclusions, and the rights would apply to listed buildings, and in National Parks and Areas of Outstanding Natural Beauty etc. As there would be no matters for prior approval there would be no planning process and therefore no fee payable.

- 3.12 It is proposed that the local planning authority should be notified whenever either of the individual rights for the change of use to a short term let (A) or from a short term let (B) are used.
- 3.13 The final part of the consultation relates to 'Flexibility to let out your home'. It is identified that some home owners (C3 dwellinghouses) see benefits in letting out their own home for a short time, including to help boost household income to manage the increase in the cost of living. The consultation is therefore seeking views on whether it would be helpful to expressly provide a degree of flexibility for C3 dwellinghouses to be let out for a number of nights (e.g. 30 nights in a calendar year). This could for instance be where homeowner is themselves on holiday, or to benefit from where sporting or other events are held locally, or where the owner works away, while retaining its use as a main or sole dwellinghouse.

4. CONCLUSION

- 4.1 That Members note the consultation.

LYNDSEY HAYES
HEAD OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL

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APPEALS UPDATE 1 June 2023

Application No and reason for appeal	Date Received/App eal Start Date	Site Address	Type of Appeal Procedure	Costs application received	Date of Inquiry or Hearing if applicable	Progress
Enforcement Appeal	20/07/2022	Land adj Hawkshaw Farm, Longsight Road, Clayton le Dale	WR			Appeal Dismissed 25/04/2023
3/2022/0044 R	05/10/2022	The Barn by the River, Kenyon Lane, Dinckley BB6 8AN	HH			Awaiting Decision
3/2021/1104 R	09/12/2022	Bradleys Farm, Four Acre Lane, Thornley PR3 2TD	WR			Awaiting Decision
3/2022/0263 R (planning permission)	06/02/2023	Crow Hill Cottage, West Lane, Worston BB7 1QA	WR			Awaiting Decision
3/2022/0491 R (listed building consent)	06/02/2023	Crow Hill Cottage, West Lane, Worston BB7 1QA	WR			Awaiting Decision
3/2022/0141 R	31/01/2023	Land adj Black Horse Inn, Pimlico Road, Clitheroe BB7 4PZ	WR			Appeal Allowed 16/05/2023
3/2022/1008 R	15/03/2023	Land adj Higher Hodder Bridge	Hearing		11/07/2023	Awaiting Hearing
3/2022/0589 R	17/02/2023	Bank House, 1 Ribble Lane, Chatburn BB7 4AG	WR (procedure changed by PINS)			Awaiting Decision
3/2022/0667 R	19/01/2023	2 Bushburn Drive, Langho BB6 8EZ	WR			Appeal Dismissed 03/04/2023
3/2022/0833 R	07/03/2023	22 Woone Lane, Clitheroe BB7 1BG	WR			Awaiting Decision
3/2022/0742 R	27/02/2023	7 Accrington Road, Whalley BB7 9TD	WR	Yes – costs app received		Awaiting Decision
3/2022/0619 R	23/02/2023	Water Tank and Valve House off Vicarage Lane, Wilpshire BB1 9HY	WR			Awaiting Decision
3/2022/0873 R	16/02/2023	9 Birtwistle Terrace, Whalley Road, Langho BB6 8BT	WR			Appeal Allowed 17/05/2023
3/2022/0440 R	16/02/2023	1 Park Road, Gisburn BB7 4HT	HH	Yes – costs app received		Awaiting Decision
3/2022/0822 R (Advert)	27/02/2023	Dog and Partridge Hotel, 1-3 Wellgate, Clitheroe BB7 2DS	CAS			Awaiting Decision

R = Refusal C = Condition U = Undetermined

3/2022/0823 R (LBC)	28/02/2023	Dog and Partridge Hotel, 1-3 Wellgate, Clitheroe BB7 2DS	WR			Awaiting Decision
3/2022/0824 R (PP)	28/02/2023	Dog and Partridge Hotel, 1-3 Wellgate, Clitheroe BB7 2DS	WR			Awaiting Decision
3/2022/0380 R	22/02/2023	Land S of B6478 adjoining Marl Barn	WR (to be confirmed by PINS)	Yes – costs app received		Awaiting Decision
3/2022/0917 R	21/02/2023	2 Northacre Drive, Barrow BB7 9XT	HH	Yes – costs app received		Awaiting Decision
3/2022/0970 R	28/02/2023	Swallows Barn, Whalley Old Road, Billington BB7 9JE	HH			Awaiting Decision
3/2022/0829 R	30/01/2023	Mount Pleasant Ribchester Road Hothersall PR3 3XA	WR			Appeal Dismissed 27/04/2023
3/2022/0903 R	27/04/2023	Land SW of Garthpool 27 Whalley Old Rd York	WR			Awaiting Decision
3/2022/0451 R	21/02/2023	77 Mitton Road Whalley Clitheroe BB7 9JN	WR			Awaiting Decision
3/2021/0877 R	09/05/2023	Dove Syke Nursery, Eaves Hall Lane, West Bradford BB7 3JG	WR			Statement due 13/06/2023
3/2022/0778 R LBC	Awaiting start date from PINS	32 Parson Lane, Clitheroe BB7 2JP	WR (to be confirmed by PINS)			
3/2022/0623 R	Awaiting start date from PINS	Woodfold Park Stud, Woodfold Park, Mellor BB2 7QA	WR (to be confirmed by PINS)			
3/2022/0987 R	Awaiting start date from PINS	4 The Green, Osbaldeston Lane, Osbaldeston BB2 7LY	WR (to be confirmed by PINS)			
Enforcement appeal ground f	30/03/2023	Garth Cottage, Clitheroe Road, Mitton BB7 9PH	WR			Awaiting Decision
Enforcement appeal grounds a, c, f	03/04/2023	Land on NW side of Pendleton Road, Wiswell	WR			Statement due 15/05/2023
3/2022/0678 R	Awaiting start date from PINS	Chipping Farm Shop, Wilsden, Garstang Road, Chipping PR3 2QH	WR (to be confirmed by PINS)			

3/2022/1105 R	Awaiting start date from PINS	Oakleigh, Longsight Road, Copster Green BB1 9EX	WR (to be confirmed by PINS)			
3/2023/0023 R	03/04/2023	52A Lowergate, Clitheroe BB7 1AD	HH			Awaiting Decision
3/2023/0233 R	10/05/2023	77 Ribchester Road, Wilpshire BB1 9HT	HH			Awaiting Decision
3/2022/1084 R (or 3/2022/0618 on the appeal form)	Awaiting start date from PINS	Land adjacent to 25 Paris, Ramsgreave BB1 9BJ	WR (to be confirmed by PINS)			
3/2023/0059 R	Awaiting start date from PINS	94 Ribchester Rd, Clayton le Dale BB1 9HQ	WR (to be confirmed by PINS)			
3/2023/0058 R	Awaiting start date from PINS	5 Whalley Road, Read BB12 7PB	HH (to be confirmed by PINS)			
3/2023/0046 R	Awaiting start date from PINS	15 York Street, Clitheroe BB7 2DH	WR (to be confirmed by PINS)			
3/2023/0106 R	Awaiting start date from PINS	The Deer House, Woodfold Park, Mellor BB2 7QA	HH (to be confirmed by PINS)			

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