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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, 24 AUGUST 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 5 - 8)
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**

ITEMS FOR DECISION

5. **PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990** (Pages 9 - 10)
Report of the Director of Economic Development and Planning – copy enclosed
 - i) 3/2023/0447 - Land off Hammond Drive Read BB12 (Pages 11 - 22)
7RE
 - ii) 3/2023/0153 - Old Row Whalley Road Barrow BB7 9AZ (Pages 23 - 46)
(along with late item)
6. **S.106 MONIES - LANGHO FOOTBALL CLUB** (Pages 47 - 48)
Report of the Director of Economic Development and Planning enclosed

7. **PUBLICATION OF (UPDATED) LOCAL VALIDATION CHECKLIST** (Pages 49 - 100)

Report of the Director of Economic Development and Planning enclosed

ITEMS FOR INFORMATION

8. **REVENUE OUTTURN 2022/23** (Pages 101 - 110)

Report of the Director of Resources & Deputy Chief Executive enclosed

9. **REVENUE MONITORING 2023/24** (Pages 111 - 118)

Report of the Director of Resources & Deputy Chief Executive enclosed

10. **CAPITAL MONITORING 2023/24** (Pages 119 - 126)

Report of the Director of Resources & Deputy Chief Executive enclosed

11. **PLANNING APPLICATION STATISTICS** (Pages 127 - 130)

Report of the Director of Economic Development and Planning enclosed

12. **APPEALS (IF ANY)** (Pages 131 - 134)

13. **MINUTES OF WORKING GROUPS**

There are no items under this heading

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

There are no items under this heading

15. **EXCLUSION OF PRESS AND PUBLIC**

There are no items under this heading

Electronic agendas sent to members of Planning and Development – Councillor Anthony (Tony) Austin, Councillor Susan Bibby (Chair), Councillor Derek Brocklehurst, Councillor Ian Brown, Councillor Stella Brunskill JP (Vice-Chair), Councillor Louise Edge, Councillor Stewart Fletcher, Councillor Mark French, Councillor Simon Hore, Councillor Kevin Horkin MBE, Councillor Simon O'Rourke, Councillor James (Jim) Rogerson, Councillor Kieren Spencer, Councillor Nicholas Stubbs and Councillor Lee Jameson.

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

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Minutes of Planning and Development

Meeting Date: Thursday, 29 June 2023, starting at 6.30 pm
Present: Councillor S Bibby (Chair)

Councillors:

T Austin	S Fletcher
K Barnsley	M French
D Brocklehurst	J Rogerson
I Brown	K Spencer
S Brunskill	N Stubbs
L Edge	

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

143 APOLOGIES FOR ABSENCE

Apologies for absence for the meeting were received from Councillors K Horkin and S O'Rourke.

144 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 1 June 2023 were approved as a correct record and signed by the Chairman.

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

Councillor K Barnsley declared an interest in Agenda item 5(i) – Application 3/2022/0754 Coar Brook House, Clitheroe Road, Waddington BB7 3HH.

146 PUBLIC PARTICIPATION

There was no public participation

147 PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990

148 3/2022/0754 - COAR BROOK HOUSE, CLITHEROE ROAD, WADDINGTON BB7 3HH

Councillor K Barnsley left the meeting and took no part in the vote.

The application was for a lawful development certificate for the continued use of Coar Brook House as a single dwelling house unfettered by an agricultural occupancy restriction.

Mr Bracken spoke in support of the application.

Members were advised that sufficient evidence had been provided to satisfy the Local Planning Authority that the applicants have continuously resided in the application property for a period in excess of 10 years and are not, or were not solely, mostly or lastly employed in agriculture or forestry during this period. On this basis there were not considered to be any reasons to refuse to grant the certificate of lawfulness.

RESOLVED THAT COMMITTEE:

To approve the application for a Certificate of Lawfulness

Councillor K Barnsley returned to the meeting.

149

TREE PRESERVATION ORDER 3/19/3/233 2 LIMFIELD AVENUE & 10 STATION ROAD, WHALLEY

The Director of Economic Development and Planning submitted a report asking Committee to consider whether the 2 Limefield Avenue and 10 Station Road, Whalley Tree Preservation Order (TPO) 2023 should be confirmed.

The trees were noted to be an important feature within the locality of Whalley. The TPO was made to enable the Council to make an informed decision on the future management of the trees.

Due to the high amenity value of the trees, the Council cannot allow these native, mature trees to be pruned without being consulted by way of a Treework Application. Although the trees do have a high target area, through regular inspection and carrying out any recommended management works, both beech trees should be able to be retained for a good number of years.

RESOLVED THAT COMMITTEE:

Confirm the 2 Limefield Avenue and 10 Station Road, Whalley, Tree Preservation Order 2023.

150

BARROW PLANNING OBLIGATION

The Director of Economic Development and Planning submitted a report seeking authority from Members to release section 106 contributions to Barrow Parish Council to facilitate improvement works at Barrow playing fields.

RESOLVED THAT COMMITTEE:

Authorise payment of £2,960 to Barrow Parish Council for the replacement of the picnic tables and benches. Payment will be made on completion of the works.

151

PLANNING ENFORCEMENT UPDATE

The Chief Executive submitted a report to provide the Committee with an update on planning enforcement.

Members were informed that the Council currently has 86 live planning enforcement matters.

Between 6 February 2023 and 20 June 2023, the Council received 46 new complaints. Of these, 14 matters had been closed with no further action.

Where the Council has taken formal action, the following notices had been served:

- 18 Planning Contravention Notices
- 4 Enforcement Notices
- 1 Breach of Condition Notice
- 1 Temporary Stop Notice

Committee noted the contents of the report.

152 LOCAL PLAN UPDATE

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

Councillor Malcolm Peplow was granted permission to speak during the meeting. He urged Ribble Valley Borough Council to consider the 2022 report by the Intergovernmental Panel on Climate Change (IPCC) in its evidence base, particularly with regards to climate resilient development.

Councillor Peplow further advised that a powerful means of addressing climate issues is through the development of the Local Plan, and that the greater the breadth of knowledge and voices heard, the better prepared Ribble Valley Borough Council will be.

153 APPEALS (IF ANY)

Members noted the contents of the Appeals report.

154 MINUTES OF WORKING GROUPS

There were no minutes from working groups.

155 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

156 EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

The meeting closed at 6.49 pm

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

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

meeting date: THURSDAY, 24 AUGUST 2023
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

<u>INDEX OF APPLICATIONS BEING CONSIDERED</u>				
	<u>Application No:</u>	<u>Officer:</u>	<u>Recommendation:</u>	<u>Site:</u>
A	APPLICATIONS REFERRED BACK TO COMMITTEE FOR APPROPRIATE CONDITIONS/REASONS FOR REFUSAL			
	NONE			
B	APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR APPROVAL:			
	3/2023/0153	S Kilmartin	AC	Old Row, Whalley Road, Barrow BB7 9AZ
C	APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR REFUSAL:			
	3/2023/0447	K Hughes	REF	Land off Hammond Drive, Read BB12 7RE
D	APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING BEING SATISFACTORILY COMPLETED			
	NONE			
E	APPLICATIONS IN 'OTHER' CATEGORIES:			
	NONE			

LEGEND

AC Approved Conditionally
 REF Refused
 M/A/R Minded to Approve / Refuse

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RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

REFUSAL

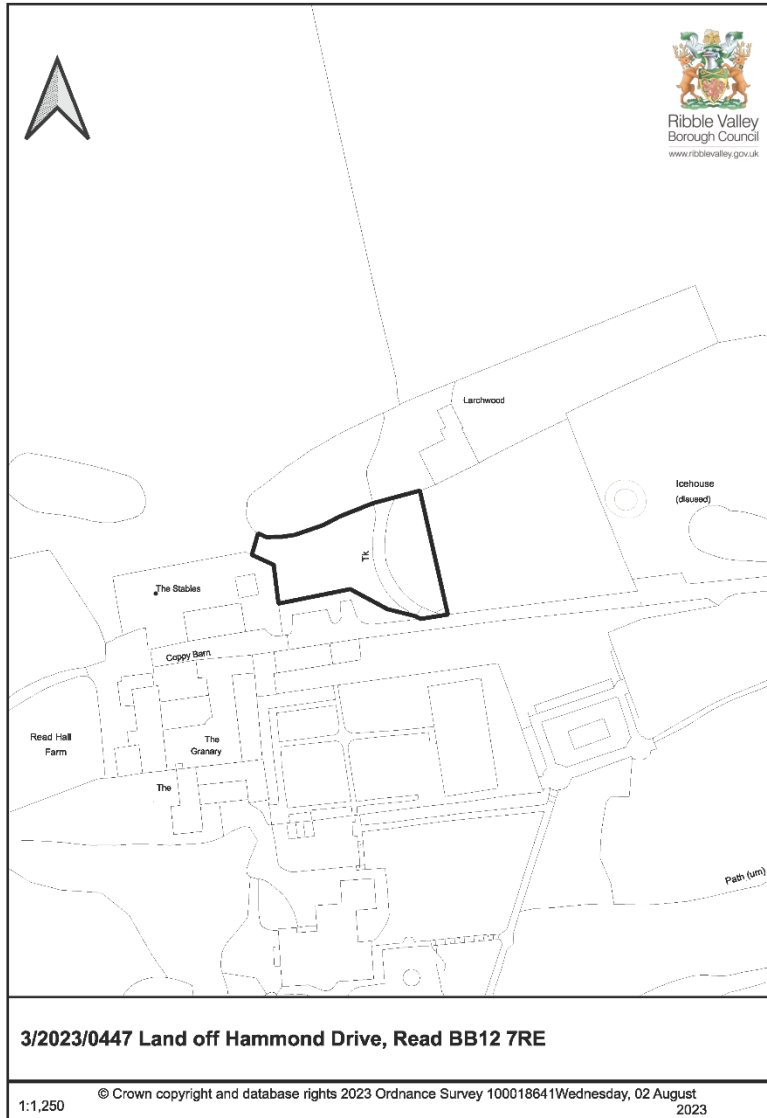
DATE: 24 AUGUST 2023
REF: KH
CHECKED BY: LH

APPLICATION REF: 3/2023/0447

GRID REF: SD 375744 434938

DEVELOPMENT DESCRIPTION:

PROPOSED NEW DWELLING AT LAND OFF HAMMOND DRIVE, READ



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

READ PARISH COUNCIL:

No response.

LANCASHIRE COUNTY COUNCIL (LOCAL HIGHWAY AUTHORITY):

No objection - the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

An adequate level of off-road parking has been provided and an electric vehicle charging point will be provided to improve the site's sustainability.

HISTORIC ENGLAND:

Do not wish to offer any advice and suggest views are sought from the Council's specialist conservation and archaeological advisers.

LANCASHIRE ARCHAEOLOGICAL ADVISORY SERVICE:

The proposals lie within the limits of Read Park, an early 19th century landscape park, recorded as a non-designated heritage asset on the Lancashire Historic Environment Record, PRN37695.

The proposed new dwelling is not considered to have any adverse archaeological impact and archaeology does not need to be considered further for the proposed development.

UNITED UTILITIES:

Site drainage should be in accordance with the national drainage hierarchy. Advice on potential for property, assets and infrastructure within the application site.

ADDITIONAL REPRESENTATIONS:

Two responses received from interested parties objecting to the proposal on the following grounds:

- Loss of privacy
- Impact on the landscape, Read Hall Estate and Park and open countryside;
- Potential for landslip, subsidence and damage due to significant earth removal required to build the proposed new dwelling making the surrounding terrain unstable;
- All the current residential dwellings in the nearby area, excluding Read Hall, were converted from existing structures, principally disused farm buildings;
- The most recent conversion, Larchwood, is a significant distance from the other existing dwellings and is relatively isolated in its setting and therefore has less visual impact;
- The 2018 application has been referenced as justification for this application, this was originally rejected with the history of the estate Grade 2* listed Read Hall and significance of the historic parkland are still relevant today;

- The applicant states the proposed development will be constructed on a vacant or infill plot – our understanding that this area has never been designated as such and is most definitely not an infill plot. Indeed we are advised that the land has been used for the grazing of sheep and cattle from the nearby farm
- The application refers to the granting of planning permission 3/2021/0011 and concludes this should be approved on the same basis, this is different to the proposal to build a new dwelling in open countryside within the setting on a significant, historic parkland that is the Read Hall Estate;
- Policies DMG2, DME4 and DMH3 strongly support our objection;
- It is plain to see from the plans that the dwelling will be clearly conspicuous from Hammond Drive and The Stables;
- According to the site plan the dwelling would be built at approximately 3m above road level at this lowest point and in full view of passing vehicles and pedestrian. Whilst Hammond Drive is a private road the public has a right of access to walk along it;
- More importantly is the height of the proposed dwelling and The Stables which would remove any privacy that currently exists. The Stables is 131.69m above sea level and the new dwelling would be built at 136.94m. A difference of 5+m thus the two bedrooms at the eastern end would be overlooked from outside of the proposed new dwelling and possibly from the kitchen/lounge/dining room due to the height issue and the proposed stone patio area as there is only a rail fence separating the two plots; and
- The Stable would lose its existing open parkland outlook.

1. Site Description and Surrounding Area

- 1.1 The application relates an area of land within the extensive estate grounds of Read Hall, Read. Read Hall is a Grade II* Listed Building located approximately 95m from the site to which this application relates. Approximately 75m to the southeast of the application buildings is a Grade II Listed Icehouse associated with Read Hall. The main access to Read Hall is off Whalley Road (A671) there is also another access via a private road from Hammond Drive and it is from this private road access to the application site is provided.
- 1.2 Directly to the south of the site is the recently converted piggery building now known as Larchwood sited approximately 30m to the northeast. This conversion was approved in 2018 following initial concerns over its size and prominence.
- 1.3 Nearby residential properties include The Stables, Coppy Barn, The Granary Hall and The Close. All of these are conversions within the extensive grounds of Read Hall, these buildings together with Read Hall Farm now form part of Read Hall Court.
- 1.4 In terms of the site itself, the proposed dwellinghouse would be located some distance (over 600m) outside of the settlement of Read, on land defined as open countryside. Footpath 3-34-FP2 runs along the private road past the site at a distance of less than 15m to the south.
- 1.5 The land slopes up over 4m from south (road) to north (woodland) meaning that the site is set above the road level. To the rear of the site (north) is a small private woodland area.
- 1.6 Beyond the immediate surrounding of the conversions and the woodland the site is surrounded by open gardens associated with Read Hall known as Read Park. This surrounding land is defined as Ancient and Post Medieval Ornamental land in the

Lancashire Historic Landscape Type and a Heritage Assessment of Read Hall identifies that its *“parkland setting remains as legible today as when the mansion was first built”* and *“significance is further enhanced by its setting within its historic parkland, and the relationship it shares with ancillary buildings, particularly the farm buildings and lodge”*. It should also be noted that Read Hall and Park is identified as having “Regional/County” significance in a 2013 document entitled ‘A Local Lost of Lancashire’s Unregistered Historic Designed Landscapes’.

2. Proposed Development for which consent is sought

- 2.1 The application seeks to erect a single storey dwellinghouse. The proposed dwelling would measure a total of 18m x 9.3m plus 10.1m x 6.3m with a maximum height of 2.7m and comprises of an open plan dining/kitchen/living room, utility, study/office, bathroom, store, and three bedrooms. The dwelling would have a floor area of around 230sqm.
- 2.2 A total of eight rooflights are proposed on the sedum roof. The elevations would be stone facing with cedar board cladding and aluminium powder coated windows and doors.
- 2.3 An outside, stone patio area for recreational use measuring approximately 8m x 5m is proposed to the north and a parking area for two vehicles is proposed to the eastern side adjacent to the access track.
- 2.4 Vehicular access would be provided via an existing field gate off the private road and a new hard surfaced driveway would be installed leading up from this access to the proposed dwelling, located approximately 50m from the private road. A car parking/forecourt area measuring 5m x 6m would be provided to the west of the buildings with the proposed dwellinghouse surrounded by an expansive of stone terracing to all four sides with garden areas beyond these.

3. Relevant Planning History

- 3.1 There have been various planning applications at Read Hall and its associated buildings, however, there have been no planning applications submitted in relation to this particular site.

4. Relevant Policies

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy
Key Statement DS2 – Sustainable Development
Key Statement EN2 – Landscape
Key Statement EN5 – Heritage Assets
Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME1 – Protecting Trees and Woodlands
Policy DME2 – Landscape and Townscape Protection
Policy DME3 – Site and Species Protection and Conservation

Policy DME4 – Protecting Heritage Assets
Policy DMH3 – Dwellings in the Open Countryside & the AONB

Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

5. **Assessment of Proposed Development**

5.1 Principle of Development:

5.1.1 The proposed development site falls outside of a defined settlement boundary and on land designated as open countryside within the adopted Core Strategy.

5.1.2 Key Statement DS1 seeks to locate the majority of new housing development within the Standen strategic site and the principal settlements of Clitheroe, Longridge and Whalley. The hierarchy then focuses on Tier 1 Villages before considering Tier 2 Villages. Read & Simonstone is a Tier 1 Village. However the site is some 600m outside of the settlement.

5.1.3 Policy DMG2 (Strategic Considerations) requires that development within the Tier 2 Villages and outside of the defined settlement areas must meet at least one of the following considerations:

1. *The development should be essential to the local economy to social wellbeing of the area;*
2. *The development is needed for the purposes of forestry or agriculture;*
3. *The development is for local needs housing which meets an identified need and is secured as such;*
4. *The development is for small scale tourism or recreational development appropriate to a rural area;*
5. *The development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated;*
6. *The development is compatible with the enterprise zone designation.*

5.1.4 The proposal is not essential to the local economy or social well-being of the area nor is it development for local needs housing which meets an identified need. It cannot be considered a small-scale use appropriate to a rural area where a local need or benefit can be demonstrated. The proposal does not meet any of this criteria.

5.1.5 Policy DMH3 relates specifically to dwellings within the open countryside and AONB and limits residential development to:

- *Development essential for the purposes of agriculture or residential development which meets an identified local need.*
- *Appropriate conversion of buildings to dwellings provided they are suitably located and their form and general design are in keeping with their surroundings, structurally sound and capable of conversion.*
- *The rebuilding or replacement of existing dwellings.*

- *The creation of permanent dwelling by removal of any condition that restricts the occupation to tourism/holiday use will be refused on the basis of unsustainability.*

This proposal does not meet any of this criteria.

- 5.1.6 As the proposal is not supported by policies DMG2 and DMH3 it fails to meet the development strategy outlined in policy DS1. There is no justification to introduce a new dwelling outside of the settlement in this case, and so the principle of the new build residential dwelling proposed in this open countryside location is not acceptable.

5.2 Impact on Listed Buildings:

- 5.2.1 The application site is located within the parkland setting of Read Hall which is a Grade II* Listed Building and is in close proximity to the associated Grade II Listed Ice House as such there is a requirement for the proposal is be assessed in terms of impact on the heritage assets and their settings.
- 5.2.2 Planning Law (section 1(5) of the Planning (Listed Buildings and Conservation Areas Act 1990) states that the listed building also includes any ancillary object or structure within the curtilage of the building, which forms part of the land and has done so since before 1 July 1948. Historic England's own guidance on this matter accepts that determining whether buildings are listed by curtilage is a "*difficult judgement*" and that "*The curtilage of a building has to be determined on a case-by-case basis, but (curtilage) is essentially the area of land that is ancillary to the main building*" (in this case Read Hall).
- 5.2.3 In respect of the impact the proposal would have upon the setting of nearby listed buildings, Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 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. Decision-makers should give considerable importance and weight to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise.
- 5.2.4 The proposed development mainly impacts buildings which were erected between 1848 and 1893. They were no doubt built and operated by the Read Hall estate. The Listed Grade II* Hall of 1818-25 is located 130m to the south and the Grade II estate Icehouse (post-1848) is located 80m on the east side of the application site.
- 5.2.5 Historic England are consulted on all applications for works to, or that affect the setting of, Grade I and Grade II* Listed Building and in this case Historic England have offered no comments and suggest advice is sought from the Council's specialist conservation and archaeological advisers. The LPA have consulted with Lancashire Archaeological Advisory Service (LAAS) and within their response LAAS have stated no further investigation is required in this case.

- 5.2.6 Chapter 15 of the National Planning Policy Framework (NPPF) seeks to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Policy DME4 of the Ribble Valley Core Strategy does not support development that would cause harm to the significance of a heritage asset, in this case the setting of the nearby Listed Buildings. Key Statement EN5: Heritage Assets 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.”*
- 5.2.7 The NPPF requires that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal. As well as take account of the desirability of sustaining and enhancing the significance of heritage assets. Great weight should be given to the conservation of heritage assets and where a proposal will lead to substantial harm to the significance of a designated heritage asset, consent should be refused unless it can be demonstrated that there are public benefits that outweigh that harm. The more important the asset, the greater the weight should be.
- 5.2.8 In response to the submitted Heritage Statement, whilst it is accepted that the application site is not directly visible from the Grade II* Listed Read Hall, this does not mean that proposed erection of a new building in this location would not affect the setting of this listed building. This has been established in June 2017 where the Planning High Court agreed with the claimant and overturned an Inspector’s Decision at Kedleston Hall in Derbyshire (*Steer v SSCLG 22nd June 2017*). The Court decided that the Inspector had *“...adopted an artificially narrow approach to the issue of setting which treated visual connections as essential and determinative”*, and that this had amounted to an error of law when the Inspector considered that because the proposed development was not visible from the listed hall it did not impact upon its setting. In respect of this application, the site clearly forms part of the historic Read Hall estate and its parkland setting and therefore proposed changes to this setting must be approached with this in mind and given due consideration.
- 5.2.9 The surrounding parks and gardens associated with Read Hall significantly contribute to the building’s significance as a heritage asset, with the surrounding parkland assessed as of county or regional importance and thus is not included in the Register of Parks and Gardens of Special Historic Interest. It is important to note, however, that the land is defined as Ancient and Post Medieval Ornamental land in the Lancashire Historic Landscape Type and a recent Heritage Assessment of Read Hall specially identifies that its *“parkland setting remains as legible today as when the mansion was first built”* and *“significance is further enhanced by its setting within its historic parkland, and the relationship it shares with ancillary*

buildings, particularly the farm buildings and lodge". It should also be noted that Read Hall and Park is identified as having "Regional/County" significance in a 2013 document entitled 'A Local Lost of Lancashire's Unregistered Historic Designed Landscapes' and therefore it is the surrounding land and not just the building of Read Hall itself that contributes to its designation as a Grade II* listed heritage asset of national importance.

- 5.2.10 Therefore, whilst Read Hall and the Icehouse are Listed Buildings, the other associated buildings which have been converted are considered to be non-designated heritage assets and the impact of the proposal on the setting of the listed buildings and non-designated heritage assets and their settings is an important consideration.
- 5.2.11 The application is accompanied by a Design and Access Statement which incorporates a Heritage Assessment. The Heritage element states that the impact of the new dwelling would be minimal as the site has no clear views from the rear of the Grade II* listed Read Hall by virtue of the garage complex and high stone walling which defines the walled garden use. The statement makes no reference to the nearby Icehouse and fails to satisfactorily consider the impact upon the character, setting or significance of the heritage assets and their settings.
- 5.2.12 The Grade II listed Icehouse is closest to the application site than the Grade II* Listed Read Hall. However, as this structure is partially submerged and does not have a curtilage the potential impact on this structure would be limited to its proximity and visual impact. Nevertheless, the introduction of a new build dwellinghouse of any design in this location would result in some harm to its setting.
- 5.2.13 The new build dwellinghouse is of such a scale and design within this historic location that it would result in a dominant and incongruous feature to the detriment of the heritage assets and their setting. Whilst this would be less than substantial harm the public benefits would be limited to construction work that would result from this proposal as well as limited input into the local economy and council tax payments which would have little weight, in any event these would not, on balance, outweigh the harm.
- 5.2.14 The proposal would therefore result in harm to the character and appearance of the Grade II* Listed Read Hall, the Grade II Listed Icehouse and the non-designated heritage assets together with settings within this historic parkland contrary to the Planning (Listed Building and Conservation Area) Act 1990, the NPPF and Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy 2008 - 2028.
- 5.2.15 In summary it is considered that the erection of the proposed dwellinghouse, in terms of its location, scale and modern design would result in less than substantial harm to the setting of Read Hall and the Ice House as well as to the setting of undesignated heritage assets. There are considered to be no public benefits arising from this development that would outweigh this harm. Therefore, the proposal is contrary to The Planning (Listed Building and Conservation Area) Act 1990, Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy

and national guidance contained within the National Planning Policy Framework Chapter 12.

5.3 Impact on Visual Amenity/Design

- 5.3.1 As mentioned above the site is clearly visible from public vantage points including the public footpath which runs along the access road to the south with the proposed building sited in close proximity to the existing woodland area (average 6m) resulting in a high visual impact on the locality.
- 5.3.2 The proposed dwellinghouse would be located approximately 20m from the nearest dwelling (The Stables) to the west and 17m from the detached garage block to the south both of which are within the Read Hall complex which consists of a number of converted buildings and garages. The proposed dwelling would be accessed via the same track which serves the nearby properties within the Read Hall complex and would be read in conjunction with these buildings as well as Read Hall (95m to the south).
- 5.3.3 The Design and Access Statement states the site is well-enclosed, set in private and mainly wooded grounds.
- 5.3.4 The application proposes a single storey dwellinghouse of contemporary and modern design. The proposed dwellinghouse contains high levels of glazing with differing sizes of windows mainly of an elongated form which together with the flat roof and large number of rooflights is considered to be significantly at odds with the traditional character and appearance of the Read Hall estate and its setting and would result in an inappropriate form of development.
- 5.3.5 Other residential units that have been converted from existing traditional buildings to residential use within the Read Hall estate have been done in simple and traditional style, this proposal seeks to erect a modern form of development in a location 4m above the road level, highly visible from the public right of way (3-34-FP-2) that runs directly through the grounds of Read Hall. This right of way is well used and with the proposed dwelling being sited on higher ground would result in this modern and contemporary feature being visually detrimental to the traditional character of the area and the importance setting of Read Hall and its parkland setting, negatively affecting the way the building, and its important gardens, are experienced from public vantage points.
- 5.3.6 The Design and Access Statement refers to other modern contemporary design that has been used in the construction of new dwellings on Hammond Drive to the east, however, the erection of these three modern dwellings is significantly different from the proposed erection of a modern, detached dwelling within the setting, and historical gardens, of a Grade II* listed building. These properties were approved during 2013 at a time when new development outside of the settlement was permitted as the Borough did not have a 5-year housing land supply. This was specifically referenced in the report and a subsequent refusal for amendments to these plots in 1996 (3/2016/0296).

- 5.3.7 The area proposed to site the dwelling house provides a visual respite from development and built form between the piggery conversion (Larchwood) and the converted stables. With Read Hall itself is contained within an historic stone wall.
- 5.3.8 In consideration of the above, the scale/size and modern design of the proposed dwelling would have an urbanising impact upon this countryside location as well as result in less than substantial harm to the setting of Read Hall and the Ice House as well as the non-designated heritage assets. The proposal is therefore contrary to Key Statement EN5 and Policies DMH4, DMG1, DME2 and DME4 of the Ribble Valley Core Strategy, as well as national guidance contained within the NPPF and the Planning (Listed Building and Conservation Area) Act 1990.

5.4 Impact Upon Residential Amenity:

- 5.4.1 The proposed dwelling would be located approximately 20m from the side (eastern) boundary of the nearest neighbouring residential property The Stables. Whilst this is close, such a distance is considered acceptable due to the position of the proposed dwelling being setback from this property and its single storey height of 2.7m and no windows and doors are proposed in the western elevation of the proposed dwellinghouse.
- 5.4.2 Details of the finished floor levels have not been provided but informed by the proposed site plan and sections the terrace and ground floor level are likely to be 4m above the floor level of the adjacent residential conversion to the west The Stables. The Stables is 5.42m high with the proposed dwelling 2.7m high, with the difference in levels therefore the proposed dwelling would be approximately 1.28m higher than The Stables, however, due to its set back of over 8m from the frontage of The Stables this would lessen any impact especially as there is also the garage building in between.
- 5.4.3 However, the changes in land levels would result in the proposed dwelling being sited at a land level 4m above the existing conversion and this would result in some privacy issues from the expansive stone terraced area proposed to be surrounding this property. This would be 4m width along this elevation and could result in some impact in terms of privacy and perception of overlooking to the first floor windows in the western side elevation of The Stables. It is not considered that this could be satisfactorily addressed by condition(s) such as securing appropriate boundary treatments. This element of the proposal would have a detrimental impact on the residential amenity of this property contrary to Policy DMG1 of the Ribble Valley Core Strategy.

5.5 Highways

- 5.5.1 The proposed dwelling would be accessed via the driveway created for the Larchwood conversion off the private road that runs through the grounds of Read Hall, accessed via Hammond Drive. LCC Highways has raised no objection to the application on highway grounds, commenting that the access is safe and there is sufficient space provided for the parking of vehicles within the proposed residential curtilage. Therefore the proposal raises no undue concerns with regard to highway safety and satisfies policies DMG1 and DMG3 of the Ribble Valley Core Strategy in this regard.

5.6 Trees and Ecology

- 5.6.1 The application is accompanied by an Arboricultural Impact Assessment which categorises all the adjacent trees as Category B trees and this report details that no trees would need to be removed as a result of the proposed development. The submitted plans appear to show that all trees would be retained and therefore were the LPA minded to approve this application a condition could be attached requiring all existing trees adjacent to the site to be protected during the conversion works being undertaken and retained thereafter.
- 5.6.2 The trees on land adjacent to the proposed development site are part of the local landscape character and make a contribution the wider tree-scape being of collective visual amenity value and seek to maintain the structural amenity value of this group of trees.
- 5.6.3 From the tree constraints plan submitted with the planning application it is evident that trees G1/2/T1/2/3 and T4 may well be materially affected by this proposal. In particular T2 is a category B1 Lime tree that requires a root protection area (RPA) of 10.8m and the proposed footprint of the detached property and its extensive hardstanding will encroach within this RPA. In addition trees G1/2/T1/2/3 may be affected by disturbance through excavations and ground compaction. Tree resentment issues may also arise due to the close proximity of the proposed development to existing trees.
- 5.6.4 From a visual landscape perspective the gradients suggest significant changes to local landscape character from one of improved grass land to one giving an appearance of a domestic dwelling with its associated hardstanding, car parking and a formal landscaped curtilage within a 19th century parkland setting.
- 5.6.5 Based on the above the application fails to demonstrate that the proposal will not result in an adverse impact on the adjacent woodland to the north and therefore the development fails to accord with policies DME1 and DME2 of the Ribble Valley Core Strategy.

6. Observations/Consideration of Matters Raised/Conclusion

- 6.1 In summary, the principle of erection of a dwellinghouse on this site would not be acceptable. The proposed scale and size of the proposed dwellinghouse and modern design would harm the character or appearance of the area.
- 6.2 The scale and modern design of the proposed dwellinghouse would result in harm to the traditional character and appearance of the non-designated heritage assets themselves, as well as resulting in less than substantial harm to the setting of Grade II* Listed Read Hall and its associated Gardens.
- 6.3 The proposal has failed to consider the potential impact of the proposed development on the nearby woodland.

6.4 The proposal would have an unacceptable impact upon the residential amenity of occupiers of The Stables by reason of the proximity and elevated position of the terracing close to this property.

6.5 For the above reasons, the application cannot be supported,

RECOMMENDATION: That the application be REFUSED for the following reasons:

1. The proposal would lead to the creation of a new residential dwelling outside of the settlement without sufficient justification insofar that it has not been adequately demonstrated that the proposal would meet any of the exception criteria including meeting a local housing need or providing regeneration benefits. The proposal therefore fails to accord with Key Statement DS1 and DS2 and policies DMG2 and DMH3 of the Ribble Valley Core Strategy 2008 – 2028.
2. The proposal would result in a large, dominant, dwellinghouse of modern design and materials which would have a visually harmful and urbanising impact upon the rural character of the area. It would also have a harmful impact on the simple architecture and traditional character and appearance of the Grade II* Listed Read Hall and its associated Parkland, the Grade II Listed Ice House and a number of non-designated heritage assets and their settings. Any public benefits from the development do not outweigh this less than substantial harm. The proposal therefore is contrary to the Planning (Listed Building and Conservation Area) Act 1990, the National Planning Policy Framework and Key Statement EN5 and Policies DMG1, DME2 and DME4 of the Ribble Valley Core Strategy 2008 - 2028.
3. The proposal would result in a large, dominant, dwellinghouse close to historic woodland and fails to demonstrate that the proposed dwelling and its surrounding large expanse of hard surfacing can be accommodated without resulting in an adverse impact on the root protection area of the historic woodland and in particular Trees T1 and T2. Therefore, the proposal is contrary to Policies DME1 and DME2 of the Ribble Valley Core Strategy 2008 – 2028.
4. The proposal would result in an elevated terraced area in close proximity to the neighbouring property to the west, known as The Stables. This would result in an unacceptable impact on the residential amenity of the occupiers of this neighbouring because of adverse levels of overlooking and loss of privacy that would be afforded. Therefore, the proposal is contrary to Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2023%2F0447

RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

APPROVAL

DATE: 24 AUGUST 2023

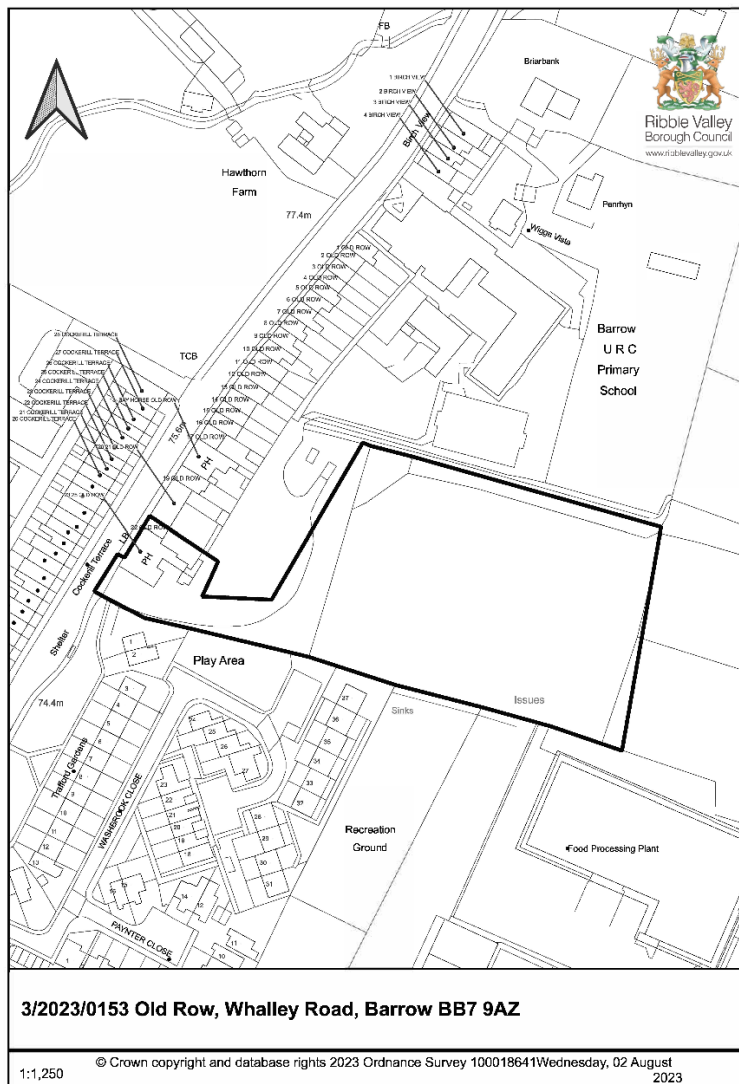
REF: LH

APPLICATION REF: 3/2023/0153

GRID REF: SD 373779 438441

DEVELOPMENT DESCRIPTION:

PROPOSED ERECTION OF A 66 BED CARE HOME (USE CLASS C2) FOR ELDERLY PEOPLE WITH ASSOCIATED PARKING, ACCESS, LANDSCAPING AND ASSOCIATED GROUND WORKS, ALONGSIDE THE ERECTION OF 3 DWELLINGS FOLLOWING THE DEMOLITION OF NOS. 23-25 OLD ROW AT OLD ROW, WHALLEY ROAD, BARROW



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

LOCAL HIGHWAY AUTHORITY (LHA) - LANCASHIRE COUNTY COUNCIL HIGHWAYS:

Further information was requested and subsequently provided and the scheme has been assessed on this basis. There are no objection subject to a number of off-site highway improvements and subject to conditions relating to construction management plan, site access and off-site works, Travel Plan, parking provision, electric vehicle charging points and cycle storage.

UNITED UTILITIES:

No objection subject to conditions.

LEAD LOCAL FLOOD AUTHORITY:

No objection subject to conditions.

CADENT GAS:

No objections subject to an informative relating to damage to assets or inference with rights of access.

OPEN REACH:

Apparatus within the vicinity of the site. Guidance notes issued to the applicant.

BARROW PARISH COUNCIL:

No response.

ADDITIONAL REPRESENTATIONS:

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

- Traffic levels and noise along Whalley Road have increased significantly in recent years due to other developments nearby. The development will raise the levels even further and cause even more chaos and congestion;
- Concerns with loss of parking, site access arrangements and inadequate parking for the development
- Increase in traffic (including the addition of commercial traffic from the development) is unacceptable particularly with the level of parking on the main road and proximity to the school. Poses a highway safety risk in particular to the school.
- Alternative access via the A59 more preferable
- Loss of open space / reduced access to adjacent open space;
- No benefit to wider community. Developer should be required to set out a community use plan;
- Lack of community facilities in Barrow and Wiswell. Missed opportunity to include them as part of the development

- No need for this development;
- No needs analysis or local workforce analysis provided to support the applicant's statement on the benefits of the proposal
- Increased demand on local GP services
- Travel Plan lacking in detail
- Increase in traffic harmful to air quality, noise and dirt/dust
- 23-25 Old Row is an eye-sore and its demolition is welcomed
- Design of the new-build dwellings is not in keeping with Old Row and surrounding architecture

1. **Site Description and Surrounding Area**

- 1.1 The application site covers 0.93 hectares and is located east of Whalley Road. At the front/western side of the site is 23-25 Old Row which consists of a derelict dwelling and former La Taverna restaurant as well as an existing vehicle access. This provides access to the rear of properties on Old Row as well as to a car park (land owned by RVBC, car park managed by Barrow Parish Council) which runs to the rear of these properties. The application site does not include this car park but runs alongside it and then extends to the rear of it. Currently at the rear this land is vacant grassland.
- 1.2 The site is located within a predominantly residential area. There are two areas of public open space immediately to the south of the site and Barrow Primary School including playing field to the north. To the rear (east) is undeveloped grassland adjacent to the Ribble Valley Enterprise Park. A Public Right of Way runs along the northern boundary of the site (outside the site boundary) leading from Old Row to the A59.

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

- 2.1 The application seeks full planning permission for the erection of a new care home (C2 use class) building with associated parking and services to the front and landscaping area to the rear. Also proposed is the demolition of 23-25 Old Row at the front of the site and the erection of three dwellings. To facilitate the development the existing access onto Whalley Road will be altered and new footpaths provided alongside this access. On the southern side of the access the footpath will extend along the southern boundary of the site to its rear (east) boundary. To the rear of the building it is also proposed to construct a landscape bund as a form of noise mitigation.
- 2.2 The care home has been designed internally to be split into separate care requirements-general care and dementia care. It would provide 66 bedrooms in total together with amenity space for residents including recreational and communal facilities. Within the building footprint there would be servicing, plant and back-of house space. In addition there would also be an ancillary meter house / garden store, bin store, cycle store and battery housing for the solar panels.

3. **Relevant Planning History**

3/2020/0650 - Demolition of 23 to 25 Old Row to facilitate the removal of Japanese knotweed growing immediately behind the buildings. Approved

3/2018/1149 - Reserved matters application for planning consent 3/2016/0146 (outline application with all matters reserved for residential development of 23 dwellings, following

the demolition of Nos. 23-25 Old Row and with indicative details submitted for access, parking and associated landscaping). Approved

3/2016/0146 - Outline application with all matters reserved for residential development of 23 dwellings, following the demolition of Nos.23 25 Old Row and with indicative details submitted for access, parking and associated landscaping. Approved

3/2014/0846 - Outline planning application with all matters reserved for the erection of 167 residential dwellings with access and associated landscaping following demolition of no 23 and 25 Old Row. Refused and Appeal Dismissed.

Land to Rear

3/2022/0781 - Outline application for the development of land north of Ribble Valley Enterprise Park to provide up to 23,959 sq m of new commercial/employment floorspace. Requesting consideration of access with all other matters reserved. Resolution to grant outline permission subject to s106 agreement.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy
Key Statement DS2 – Sustainable Development
Key Statement DMI2 – Transport Considerations
Key Statement EN3 – Sustainable Development
Key Statement EN4 – Biodiversity and Geodiversity
Key Statement EC1 – Business and Employment Development
Key Statement DMI1 – Planning Obligations

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport & Mobility
Policy DME1 – Protecting Trees and Woodland
Policy DME2 – Landscape and Townscape Protection
Policy DME3 – Site and Species Protection and Conservation
Policy DME6 – Water Management
Policy DMB1 – Supporting Business Growth and the Local Economy
Policy DMB5 – Footpaths and Bridleways

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG) – in particular the PPG on ‘Housing for Older and Disabled People’

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 The application site lies within the defined settlement limits of Barrow (Tier 1 Settlement). Key Statement DS1 directs the majority of new development to the principal settlements of Clitheroe, Whalley and Longridge as well as the Tier 1

settlements. Therefore the principle of introducing a new care home within the settlement of Barrow is in line with the spirit of the development strategy.

- 5.1.2 The inset map for Barrow identifies the site as a committed housing site due to a historical (extant) permission for 23 dwellings. Table 4.12 underneath Key Statement DS1 identifies a requirement of 710 new homes in Barrow over the plan period. This is considered a general figure to reflect the general distribution of housing across the Borough. However even if taken as a specific requirement figure for Barrow, housing monitoring data shows the number of dwellings completed and remaining to be built out on committed sites since the start of the plan period exceeds this figure. Therefore Barrow is not dependent on this site to achieve this figure, and so allowing the majority of the site to come forward for a C2 use will not undermine delivery of the housing strategy. It would also complement the surrounding residential uses.
- 5.1.3 The development of the site for a care home does not raise any strategic conflicts with the development strategy for the borough subject to other policy requirements being met.
- 5.1.4 Policy DMB1 of the Ribble Valley Core Strategy requires proposals intended to support business growth and the local economy to be supported in principle. The Applicant's Planning Statement references the economic benefits of the development. These include employment opportunities once the care home is operational (estimated 50-60 full-time equivalent jobs, with 24 staff likely to be present on site at any one time) and during construction, as well as resident's local spending. Whilst a detailed local workforce analysis has not been provided, and so it is difficult to understand the accuracy of these figures, in a general sense the development will clearly deliver economic benefits which gains support from this policy and also carries weight in the overall planning balance.
- 5.1.5 The NPPG on Housing for Older and Disabled People is also a material consideration in assessing the principle of development. This provides general support to housing for older people and requires decision makers to consider the location and viability of a development when assessing planning applications for such proposals. Consideration to the appropriateness of the site location is set out above. Whilst Barrow has limited shops and community facilities the site is considered to have good levels of accessibility and connectivity to nearby bus stops subject to mitigation measures being implemented as set out in the highways section below, and there are opportunities to connect to nearby services on the Ribble Valley Enterprise Park, with the provision of a footpath link through the site. The location is therefore considered suitable in principle for a care home development. No issues regarding viability have been raised as a reason to justify relaxing any policy or mitigation requirements.
- 5.1.6 In terms of demonstrating need, the NPPG does not specifically require this for decision making purposes. Nonetheless the applicant has submitted a 'Planning Need Assessment' which concludes that there is considered to be a significant and increasing unmet need for additional market standard elderly care home beds within the market catchment (generally based on a 6-mile radius from the site) and more generally within the RVBC local authority area. Officers do not disagree with the general need findings of this document and the development will clearly deliver

social benefits which carries weight in the overall planning balance. Objectors raise issue with the fact that there is no intention to open up the building to the wider community, which would be of particular benefit to Barrow given the lack of existing facilities. However, there is no policy reason to refuse the application on this basis. The granting of planning permission does not prevent the applicant agreeing to such an arrangement in future.

5.1.7 The principle of development gains support from Local Plan policy and the NPPG.

5.2 Impact upon Residential Amenity:

5.2.1 The closest residential property to the proposed care home building is 37 Washbrook Close to the south of the site. The front of the building would be set behind the rear elevation of this property and so there would not be a direct interface with the side (north) elevation of Number 37 or its side garden area. The intervening distance between buildings would be approx. 19m. Due to this distance and the off-set arrangement no unacceptable overbearing or loss of daylight issues would occur. The building is to the north-east of this property therefore no loss of sunlight would occur. Windows in the south elevation of the care home building are limited and would serve the corridors as opposed to bedrooms. They would not directly look onto the rear garden area of this property. No unacceptable overlooking issues are identified.

5.2.2 There is a distance of approximately 70m between the rear elevation of residential properties along Old Row and the facing front elevation of the care home building. No unacceptable impacts for occupiers of either the homes or care home would occur as a result of this distance.

5.2.3 The 3 proposed dwellings along the site frontage would follow the existing building line and so would mimic the current interface distances between properties along Old Row and those directly facing on Whalley Road. This is acceptable. Plot 1 would be located adjacent to No. 21 Old Row and would follow the rear building line. It would not result in any unacceptable overbearing, loss of light or overlooking issues for the occupiers of this property.

5.2.4 The proposed care home will result in some noise and disturbance associated with vehicles entering and leaving the site and moving around within the site. This will predominantly be visitors, staff and deliveries and so any noise and disturbance from these traffic movements will predominantly be during the daytime or early evening when there is existing background noise from the traffic using Whalley Road and noise from the business park to the south-east. There will also be some impact on facing properties from vehicle headlights leaving the site. However, as above the bulk of activity is expected to be during the daytime and early evening and so this impact is not considered to be adverse. As such no unacceptable impacts on residential amenity are identified from the commercial use of this site

5.2.5 A noise assessment has been submitted with the application given the existing noise sources nearby (A59 to the east, Barrow Primary School to the north and an existing food processing plant on the business park to the south-east) and future noise sources from the business park extension to the east. To ensure future residents of the care home will not be subject to unacceptable noise levels the

noise assessment recommends mitigation in the form of an acoustic fence/bund to the south-east of the site and acoustic glazing and trickle ventilators on some of the care home elevations. RVBC's Environmental Health team have reviewed this assessment and accept its findings. A condition to secure this mitigation is appropriate.

- 5.2.6 For the above reasons there are no amenity concerns with the proposal and no conflict with Policy DMG1 (Amenity) of the Ribble Valley Core Strategy is identified.

5.3 Design/Visual Amenity/External Appearance

Care Home

- 5.3.1 The care home would be a two-storey detached building with the central ridge being 9.4m in height, although the majority of the building will be slightly lower at 8.7m in height. This two-storey scale is reflective of two-storey dwellings in the vicinity of the site. Because of its significant set back from Whalley Road and siting behind the two-storey properties along Old Row it will not be readily visible in the streetscene.
- 5.3.2 The building would be laid out on a 'H-shaped' footprint, with two wings running in a north-south direction and a central connecting wing running west-east. The main elevation would face towards Whalley Road with a central two-storey glazed entrance feature.
- 5.3.3 The main roof span would be of hipped roof design and incorporate solar panels typically laid out in three rows. To break up the west (front) and east (rear) elevations there are central gable features, peaked roofs and material variations. The material treatment consists of smooth render, red brick and stone with concrete tile roofing. This mixture provides visual interest and will allow the building to be compatible with its surroundings. Full details can be secured by condition.
- 5.3.4 The care home building footprint is positioned approximately 6m from both the north and south boundaries and approx. 34m from the rear boundary. There is ample space to the front and rear to provide parking and landscaping. As such it does not appear a cramped form of development. Access to the care home would be via a new access road close to the southern boundary. This would be flanked by footpaths on either side, with the southern footpath providing a connection to the play area (to the south) and continuing along the full length of the southern boundary to provide a future connection to the business park.
- 5.3.5 In terms of parking, the proposed car park would be located between the front of the care home building and the rear of the existing car park. It would follow similar dimensions to the building footprint and provide for 25 designated spaces including accessibility spaces. A service area for bins, sub-station and battery housing for the solar panels is proposed adjacent to this car park. These are low lying structures to be enclosed by boarded fencing and so should not appear unduly prominent on the arrival to the care home.
- 5.3.6 In terms of landscaping the bulk of this will be to the rear with landscaped gardens enclosed by 1.8m high railings to provide a secure area for residents. A landscape

bund 20m in length is also proposed to the rear in the south-east corner of the site. This will be approx. 1m high with 2m high close boarded timber fence panels on top to provide acoustic properties. This will be clearly visible from the new footpath link proposed however it would project away from the footpath creating space for planting to soften the visual impact.

- 5.3.7 As such, the scale, form and external appearance of the care home development is considered to be in accordance with Policy DMG1 of the Ribble Valley Core Strategy insofar that the proposed care home scheme would be of a good design and visually appropriate in this location.

Residential Dwellings

- 5.3.8 There is an existing derelict dwelling and former restaurant on the road frontage (23-25 Old Row) which in its current form does not positively contribute to the streetscene. The proposal includes demolition of these buildings and replacement with 3 No. two-storey, terraced dwellings. No.21 is located next to the application site and its side gable would be re-built following demolition of the derelict properties which adjoin onto it. There would be a 1m gap between this dwelling and plot 1 which would have an eaves height of 4.9m to mimic the eaves height on adjacent properties.

- 5.3.9 Plots 2 and 3 adjoin plot 1 and would be an identical pairing located on the end of the row next to the site access with a taller eaves height of 5.5m and taller ridge height of 8.5m. This detail was requested by officers in order to give the buildings height to reflect the book end arrangement provided by the existing built form. Also requested (and illustrated on amended plans) was for the proposed dwellings to be brought forward so they sit on the same building line as the existing dwellings on Old Row; for them to incorporate architectural detailing to reflect the character of existing properties (chimneys added, window/door surrounds changed and flat roof porch canopies removed); and for plot 3 to have an improved elevational treatment on its side elevation given its prominence in the streetscene. The plans indicate the dwellings would be constructed using stone materials which is in keeping with the existing dwellings.

- 5.3.10 As such, the scale, form and external appearance of the dwellings is considered to be in accordance with Policy DMG1 of the Ribble Valley Core Strategy insofar that the proposed dwellings would be of a good design and visually appropriate in this location.

5.4 Drainage and Contamination

- 5.4.1 A drainage layout has been submitted which sets out the surface and foul drainage provision for the site. Surface water is shown to connect to the existing combined sewer with underground storage tanks within the site and hydro-brake to restrict the flow. Both United Utilities and the Lead Local Flood Authority (LLFA) accept this principle, however the LLFA have requested conditions which require full scheme details to be submitted/approved alongside management plan and verification report. These will be imposed.

- 5.4.2 A Geo-environmental appraisal submitted with the application confirms no significant contamination has been identified. Remediation in the form of re-using existing made ground under the access road and car park (away from the building) is suggested and this can be secured by condition.

5.5 Landscape and Ecology:

- 5.5.1 The application has been accompanied by an Arboricultural Survey and Impact Assessment which identifies a total of 15 individual trees and four groups of trees on and adjacent to the site. This demonstrates that the development will have minimal impact upon these trees other than G14, a Hawthorn Elder, located along the southern boundary and requires removal to accommodate the footpath. Since this impact assessment was undertaken amended plans now show the footpath continuing the full length of the southern boundary. Whilst the footpath does not directly interfere with these trees there may need to be some canopy lifting and low-dig construction method to minimise impact on root protection areas. A condition is appropriate to require an updated impact assessment and precise routing and construction details.
- 5.5.2 Should permission be granted, full details of proposed hard and soft landscaping will be required.
- 5.5.3 A preliminary ecology survey has been submitted which identifies the presence of invasive species on site. Their removal can be secured by condition. The site is considered to provide suitable habitat for hedgehogs and the survey recommends the provision of measures to allow them to move through the site post development. This can be secured by condition. Impacts upon birds and badgers is considered negligible although avoiding clearance works during bird nesting season is advised as a precautionary measure which can be secured by condition.
- 5.5.4 A bat emergency survey was undertaken in October 2022 on the existing derelict building. Bat activity was very low with no bat contacts recorded and no roosts identified or suspected. As a precautionary measure the applicant was advised that an updated emergence survey during the optimum bat season period would need to be secured by condition should the application be approved. The applicant instead chose to undertake the survey pre-decision given we are currently in this period. An updated emergence survey was undertaken in August 2023 but at the time of writing this report has not been received. The results of that survey will be reported to Committee on a Late Items Sheet.
- 5.5.5 In view of the above the proposal is considered to satisfy policy DME3 (Site and Species Protection).

5.6 Highway Safety and Accessibility:

- 5.6.1 The proposed care home will utilise an existing access located off Whalley Road which is a C classified road subject to a 30mph speed limit. The existing access will be improved as part of the application. Visibility splays of 2.4m x 45m in both directions will be provided and are acceptable to the Local Highways Authority (LHA).

- 5.6.2 The care home is likely to generate 9 two-way vehicle movements during the AM and 8 two-way vehicle movements during the PM peak. As a result the LHA consider the proposal is unlikely to have a major material impact on the operation of the adopted highway during peak times.
- 5.6.3 The internal layout is to an acceptable standard. The internal carriageway will provide 2m wide footways on either side, up until the footway which serves the existing Play Area. The existing car parking area within the site will be accessed via the proposed internal carriageway with a 4.8m wide access. 25 car parking spaces will be provided for the care home including 3 accessible spaces and 6 spaces providing electric vehicle charging points which complies with the LHAs parking guidance. Shared motorcycle and cycle spaces are also proposed which is welcomed by the LHA.
- 5.6.4 The parking provision for the 3 dwellings involves a shortfall of 1 space (only one car parking space will be provided for the 2-bed dwelling) but the LHA accept this minimal shortfall given the other car parking facilities in the vicinity.
- 5.6.5 A number of off-site highway improvements are requested by the LHA as follows:
- Kerb build out adjacent to number 1 Cockerill Terrace and dropped crossing provided directly across the adopted carriageway. This is to enhance pedestrian connectivity to and from the northbound bus stop which is located 117m away from the site access.
 - Traffic calming measures in the form of an enhanced gateway treatment on Whalley Road at the 30/40mph speed limit change to the north of the site and school, including a carriageway width restriction, enhanced signage and road markings. This is due to additional traffic data collected on Whalley Road which suggests traffic speeds higher than the speed limit, and to mitigate the impact of the development traffic to protect vulnerable road users, pedestrians and cyclists.
 - A review of the traffic regulation orders in the vicinity of the site access on Whalley Road. This is due to evidence of heavy on-street parking in the vicinity of the site access to ensure that a safe and suitable access can be provided for all users.
- 5.6.6 A footpath is proposed through the site. This is because there is an opportunity for this footpath to link to land to the east which is expected to come forward as an expansion to the existing business park (there is a resolution to grant outline permission for employment development). A footpath connection would enable staff and visitors of the development to access the business park and its services in future; it would also benefit the existing community of Barrow who currently rely on a public right of way which runs to the rear of Old Row and along the school boundary which is a less desired route. This connection is a benefit to the scheme and will encourage more sustainable modes of travel.
- 5.6.7 Third party concerns regarding the Whalley Road site access and proximity to the school are noted. So too are observations about an alternative site access being preferable from the business park. However the local planning authority are required to consider the proposal presented and whether or not this is acceptable. On the basis that LHA do not raise any objections to the proposal subject to

conditions which secure the mitigation deemed necessary, the proposal satisfies Policy DMG3 of the Ribble Valley Core Strategy as a suitable and safe access into the site will be provided.

5.7 Obligations / Contributions:

5.7.1 The care home falls within a C2 use class as such it is not required to make provision for affordable housing, education or public open space. The three dwellings fall below the threshold for requiring such provision.

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

6.1 For the reasons outlined above the proposed development is in accordance with the Ribble Valley Core Strategy and will provide economic and social benefits which carry weight in the overall planning balance. Given the site's location and the positive development characteristics there is limited environmental harm identified. As such the proposed scheme is supported subject to a number of conditions which are considered necessary to make the development acceptable.

RECOMMENDATION: That the application be APPROVED subject to the following conditions:

1. The development must be begun before the expiration of three years beginning with the date of this permission.

REASON: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in full conformity with the following submitted plans and details received by the Local Planning Authority:

Location Plan BB7 9AZ-A-01
Site Plan BB7 9AZ-A-03 D
Proposed Ground Floor Plan BB7 9AZ-A-04.1
Proposed First Floor Plan BB7 9AZ-A-04.2
Proposed Roof Plan BB7 9AZ-A-06
Proposed West And East Elevations BB7 9AZ-A-05.1
Proposed North and South Elevations BB7 9AZ-A-05.2
Proposed West and East Courtyard Elevations BB7 9AZ-A-05.3
Proposed Dwelling Elevations 1 BB7 9AZ-A-05.4 A
Proposed Dwelling Elevations 1 BB7 9AZ-A-05.5 A
Site Sections BN23 6DW-A-07
Streetscene BB7 9AZ-A-11
Acoustic Fence Detail BB7 9AZ-A-12

Details of Solar PV - JAM60S21 355-375/MR MC4
Details of Solar PV - Easy Roof Data Sheet
Details of Battery Housing - PV01
Details of Bin Store SDL-033A
Details of Cycle Shelter - CYSH-PREM-2250 X 3000 X 2100
Details of EVCP - Quantum EV TOKEN MECH - PAYG Data Sheet -04

Details of Electric Meter House SDL-090.4A

3. 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) the care home development hereby approved shall only be used for the purposes of a Residential Care Home (C2) and for no other purpose, including any other purpose within Use Class C2.

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

4. The approved boundary treatments shall be completed before the use hereby permitted is first commenced, or before the dwellings are first occupied. The approved details shall thereafter be maintained and retained.

Notwithstanding the provisions of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended or re-enacted) there shall be no amendments to the approved boundary treatments, or no new fences, walls, railings or other means of enclosure erected within the site, without express planning permission being obtained.

REASON: In the interests of the appearance of the locality and the residential amenity of occupants / neighbours.

5. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the sitespecific flood risk assessment and indicative surface water sustainable drainage strategy submitted (January 2023 / Drawing No: 10-01 / RSK) and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly, and shall be limited to a maximum peak flow rate of 2l/s.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

- a) Sustainable drainage calculations for peak flow control and volume control for the:
 - i. 100% (1 in 1-year) annual exceedance probability event;
 - ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
 - iii. 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep

Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.

- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

- i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
 - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
 - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
 - v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
 - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
 - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components.
- c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365.
- d) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.
- e) Evidence of an agreement in principle with the third party asset owner to connect to the off-site combined sewer.

The approved drainage strategy shall be implemented prior to occupation of the development and/or in accordance with the timing / phasing arrangements embodied within the scheme and shall be retained thereafter for the lifetime of the development.

REASON: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems, Policy EN3 and Policy DME6 of the adopted Core Strategy 2008 - 2028, Ribble Valley Local Plan.

6. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.

- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

REASON: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework.

- 7. The occupation of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of SuDS components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

REASON: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.

- 8. The occupation of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved

drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

REASON: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.

9. A comprehensive remediation scheme based on the findings of the Geo-Environmental report prepared by Calabrian dated October 2022 (Report ref 7208/1) and submitted with the application shall be submitted to and approved in writing by the Local Planning Authority. This shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination).

All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority. Prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

REASON: In order to protect the health of the occupants of the new development.

10. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to and approved in writing by the local planning authority. The approved plan / statement shall provide:
- a. 24 Hour emergency contact number;
 - b. Details of the parking of vehicles of site operatives and visitors;
 - c. Details of loading and unloading of plant and materials;
 - d. Arrangements for turning of vehicles within the site;
 - e. Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
 - f. Measures to protect vulnerable road users (pedestrians and cyclists);
 - g. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - h. Wheel washing facilities;
 - i. Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
 - j. Measures to control the emission of dust and dirt during construction;

- k. Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
- l. Construction vehicle routing;
- m. Delivery, demolition and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

REASON: In the interests of the safe operation of the adopted highway during the demolition and construction phases.

Note: Construction Management Plan.

- There must be no reversing into or from the live highway at any time – all vehicles entering the site must do so in a forward gear, and turn around in the site before exiting in a forward gear onto the operational public highway.
 - There must be no storage of materials in the public highway at any time.
 - There must be no standing or waiting of machinery or vehicles in the public highway at any time.
 - Vehicles must only access the site using a designated vehicular access point.
 - There must be no machinery operating over the highway at any time, this includes reference to loading/unloading operations – all of which must be managed within the confines of the site.
 - A licence to erect hoardings adjacent to the highway (should they be proposed) may be required. If necessary this can be obtained via the County Council (as the Highway Authority) by contacting the Council by telephoning 01772 533433 or e-mailing lhsstreetworks@lancashire.gov.uk
 - All references to public highway include footway, carriageway and verge.
11. Within six months of the granting of planning permission details of the access arrangements for the site shall have been submitted to and approved in writing by the Local Planning Authority. The approved access arrangements shall be implemented prior to first use of the care home development or occupation of any dwelling hereby permitted, whichever is the sooner.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and the works are completed in a timely manner in the interests of general highway safety.

12. Prior to first occupation of any dwelling / first use of the care home development hereby approved, whichever is the sooner, the off-site works of highway mitigation, namely:
- Kerb build out adjacent to number 1 Cockerill Terrace and dropped crossing provided directly across the adopted carriageway;
 - Traffic calming measures in the form of an enhanced gateway treatment on Whalley Road at the 30/40mph speed limit change to the north of the site and school, including a carriageway width restriction, enhanced signage and road markings; and
 - A review of the traffic regulation orders in the vicinity of the site access on Whalley Road

shall be carried out, unless an alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority, in which case the off-site highway

works shall be carried out in accordance with any alternative approved timetable for implementation.

REASON: In order to ensure the timely delivery of the necessary off-site highway works in the interests of highway safety and to encourage sustainable travel.

13. Prior to first use of the care home development hereby approved, a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the Local Planning Authority.

REASON: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

14. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with LNT Construction drawing number BB7- 9AZ-A-09. 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 (2021).

15. Prior to first use of the care home development hereby approved, the motorcycle parking provision shown on the approved plans shall be constructed and made available for use. The area shall thereafter be kept free of obstruction and available for the parking of motorcycles only at all times.

REASON: To ensure the provision and availability of adequate motorcycle parking and to allow for the effective use of the parking areas.

16. Prior to first use of the care home development hereby approved, the cycle parking provision shown on the approved plans shall be constructed and made available for use. The area shall thereafter be kept free of obstruction and available for the parking of cycles only at all times.

REASON: To ensure the provision and availability of adequate cycle parking and the promotion of sustainable forms of transport.

17. (A) Prior to the first occupation of any dwelling hereby approved, the 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. These shall be retained thereafter for the lifetime of the development.

(B) Prior to first use of the care home development hereby approved, the electric vehicle charging points shown on the approved plans shall be installed and made available for use. These shall be retained thereafter for the lifetime of the development.

REASON: In the interests of supporting sustainable travel.

18. No dwelling hereby permitted shall be occupied until a cycle storage plan for the residential units has been submitted to the Local Planning Authority. These cycle facilities shall thereafter be kept free of obstruction and available for the parking of bicycles only at all times.

REASON: To allow for the effective use of the parking areas and to promote sustainable transport as a travel option, encourage healthy communities and reduce carbon emissions.

19. Within six months of the granting of planning permission details of the pedestrian link along the southern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall be informed by an updated Arboricultural Impact Assessment and include the precise route in relation to existing trees, construction methodology, surfacing and any tree protection measures.

Prior to first use of the care home development hereby approved the pedestrian link shall be constructed in accordance with the approved details and built up to the east and south site boundaries. This pedestrian link shall thereafter be maintained and remain open and unobstructed at all times.

REASON: To ensure that the development provides appropriate connections and sustainable linkages to neighbouring development and public open space.

20. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes, artificial bat roosting sites and measures to support hedgehog movements across the site, have been submitted to, and approved in writing by the Local Planning Authority.

The approved artificial bird/bat boxes and hedgehog features shall be provided before the buildings are first occupied/ brought into first use.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and to minimise/mitigate the potential impacts upon protected species resultant from the development.

21. No demolition of 23-25 Old Row or scrub clearance within the curtilage of this building, shall take place until a methodology for dealing with the invasive species identified on site and preventing their spread, has been submitted to and approved in writing by the Local Planning Authority. The invasive species shall then be removed in accordance with the approved methodology.

REASON: To ensure compliance with the Wildlife and Countryside Act 1981.

22. Prior to their installation details of a scheme for any external building or ground mounted lighting/illumination, shall have been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the submitted details shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated.

The approved lighting schemes(s) be implemented in accordance with the approved details prior to the occupation of the development hereby approved and retained as approved.

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

23. All tree works/tree protection shall be carried out in strict accordance with the recommendations set out in the submitted Arboricultural Impact Assessment dated September 2022.

The specified tree protection measures shall remain in place throughout the demolition and construction phases of the development and the methodology hereby approved shall be adhered to during all site preparation/construction works.

REASON: To protect trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development hereby approved.

24. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of the buildings hereby approved (including the external walls, roof, and windows) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

REASON: To safeguard the visual amenities of the locality.

25. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include areas of soft landscaping (including any retained trees, hedgerows and other planting and any replanted or transplanted hedgerows), hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

The landscaping works shall be carried out in accordance with the approved details prior to first occupation or first use of any part of the development or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 15 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally

required to be planted, unless the Local Planning Authority gives its written consent to any variation.

REASON: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology.

26. Prior to first occupation of the care home development hereby approved, the scheme of noise insulation measures set out in the supporting Noise Assessment submitted with the application [prepared by S&D Garritt Ltd, dated 23rd January 2023] namely acoustic bund and fencing; acoustic glazing and trickle ventilators to identified elevations shall be implemented. The approved noise insulation measures shall thereafter be retained.


REASON: To ensure there is no adverse effect on the health and quality of life of future occupants and to avoid an unacceptable impact on residential amenity by virtue of noise.

INFORMATIVES:

1. Cadent Gas Ltd own and operate the gas infrastructure within the area of the development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent Assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and/or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. Prior to carrying out works please submit details of the planned works for review.
2. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email developeras@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number. Please be aware that the demand to enter into section 278 agreements with Lancashire County Council as the highway authority is extremely high. Enquiries are being dealt with on a first come first served basis. As such all developers are advised to seek to enter into Section 278 agreements at a very early stage.
3. Openreach records indicate that apparatus exists near to the area of your proposed works. Before commencing any work, or moving of heavy plant or equipment over any portion of the site the contractor shall confirm details of Apparatus, owned, leased or rented by the Company, within the site, with the Company Representative, who can be contacted for free on site assistance during office hours, prior to commencement of works :-E-mail: cbyd@openreach.co.uk. Further information is available at: <https://www.openreach.com/network-services/locating-our-network>

BACKGROUND PAPERS

https://webportal.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2023%2F0153

Late Items – Planning & Development Committee				 Ribble Valley Borough Council www.ribblevalley.gov.uk	
Meeting Date: 24 AUGUST 2023					
Briefing version		Issue Date:			
Committee Version	•	Issue Date:	24/08/23		
Application Ref:	3/2023/0153	PROPOSED ERECTION OF A 66 BED CARE HOME (USE CLASS C2) FOR ELDERLY PEOPLE WITH ASSOCIATED PARKING, ACCESS, LANDSCAPING AND ASSOCIATED GROUND WORKS, ALONGSIDE THE ERECTION OF 3 DWELLINGS FOLLOWING THE DEMOLITION OF NOS. 23-25 OLD ROW OLD ROW, WHALLEY ROAD, BARROW BB7 9AZ		REC:	APPROVAL

Since the publication of the Committee Agenda the Committee are asked to note the following updates:

1. An updated bat emergence survey was undertaken on 10/08/23 and a report of that survey has been received. Whilst bats were observed in the vicinity of 23-25 Old Row, no bats were seen or suspected to have merged from the building. This survey demonstrates a likely absence of roosting within the survey buildings at Old Row and as such the proposed works present little risk of impacting upon bats or their roosts. No further survey work or mitigation is required.
2. Further consultation responses have been received from Lancashire County Council (LCC) Highways and United Utilities (UU) confirming their position of no objection subject to conditions (these are the same conditions as previously set out in their earlier responses).
3. Two further representations have been received from neighbouring residents objecting on the grounds of additional traffic through Barrow and the townhouse design of the 3 dwellings being at odds with the old row of cottages. Matters of design and highway safety are addressed in the main committee report.
4. The Council's Engineers Section have confirmed that the land contamination report submitted with the planning application is sufficient and that no further investigative survey or remediation strategy is required. Condition 9 is updated accordingly (see below).
5. The applicant has asked for some of the conditions to be re-worded based on the practicality of the requirements and where details to be agreed don't need to be pre-commencement of development. Conditions 5, 6, 20 and 25 are updated accordingly (see below).

Amendments are proposed to conditions **5, 6, 9, 20 and 25** as follows (changes shown underlined):-

5. No development shall commence in any phase (phase 1 being the care home development with associated parking, access, landscaping and ground works, phase 2 being development of the three dwellings), save for demolition works, until a detailed, final surface water sustainable drainage strategy for that phase has been submitted to, and approved in writing by, the Local Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the site specific flood risk assessment and indicative surface water sustainable drainage strategy submitted (January 2023 / Drawing No: 10-01 / RSK) and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly, and shall be limited to a maximum

peak flow rate of 2l/s.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

a) Sustainable drainage calculations for peak flow control and volume control for the:

- i. 100% (1 in 1-year) annual exceedance probability event;
- ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
- iii. 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep

Calculations must be provided for the whole phase, including all existing and proposed surface water drainage systems.

b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

- i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
- ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
- iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
- iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
- v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
- vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
- vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;

c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365.

d) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

e) Evidence of an agreement in principle with the third party asset owner to connect to the off-site combined sewer.

The approved drainage strategy shall be implemented prior to occupation of the development of that phase and/or in accordance with the timing / phasing arrangements embodied within the scheme, and shall be retained thereafter for the lifetime of the development.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems, Policy EN3 and Policy DME6 of the adopted Core Strategy 2008 - 2028, Ribble Valley Local Plan.

6. No development shall commence in any phase (phase 1 being the care home development with associated parking, access, landscaping and ground works, phase 2 being development of the three dwellings), save for demolition works, until a Construction Surface Water Management Plan for that phase, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework.

9. The development shall proceed in accordance with the findings of the Geo-Environmental report prepared by Calabrian dated October 2022 (Report ref 7208/1), in particular the recommendations on “Contamination & remediation” at Section 13.6 of that report.

Reason: In order to protect the health of the occupants of the new development.

20. Notwithstanding the submitted details, there shall be no building works above slab level, or no new boundary treatments within or around the site constructed, until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes, artificial bat roosting sites and measures to support hedgehog movements across the site, have been submitted to, and approved in writing by the Local Planning Authority.

The approved artificial bird/bat boxes and hedgehog features shall be provided before the buildings are first occupied/ brought into first use.

Reason: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and to minimise/mitigate the potential impacts upon protected species resultant from the development.

25. No building works shall take place above slab level until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include, areas of soft landscaping (including any retained trees, hedgerows and other planting and any replanted or transplanted hedgerows), hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

The landscaping works shall be carried out in accordance with the approved details prior to first occupation or first use of any part of the development or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 15 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology.

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

meeting date: 24 AUGUST 2023
title: LANGHO S106
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING
principal author: MARK BEVERIDGE - HEAD OF CULTURAL AND LEISURE SERVICES

1. PURPOSE

- 1.1 To seek authority from Members to release Section 106 contributions for sports facilities in Langho.

2. BACKGROUND

- 2.1 When planning permission was secured to erect dwellings off Longsite Road at Northcote (ref: 3/2018/0844) the associated Section 106 Agreement secured a commuted sum of £28,066 towards off site sports facilities improvements in Langho.

Community Facilities Contribution: a contribution of £28,066 to be paid to the Council towards sports facility improvements in Langho.

- 2.2 The Council has now received the total sum of £28,066 from the developer and it is proposed this sum be allocated to the Langho Football Club for development at their Northcote site, where they are seeking to improve the changing accommodation, toilet provision and car park, a planning application has been submitted for the changing block.

3. PROPOSAL

- 3.1 The Football Club received a grant of £10,000 from the Council's Culture and Recreation grants earlier this year to help them replace the changing accommodation, which currently consists of a shed in a very poor state.
- 3.2 The club are keen to improve the facilities at the site for players and visitors and are actively fund raising to be able to pay for the work.
- 3.3 The club want to improve the toilet facilities for users, resurface the car park, replace the entrance gates and carry out some drainage work to the pitches. They would also like to install a low-level fence around the pitches too. The cost of this work is yet to be determined as it is reliant on the amount of funding received however works have commenced on the changing room improvements following confirmation of the Culture and Recreation Grant.
- 3.4 It Members are minded to give the S106 contribution to the Football Club the club will be able to establish which improvements to the sports facility can be achieved and whether there are any other funding streams available.

4. RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:
- Resources – The full sum of £28,066 has been receipted and the football club would be asked for proof of spend before any of the commuted sum is paid.

- Technical, Environmental and Legal – Assurances that the improvements delivered would accord with the stipulations of the legal agreement would be required.
- Political - N/A
- Reputation - The provision of improved sports provision within the area will assist the club and the many young people who play football as a result, it accords with the purpose of securing such contributions as part of new residential developments.
- Equality and Diversity – the playing pitches are accessible to all.

5. RECOMMENDED THAT COMMITTEE

- 5.1 Delegate authority to the Director of Economic Development and Planning to agree the sport facility improvements with Langho Football Club prior to commencement to ensure that the works undertaken comply with the requirements of the legal agreement and accord with procurement procedures.
- 5.2 Agree to the allocation of the commuted sum of £28,066 to Langho Football Club for the agreed improvements works on completion of the works.

MARK BEVERIDGE
HEAD OF CULTURAL AND
LEISURE SERVICES

NICOLA HOPKINS
DIRECTOR OF
ECONOMIC
DEVELOPMENT AND
PLANNING

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 24th AUGUST 2023
title: LOCAL VALIDATION CHECKLIST
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING
principal author: HEAD OF DEVELOPMENT MANAGEMENT & BUILDING CONTROL

1. PURPOSE

- 1.1 To seek authority from Members to publish a final version of the Council's updated Local Validation Checklist (Appendix 1). The validation checklist document sets out the information that is required to validate a planning application. Should Members authorise the final version, it will then be published on the Council's website and used as the basis for validating planning applications with immediate effect.

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.
- 2.3 The National Planning Practice Guide (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.
- 2.4 At the 1st June 2023 Planning & Development (P&D) Committee Meeting Members authorised a draft updated Local Validation Checklist to be published for consultation. This was duly done and subject to a six-week consultation period.
- 2.5 Consultations were sent out to statutory consultees, other relevant external and internal consultees and those planning agents who had submitted a planning application in 2023. The document was also available for public view on the Council's website.
- 2.6 Seven responses were received from the following organisations / groups / individuals:-
- Environment Agency (EA)
 - Coal Authority (CA)
 - Lead Local Flood Authority (LLFA)
 - Historic England (HE)

- Billington and Langho Parish Council (BLPC)
- Wiswell Parish Council (WPC)
- RVBC Head of Cultural & Leisure Services

2.7 A summary of the responses received is included below and how they have been taken into account in preparing the final local validation checklist.

3. PROPOSAL

3.1 Section 1 of the local validation checklist provides information on procedural matters of validation. No comments were received on this section and no changes are proposed.

3.2 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. No comments were received on this section and no changes are proposed.

3.3 Section 3 sets out the local requirements which are determined by the Local Planning Authority. In terms of the Council's local requirements, particular regard is given to the requirements outlined in the NPPF, NPPG and the Ribble Valley Core Strategy policies.

3.4 BLPC consider the site location requirements are imprecise and suggest distances to nearby landmarks / addresses should be noted on plans in some cases. However, in response, there is no change to the requirements compared to the previous (2021) local validation checklist version and requesting distances would be impractical and unreasonable. Making sure the requirements are applied correctly should ensure site location plans are legible.

3.5 BLPC offer specific comments on landscape plans for major housing developments. In response, tree planting will be dealt with through biodiversity net gain and reference to permeable materials will be moved into the main body of the text.

3.6 BLPC offer comments on affordable housing, climate change / flood zone and community infrastructure considerations. Whilst these comments are noted these are not relevant to the local validation checklist. Support the inclusion of Street Adoption Statements.

3.7 WPC offer comments on planning enforcement and a 'post-construction audit' of development. Whilst these comments are noted these are not relevant to the local validation checklist.

3.8 The EA suggest the inclusion of a section on contaminated land. To include a requirement for the applicant to disclose former uses of the application site if known, and to submit a phase 1 desk study/site investigation on sites where contamination is suspected or there is a vulnerable end use proposed for the site. Officers agree that contaminated land is a material planning consideration and that it would be reasonable for planning applications involving sensitive end-use developments (e.g. dwellings, care homes, schools) to include evidence of former land uses to help decide if a phase 1 desk study / site investigation report is required. Officers do not consider it reasonable to require a report up front because this does not inform a decision on the acceptability of a development proposal, and so it can be secured by planning condition (if needed). This has been added to the document.

- 3.9 The CA suggest the inclusion of a section on coal mining. To include a requirement for a Coal Mining Risk Assessment within a defined development high risk area. This will need to demonstrate that the site can be made safe and stable for the proposed development. Officers agree that this is a material planning consideration and that it would be reasonable to require such information up front when considering a planning application because it informs a decision on the acceptability of a development proposal. This has been added to the document.
- 3.10 The LLFA suggest minor edits to the sections on ‘flood risk assessment and sequential and exception tests’, ‘sustainable drainage strategy’ and ‘SuDS pro-forma’ sections headings to mirror the most up-to-date guidance set out within the and by the LLFA. These changes have been made to the document.
- 3.11 There is nothing to note from the other responses received.
- 3.12 In making the above changes 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.

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, some of which has already been secured. However with final details still to be published the full impact on resources is somewhat unknown at this stage. Details will be brought in front of Members at a future P&D Committee Meeting.
 - 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

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.

- 5.1 Agree for the Local Planning Authority to publish the final version of the updated Local Validation checklist (Appendix 1) on the Council's website and for it to be used as the basis for validating planning applications with immediate effect .

LYNDSEY HAYES
HEAD OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL

APPENDIX 1 – FINAL VERSION LOCAL VALDATION CHECKLIST



**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. Application Fee

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 (as amended);
- of the description contained in article 20(1)(b) or (c) of the DMPO;
- for engineering or mining operations; or
- 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 \(www.gov.uk\)](https://www.gov.uk/government/consultations/fire-safety-and-high-rise-residential-buildings-from-1-august-2021)

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—

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)

- (i) the expected residues and emissions and the production of waste, where relevant; and
 - (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 areas. 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.
- 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
- 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 (LPA) 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>

Coal Mining Risk Assessment

When required? Developments which fall within a Development High Risk Area unless they fall within one of the following listed exemptions:

Part A – Exempt by type of application

- householder development

- heritage consents, including listed building or conservation areas
- advertisement consent
- lawful development certificates
- hazardous substances consent
- tree or hedgerow works, tree preservation order or in conservation area
- prior notification

Part B – Exempt by nature of development

There are also exemptions for developments where building and/or ground works are minimal. Examples of where groundworks are likely to be insignificant for development proposals include:

- bin stores and smoking shelters, as these are unlikely to require deep and extensive foundations or groundworks
- storage containers, as these are unlikely to require any groundworks as they are usually placed on existing site surface or on slabs
- solar arrays, as the solar panels are unlikely to require deep and extensive foundations or groundworks and are often merely placed on the site surface freestanding with adjustable legs

Within the Ribble Valley area (concentrated towards the southern edge of the Borough boundary) there are recorded coal mining features present at surface and shallow depth including; mine entries, coal workings and reported surface hazards. These features may pose a potential risk to surface stability and public safety.

You can use the [Coal Authority's interactive map viewer](#) to see if your site is likely to be in a Development High Risk Area and needs a Coal Mining Risk Assessment (CMRA) to support your planning application. If your site is within a Low Risk Area then a CMRA is not required and the Coal Authority's Standing Advice Note will be included in any planning permission granted.

If you think your site does fall within a High Risk Area it is recommended that you contact the LPA for confirmation of this. If you are in any doubt about whether you need to submit a CMRA with your planning application, the LPA will be able to advise you.

A CMRA should identify coal mining features present and the risks these pose. It should then set out any investigatory works and the remedial or mitigation measures needed. The CMRS should demonstrate to the LPA that the site can be made safe and stable for the proposed development.

For further information please view the Coal Authority website: [Planning applications and Coal Mining Risk Assessments - GOV.UK \(www.gov.uk\)](#)

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 flood risk, reservoirs)
- within flood zone 1 and less than 1ha, where the Ribble Valley SFRA identifies critical drainage problems as notified by the Environment Agency (NB: there are no such notifications presently)

Further information on whether your site is located within a flood zone can be found on the Environment Agency's (EA's) Flood Map for Planning: <https://flood-map-for-planning.service.gov.uk/> Please note this mapping only shows land being at a risk of flooding from rivers and/or the sea. Flood zones 2 (medium probability of flooding) and 3a (high probability of flooding) are shown. Flood zone 3b (functional floodplain) is not designated by the EA and is defined by local planning authorities through their SFRA (NB: there are no such flood zone 3b designations presently within the Ribble Valley).

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:

1. Within Flood Zone 2 and 3
2. Within Flood Zone 1 where:
 - The most up-to-date Ribble Valley SFRA shows it to be at risk of flooding from rivers in the future; or

- It is at risk of flooding from other sources (surface water (including any critical drainage areas identified in the SFRA), groundwater or reservoirs) or could be in the future

Exceptions to this requirement are 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.

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

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>

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.

Land Contamination Statement

When required? For planning applications which involve uses that are particularly sensitive to contamination e.g. housing, schools, care homes, hospitals, children’s play areas, allotments where the development involves breaking into the ground.

The NPPF requires planning decisions to ensure that land is suitable for its proposed new use. To enable the LPA to make an assessment on the possibility of land contamination affecting uses that are particularly sensitive to contamination, sufficient information detailing the former uses / known history of the site (and its surroundings), together with detail of the site’s current condition shall be provided. This should include photographic evidence (colour site photos, dated, with a brief description of where they were taken, aerial photographs, maps) to demonstrate this is the case and details of any evidence of contamination (e.g. stained ground, vegetation dye back, raised land levels etc).

Whilst the LPA has its own records of contamination risks from previous industrial uses there may be instances where a risk exists but is not included within this record. This is why applicants of sensitive end use developments are asked to provide information on their own site to inform the LPA's assessment.

In instances where the LPA considers that potential sources of contamination are evident then a Phase 1 / Desk Study Report and/or Phase 2 Site Investigation / Remediation Strategy Report will need to be agreed with the applicant as a pre-commencement condition on any favourable planning decision.

Where an applicant anticipates the need for a Phase 1 or Phase 2 report then they may decide to include this with their planning application submission to avoid the need for a pre-commencement condition.

Note: Contaminated land can originate from a history of industrial use on or adjacent to a site, modern farming, naturally occurring ground gases from peat or radioactive radon from natural underlying geology. In some cases the origin of contamination may not be known if it originated from illegal or pre-licensing dumping of waste etc.

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.

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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

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

- 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:

- 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

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

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 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 drainage¹

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.

¹ As defined by the DMPO 2015

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.

The Sustainable Drainage Strategy should demonstrate that applicants have considered how they can first utilise rainwater as a resource within the development proposals and promote source control (managing rainfall close to where it falls) and then go on to 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 drainage¹

¹ Major development as defined by the DMPO

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

Applications for major development with surface water implications should be accompanied by a Suds Pro-forma as developed by the Lead Local Flood Authority (LLFA). A link to the document and guidance notes can be found on the LLFA website [here](#). This link also provides details of the LLFA's pre-application advice service should applicant's wish to access this.

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).

Where the applicant does not consider that an AIA is necessary but there is evidence to suggest that there could be trees on site within influencing distance of the development proposal, the Council will invite the applicant to submit photographic evidence at validation stage for review by officers to establish whether an AIA is needed.

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

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.

Where the applicant does not consider that a bat survey is necessary but there is evidence to suggest that the building could support bat activity/roosts, the Council will invite the applicant to submit photographic evidence at validation stage, or confirmation from a suitably qualified ecologist why a bat survey is not considered needed, for review by officers, to establish whether a bat survey is needed.

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). 	• • •									
<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. 	• •	• •	• •							
<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). 	• • • •		• • •				• •			• •
<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. 	•		•	•	•	•			•	•

(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

meeting date: 24 AUGUST 2023
 title: REVENUE OUTTURN 2022/23
 submitted by: DEPUTY CHIEF EXECUTIVE & DIRECTOR OF RESOURCES
 principal author: VALERIE TAYLOR

1 PURPOSE

1.1 To report on the outturn for the financial year 2022/23 in respect of the Revenue Budget for this Committee

1.2 Relevance to the Council's ambitions and priorities:

- ❖ Community Objectives – none identified
- ❖ Corporate Priorities – to continue to be 'a well-managed Council providing efficient services based on identified customer need and meets the objective within this priority, of maintaining critical financial management controls, ensuring the authority provides council tax payers with value for money'.
- ❖ Other Considerations – none identified.

2 BACKGROUND

2.1 Our full Statement of Accounts were signed off for audit by the Director of Resources on 2 June 2023 and are now subject to audit.

2.2 The Statement of Accounts are expected to be submitted for approval to Accounts and Audit Committee at their meeting on 27 September 2023.

3 FINANCIAL INFORMATION

3.1 Shown below, by cost centre, is a comparison with the revised estimate. You will see an overall underspend of £280,615 on the net cost of services. After transfers to and from earmarked reserves there is an underspend of £77,818. This has been added to General Fund Balances.

Cost Centre	Cost Centre Name	Revised Estimate	Actual	Variance	Associated Earmarked Reserve	Net
		2022/23	2022/23	2022/23	Variance	Variance
		£	£	£	£	£
AONBS	Area of Outstanding Natural Beauty	18,230	17,294	-936	0	-936
BCFEE	Building Control Fee Earning	-13,010	-18,452	-5,442	5,442	0
BCNON	Building Control Non- Fee Earning	73,300	71,507	-1,793	0	-1,793
CONSV	Conservation Areas	9,450	9,224	-226	0	-226
COUNT	Countryside Management	59,780	50,266	-9,514	0	-9,514

Cost Centre	Cost Centre Name	Revised Estimate 2022/23 £	Actual 2022/23 £	Variance 2022/23 £	Associated Earmarked Reserve Variance 2022/23 £	Net Variance 2022/23 £
ECPLA	Economic Development and Planning Dept	0	0	0	14,597	14,597
LPLAN	Local Plan	294,510	123,488	-171,022	167,489	-3,533
PLANG	Planning Control & Enforcement	325,320	238,667	-86,653	15,269	-71,384
PLANP	Planning Policy	100,620	95,594	-5,026	0	-5,026
PLSUB	Grants & Subscriptions - Planning	10,840	10,837	-3	0	-3
	TOTAL	879,040	598,425	-280,615	202,797	-77,818

4 EARMARKED RESERVES

4.1 Reserves are important to local authorities as, unlike central government, we cannot borrow money over the medium term, other than for investment in assets, and we are required to balance our budgets on an annual basis.

4.2 Reserves can be held for three main purposes:

- A working balance to help cushion the impact of uneven cash flows and avoid unnecessary temporary borrowing;
- A contingency to cushion the impact of unexpected events or emergencies;
- A means of building up funds or accounting for funds we are committed to spend, such as grant income we have received in year but not yet spent in full. This is done through our earmarked reserves to meet known or predicted requirements; our earmarked reserves are accounted for separately but remain legally part of the General Fund.

4.3 The table below provides details of the revised estimate, our actual outturn and the impact in both cases on the movement in earmarked reserves. Full details are provided of the earmarked reserves that have been impacted and the reason for the movement.

	Revised Estimate 2022/23 £	Outturn 2022/23 £	Variance £	Reason for movement on Earmarked Reserve
Committee Net Cost of Services	879,040	598,425	-280,615	
PLBAL/H234 Building Regulation Reserve The fee earning element of the Building Control service is statutorily ringed fenced. Any surplus or deficit is set aside in an earmarked reserve to offset past surpluses or deficits.	13,010	18,452	5,442	During 2022/23 building control activities generated a net profit that was higher than expected at revised estimate, increasing the contribution to the earmarked reserve.
PLBAL/H336 Planning Reserve The reserve was initially established from planning fee income. Its purpose is to fund future potential planning issues.	-6,820	0	6,820	Planned release from reserve for the cost of legal fees was not required following a successful legal costs claim.
PLBAL/H312 Biodiversity Net Gain Reserve Grant funds received to support local planning authorities in their preparations for the introduction of mandatory Biodiversity Net Gain resulting from The Environment Act 2021.	0	8,449	8,449	Grant funds of £26k were received from DEFRA for the cost of Biodiversity Net Gain preparatory work. Funds unallocated during the 2022/23 year have been set aside in this reserve to meet those costs falling at a future date.
PLBAL/H387 Local Plan Reserve This reserve was established to set aside budget that is to be expended on work to progress the local plan.	-167,570	-81	167,489	The budget for the local plan is set aside in earmarked reserves. Expenditures during the 2022/23 financial year were below budget which has in turn reduced the amount released from the reserve.
	0	14,597	14,597	As a result of a prolonged vacancy within the department it became necessary to engage an external consultant to progress the local plan. Underspends from the substantive post have been set aside for the cost of continuing the engagement into the next financial year.
	717,660	639,842	-77,818	

5 KEY MOVEMENTS FROM REVISED ESTIMATE TO OUTTURN

5.1 The main variations have been extracted and are shown at Annex 1. However, a summary of the major variations is set out in the table below:

Service Area	Description of Variance	Amount £
LPLAN Local Plan	<u>Local Plan Expenditure</u> Due to changes to the Local Plan programme the funds that were profiled to be expended during the 2022/23 financial year will now fall into a future financial period. The local plan budget will be reviewed and reprofiled at revised estimate 2023/24.	-167,489
	<u>Local Plan Earmarked Reserve</u> Funds that are set aside in earmarked reserves to support progression of the local plan will now be released at a future date as associated expenditures occur, reducing the above variance to nil after movements in earmarked reserves.	167,489
PLANG Planning Control & Enforcement	Grant income received from DEFRA and allocated to the 2022/23 financial year for the cost of mandatory Biodiversity Net Gain preparatory work.	-18,358
PLANG Planning Control & Enforcement	The planning fee income budget at revised estimate included an assumption that income during the November to March period would be lower than the original budget by 32%, as had been the case for the period to October. However actual income received was slightly higher than the revised estimate	-15,080

6 CONCLUSION

6.1 There have been a number of variations in both income and expenditure during the year, and this has given rise to an overall underspend of £280,615 on the net cost of services. After transfers to and from earmarked reserves there is an overall underspend of £77,818.

SENIOR ACCOUNTANT

DEPUTY CHIEF EXECUTIVE AND DIRECTOR OF
RESOURCES

PD7-23/VT/AC
10 August 2023

**PLANNING & DEVELOPMENT COMMITTEE
– VARIANCES 2022/23**

	Variance in Expenditure	Variance in Income	Variance in Support Services	Variance in Capital Charges	Total Variance	Associated Earmarked Reserve Variance	Net Variance
	£	£	£	£	£	£	£
BCFEE: Building Control Fee Earning							
Income for the November-March period was lower than the prior year averages upon which the income estimates are based. Outturn will be used to inform future estimates.		5,000					
The total cost of expenditures on various supplies and services was lower than that allowed for within the budget estimates. The main variance is an underspend of £1k on a budget that is available for the cost of engaging consultancy services if structural calculations included within building control plans require verification.	-2,973						
The annual net cost of the Economic Development & Planning Department for 2022/23 was lower than estimated. This has in turn reduced the costs charged out to other services, including to the building control section.			-4,408				
Training requirements for the financial year were lower than the budget available.	-1,994						
Under charging regulations any surplus/ deficit from building control fee earning activities is held in a separate earmarked reserve. Due mainly to the reasons detailed above, this year the net profit was higher than estimated, increasing the contribution to earmarked reserves.						5,442	
Total Building Control Fee Earning	-4,968	5,000	-4,408	0	-4,375	5,442	1,067

	Variance in Expenditure	Variance in Income	Variance in Support Services	Variance in Capital Charges	Total Variance	Associated Earmarked Reserve Variance	Net Variance
	£	£	£	£	£	£	£
BCNON: Building Control Non Fee Earning							
The annual net cost of the Economic Development & Planning Department for 2022/23 was lower than estimated. This has in turn reduced the costs charged out to other services, including to the building control section.			-1,610				
Total Building Control Non Fee Earning	0	0	-1,610	0	-1,610	0	-1,610
COUNT: Countryside Management							
The cost of grants awarded for countryside management grant assistance were lower than that allowed for in the budget. There is no formal countryside management grant scheme in place, with any requests for support being considered by committee on an ad-hoc basis as applications are received.	-8,840						
Total Countryside Management	-8,840	0	0	0	-8,840	0	-8,840
ECPLA: Economic Development & Planning							
Council staffing budgets at revised estimate assume average vacancy underspends of 2% across the authority on estimated costs due to turnover. Actual salary, national insurance and superannuation underspends within the department exceeded this estimate, largely due to vacancy underspends within the Forward Planning section. Part of the underspend has been set aside in earmarked reserves to contribute towards the ongoing cost of engaging consultancy support to progress the local plan. The funds will be released from reserves in 2023/24.	-46,613					14,597	

	Variance in Expenditure	Variance in Income	Variance in Support Services	Variance in Capital Charges	Total Variance	Associated Earmarked Reserve Variance	Net Variance
	£	£	£	£	£	£	£
Due to departmental vacancies during the year it has been necessary to engage an external consultant to progress the local plan (funded from the underspends above).	33,000						
Lower mileage claims than allowed for within the budget estimate.	-2,103						
The cost of professional subscriptions during the year was lower than the budget estimate due to vacancies.	-1,387						
Expenditure on lease cars was lower than estimated following termination of a lease agreement.	-5,137						
Additional income to reimburse the council for the cost of officer time following a successful court claim in relation to an enforcement matter.		-6,553					
Lower than estimated net costs within other areas has in turn reduced the charge to the Economic Development and Planning Department for the year, particularly from the Council Offices (£6k) and ICT (£3k) section.			-10,246				
Due mainly to the variances detailed above the net cost of running the Department was lower than the revised estimated. This has in turn reduced the charges out to other service areas.			42,935				
Total Economic Development & Planning	-22,239	-6,553	32,688	0	3,895	14,597	18,493

	Variance in Expenditure	Variance in Income	Variance in Support Services	Variance in Capital Charges	Total Variance	Associated Earmarked Reserve Variance	Net Variance
	£	£	£	£	£	£	£
LPLAN: Local Plan							
Underspend caused by the timing of local plan expenditures that will now fall into a future financial year, mainly within the budget that is available for consultancy support for the production of evidence based documents that are required to progress the local plan. Funds for the local plan budget are to be expended over the lifetime of the project and have therefore previously been set aside in earmarked reserves to be released in the financial year (s) that expenditures occur. Lower expenditure than estimated during the 2022/23 year has in turn reduced the release from reserve, leaving a net variance of nil.	-167,489					167,489	
The annual net cost of the Economic Development and Planning Department was lower than estimated. This has in turn reduced recharges out to other service areas, including those to this budget heading (see ECPLA for details of underspends within the departmental budget).			-3,546				
Total Local Plan	-167,489	0	-3,546	0	-171,035	167,489	-3,546
PLANG: Planning Control							
New burdens funding received from DEFRA to support local planning authorities in their preparations for the introduction of mandatory Biodiversity Net Gain assessments. The element of the funding that was received in advance of the 2023/24 financial year has been set aside in earmarked reserves to be released as associated expenditures occur.		-26,807				8,449	

	Variance in Expenditure	Variance in Income	Variance in Support Services	Variance in Capital Charges	Total Variance	Associated Earmarked Reserve Variance	Net Variance
	£	£	£	£	£	£	£
The planning fee income budget at revised estimate included an assumption that income during the November to March period would be lower than the original budget by 32%, as had been the case for the period up to October. Actual income received during the period was higher than estimated.		-15,080					
Lower demand for the pre-application advice service than the estimated budget for the November to March period. Outturn will be used to inform future estimates.		5,442					
Income received for work carried out under a Planning Performance Agreement was higher than estimated.		-5,256					
Higher expenditure on consultancy/ legal fees than the budget estimate that was mainly due to expenditure on a planning enforcement matter. The overspend has been more than offset by income from successful costs claims that have been awarded during the year. An increase to the consultancy/ legal fees budget at revised estimate was originally planned to be supported by a release from the planning earmarked reserve. As a result of the income received from the costs claim this is no longer required, creating the variance shown.	32,578	-38,490				6,820	
Lower requirements for document scanning services during the 2022/23 financial year than the budget available.	-1,210						

	Variance in Expenditure	Variance in Income	Variance in Support Services	Variance in Capital Charges	Total Variance	Associated Earmarked Reserve Variance	Net Variance
	£	£	£	£	£	£	£
The annual cost of placing planning statutory notices was lower than the prior year average. Outturn will be used to inform future estimates.	-3,685						
Reduced costs within other service areas has in turn reduced the charge to the Planning Section. Mainly in respect of the Economic Development and Planning Department (-£26k) and Chief Executive's Department (-£8k)			-34,271				
Total Planning Control	27,683	-80,192	-34,271	0	-86,779	15,269	-71,511
PLANP: Planning Policy							
Requirements for expenditure on ad-hoc planning policy issues were lower than the budget available.	-2,723						
Reduced costs within other areas has in turn reduced the charge to this service area. Mainly in respect of the Economic Development and Planning Department (-£2k).			-2,303				
Total Planning Policy	-2,723	0	-2,303	0	-5,026	0	-5,026
Other Variances	-5,752	1,152	-2,247	2	-6,845	0	-6,845
Total Variances for Planning & Development Committee	-184,328	-80,593	-15,696	2	-280,615	202,797	-77,818

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

meeting date: 24 AUGUST 2023
 title: REVENUE MONITORING 2023/24
 submitted by: DIRECTOR OF RESOURCES AND DEPUTY CHIEF EXECUTIVE
 principal author: VALERIE TAYLOR

1 PURPOSE

1.1 To let you know the position for the period April 2023 to July 2023 of this year's original revenue budget as far as this committee is concerned.

1.2 Relevance to the Council's ambitions and priorities:

Community Objectives – none identified

Corporate Priorities - to continue to be a well managed Council providing efficient services based on identified customer need. To meet the objective within this priority, of maintaining critical financial management controls, ensuring the authority provides council tax payers with value for money.

Other Considerations – none identified.

2 FINANCIAL INFORMATION

2.1 Shown below, by cost centre, is a comparison between actual expenditure and the original estimate for the period to the end of July. You will see an overall overspend of £6,642 on the net cost of services. Please note that underspends are denoted by figures with a minus symbol. After allowing for transfers to/from earmarked reserves there is an underspend of £15,336.

Cost Centre	Cost Centre Name	Net Budget for the Full Year £	Net Budget to the end of period £	Actual including Commitments to the end of the period £	Variance £	
AONBS	Area of Outstanding Natural Beauty	18,710	0	0	0	G
BCFEE	Building Control Fee Earning	5,360	-68,903	-63,645	5,258	R
BCNON	Building Control Non-Fee Earning	88,480	559	1,015	456	G
CONSV	Conservation Areas	7,930	0	0	0	G
COUNT	Countryside Management	61,750	9,691	10,775	1,084	G
ECPLA	Economic Development and Planning Dept	0	471,260	445,980	-25,280	R
LPLAN	Local Plan	273,040	33,960	36,083	2,123	A

Cost Centre	Cost Centre Name	Net Budget for the Full Year £	Net Budget to the end of period £	Actual including Commitments to the end of the period £	Variance £	
PLANG	Planning Control & Enforcement	280,200	-164,159	-139,478	24,681	R
PLANP	Planning Policy	95,690	978	250	-728	G
PLSUB	Grants & Subscriptions - Planning	11,650	11,650	10,698	-952	G
	Sum	842,810	295,036	301,678	6,642	

Transfers to/from Earmarked Reserves				
Building Regulation Reserve	-5,360	68,903	63,645	-5,258
Local Plan Reserve	-101,780	-33,960	-50,680	-16,720
Total after Transfers to/from Earmarked Reserves	735,670	329,979	314,643	-15,336

2.2 The variations between budget and actuals have been split into groups of red, amber and green variance. The red variances highlight specific areas of high concern, for which budget holders are required to have an action plan. Amber variances are potential areas of high concern and green variances are areas, which currently do not present any significant concern.

Key to Variance shading	
Variance of more than £5,000 (Red)	R
Variance between £2,000 and £4,999 (Amber)	A
Variance less than £2,000 (Green)	G

2.3 We have then extracted the main variations for the items included in the red shaded cost centres and shown them with the budget holder's comments and agreed action plans, in Annex 1.

2.4 The main variations for items included in the amber shaded cost centres are shown with budget holders' comments at Annex 2.

2.5 In summary the main areas of variances that are **unlikely** to rectify themselves by the end of the financial year are shown below:

Description	Variance to end July 2023 £
<p>Economic Development & Planning Department (ECPLA) – Salaries, National Insurance and Superannuation</p> <p>Council staffing budgets at original estimate assume average vacancy underspends of 4% across the authority on estimated costs and a pay award of 5%.</p> <p>The underspend for the period will partly resolve following the conclusion of national pay negotiations and subsequent payment of backpay owed. Based on budget assumptions this accounts for around £20k of the variance.</p> <p>The remainder is mainly due to vacancy underspends which are higher than assumptions built into the budget estimates, mainly within the forward planning section. These underspends are partially offset by overspends on recruitment advertising (£3k) and consultants (£7k after movements in reserve).</p>	-42,603

3 CONCLUSION

- 3.1 The comparison between actual and budgeted expenditure shows an overspend of £6,642 to July 2023 of the financial year 2023/24. After allowing for transfers to/from earmarked reserves there is an underspend of £15,336.

SENIOR ACCOUNTANT

DIRECTOR OF RESOURCES
AND DEPUTY CHIEF EXECUTIVE

PD8-23/VT/AC
August 2023

Planning and Development Committee Budget Monitoring – Red Variances

Ledger Code	Ledger Code Name	Budget for the Full Year	Budget to the end of the period	Actual including Commitments to the end of the period	Variance	Reason for Variance	Action Plan as agreed between the Budget Holder and Accountant
ECPLA/0100	Economic Development and Planning Dept/ Salaries	1,054,830	351,888	319,728	-32,160	Direct employee budget estimates assume a pay award of 5% for the 2023/24 financial year. As the pay award has yet to be confirmed this accounts for around £20k of the variance. The remainder is mainly caused by vacancy underspends within the forward planning section.	The variance will partially resolve later on in the financial year once pay negotiations are concluded. Recruitment is ongoing for vacant posts and budgets will be reviewed and updated at revised estimate.
ECPLA/0109	Economic Development and Planning Dept/ Superannuation Salaries	155,060	51,728	46,352	-5,376		
ECPLA/0108	Economic Development and Planning Dept/ National Insurance Salaries	104,980	35,020	29,953	-5,067		

Planning and Development Committee Budget Monitoring – Red Variances

Ledger Code	Ledger Code Name	Budget for the Full Year	Budget to the end of the period	Actual including Commitments to the end of the period	Variance	Reason for Variance	Action Plan as agreed between the Budget Holder and Accountant
ECPLA/3085	Economic Development and Planning Dept/Consultants	0	0	21,000	21,000	The cost of engaging a consultant to work within the forward planning section during a period of vacancies in order to progress the local plan.	There is £14k set aside in reserves to partly fund the expenditure, with the remainder being met from associated vacancy underspends.
ECPLA/8583z	Economic Development and Planning Dept/ Rechargeable Works (Non-Vatable)	0	0	-5,750	-5,750	Recovery of the cost of qualification training following termination of an employment contract.	The budget will be updated at revised estimate.
BCFEE/8405n	Building Control Fee Earning/ Building Regulation Fees	-205,010	-71,858	-62,900	8,958	Building control fee income for the period is lower than estimated. This is likely due to inflation within the building industry that is impacting on the number of applications being received.	We will continue to monitor the level of building control fee income received and will review the budget level to best reflect the latest forecasts at the time of the Revised Estimate.

Planning and Development Committee Budget Monitoring – Red Variances

Ledger Code	Ledger Code Name	Budget for the Full Year	Budget to the end of the period	Actual including Commitments to the end of the period	Variance	Reason for Variance	Action Plan as agreed between the Budget Holder and Accountant
PLANG/ 8404u	Planning Control & Enforcement/ Planning Fees	-540,000	-180,144	-156,892	23,252	Planning income levels fluctuate month to month and vary greatly depending on whether applications are received in respect of major developments. While it is still too early in the financial year to estimate if outturn will be lower than the estimate overall, it is possible that the rising cost of living crisis will result in a reduction to the number of planning applications received as we move through the financial year.	We will continue to monitor the level of planning fee income received and will review the budget level to best reflect the latest forecasts at the time of the Revised Estimate.

Planning and Development Committee Budget Monitoring – Amber Variances

Ledger Code	Ledger Code Name	Budget for the Full Year	Budget to the end of the period	Actual including Commitments to the end of the period	Variance £	Reason for Variance
COUNT/4678	Countryside Management/ Grants to Voluntary, Comm & Soc Ent Orgs	13,840	2,961	0	-2,961	There have not been any applications to the countryside management grant fund for the financial year to date.
PLANG/3261	Planning Control & Enforcement/ Statutory Notices	28,380	7,133	4,620	-2,513	The size of planning application newspaper notices has been reviewed and reduced. The estimate will be updated when the budgets are revised later in the financial year.
PLANG/8495n	Planning Control & Enforcement/ Pre-Application Advice	-38,500	-12,840	-10,772	2,068	Demand for the pre-application advice service is lower than estimated. The budget will be reviewed at revised estimate and updated if necessary.
ECPLA/1020	Economic Development and Planning Dept/ Advertising	940	316	3,295	2,979	Expenditure on recruitment advertising during the period. To be funded from underspends within the direct employee cost budgets.
LPLAN/3085	Local Plan/ Consultants	97,780	32,616	36,083	3,467	Actuals for the period include an order of £35k for the engagement of consultancy services to produce the Sustainability Appraisal and Habitats Regulation Assessment to support the new local plan. The budget profile for the Local Plan Programme will be reviewed and updated at revised estimate.

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

meeting date: 24 AUGUST 2023
 title: CAPITAL MONITORING 2023/24
 submitted by: DIRECTOR OF RESOURCES AND DEPUTY CHIEF EXECUTIVE
 principal author: LAWSON ODDIE

1 PURPOSE

1.1 To report the progress on this Committee’s 2023/24 capital programme for the period to the end of June 2023.

1.2 Relevance to the Council’s ambitions and priorities:

- Community Objectives – none identified.
- Corporate Priorities – to continue to be a well-managed council, providing efficient services based on identified customer need.
- Other considerations – none identified.

2 2023/24 CAPITAL PROGRAMME BACKGROUND

2.1 There is one capital scheme for this committee with a budget of £26,420 (see Annex 1). This is a scheme that was moved from 2023/24 part way through that financial year. The capital programme for committee was approved by the Policy and Finance Committee and Full Council at their meetings in February 2023 and March 2023 respectively.

3 CAPITAL MONITORING 2023/24

3.1 The table below summarises the position on the capital programme for this committee.

	Scheme Count	£
Original Estimate 2023/24	0	0
Schemes and Budget moved from 2022/23	1	26,420
Total Original Estimate as per Budget Book	1	26,420
Slippage from 2022/23	0	0
Additional Approvals in year 2023/24	0	0
Current Total Approved Budget 2023/24	1	26,420
Actual Spend and Commitments – April to June		0
Remaining Budget as at the end of June 2023		26,420

3.2 At the end of the first quarter, there had been no spend or commitments made against the capital programme budget for this committee.

3.3 The table at Annex 1 shows a breakdown of the position at the end of the first quarter.

3.4 Annex 2 provides a summary for the scheme, the current position on progress and also some history behind the scheme.

3.5 Whilst the scheme shown under this committee is flagged as red in respect of status, this scheme is only in place as a residual budget from the original scheme and is only in place should any upgrades be needed before the new ‘Software Upgrade for Regulatory Services’ scheme is undertaken in 2025/26 (Policy and Finance Committee).

4 CONCLUSION

4.1 At the end of June 2023 there had been no spend or commitments made against the capital programme budget.

4.2 The position on the scheme at the end of the first quarter can be summarised as shown below:

Current Position	Current Status	Scheme Count	Full Year Budget £	Spend and Commitments to end of June £	Remaining Budget as at end of June £
Unlikely to be completed within the financial year	R	1	26,420	0	26,420
Currently expected to be fully or substantially completed in year	A				
Scheme completed	G				
Total		1	26,420	0	26,420

4.3 Whilst the scheme is flagged with a red status of 'Unlikely to be completed within the financial year', due to the residual purpose of the scheme this should not cause concern for members.

HEAD OF FINANCIAL SERVICES

DIRECTOR OF RESOURCES
AND DEPUTY CHIEF EXECUTIVE

CM9-23/LO/AC
11 AUGUST 2023

For further background information please ask for Lawson Oddie.
BACKGROUND PAPERS – None

Community Services Committee - Capital Programme 2023/24

Cost Centre	Scheme	Original Estimate 2023/24 £	Budget Moved from 2022/23 £	Slippage from 2022/23 £	Additional Approvals 2023/24 £	Current Total Approved Budget 2023/24 £	Actual Expenditure including Commitments as at end of June 2023 £	Remaining Budget as at end of June 2023 £	Percent of Budget Spent at end of June 2023 %	Current Status
PLANN	Introduction of Planning Portal Link to the Planning Application System and Planning System Update		26,420			26,420	0	26,420	0.0%	R
Total Planning and Development Committee		0	26,420	0	0	26,420	0	26,420	0.0%	

Community Services Committee – Capital Programme 2023/24

PLANN: Introduction of Planning Portal Link to the Planning Application System and Planning System Update

Budget Holder: Lyndsey Hayes

Latest Status: Unlikely to be completed within the financial year



Brief Description of the Scheme:

The original scheme was approved to allow for:

- Planning Portal Link - Introduction of a software link and associated hardware to enable a link between the external facing Planning Portal and the back office planning system for processing and inputting of planning applications.
- Planning System Update - Additional upgrades/modules added to the Planning System

When the capital programme 2023/24 to 2027/28 was approved, it included a new scheme of 'Software Upgrade for Regulatory Services' in 2025/26 (Policy and Finance Committee). This is a combined scheme for Planning, Legal and Environmental Health departments (including building control) and will replace the existing software systems used in these departments with a new cloud-based software system.

In the meantime, until that scheme takes place in 2025/26, this scheme remains in place to support any upgrades needed to the current system.

Summary Budget Position 2023/24

	2023/24
Original Estimate 2023/24	0
Budget Moved from 2022/23	26,420
Approved Slippage from 2022/23	0
Additional Approvals 2023/24	0
Current Total Approved Budget 2023/24	26,420
Actual Expenditure including Commitments as at end of June 2023	0
Remaining Budget as at end of June 2023	26,420

Budget Holder Comments:

June 2023: No upgrades to the current system have been needed or identified as being needed so far in 2023/24.

March 2023: No longer needed for the original intended purpose, but this scheme budget will be needed to support any upgrades needed to the current system, until the new 'Software Upgrade for Regulatory Services' scheme is implemented in 2025/26.

September 2022: There has been no spend on the scheme to date in 2022/23. The scheme remains on hold, awaiting the outcome of whether a proposed wider Software Upgrade for Regulatory Services capital scheme bid will be approved as part of setting the Council's future capital programme budget for 2023/24 to 2027/28, by February 2023. The proposed wider scheme includes a combined software system for several Council services, including Planning and Building Control services. If this capital bid is approved then there will be no requirement to complete the planning system upgrade scheme.

In the meantime, the software supporting the current planning system is currently out of date and an update will be required in the near future. The nature of the update required will determine whether the spend is funded from revenue or from this capital scheme budget.

June 2022: There has been no spend on the scheme to date in 2022/23. The scheme remains on hold, awaiting the outcome of whether a proposed wider Software Upgrade for Regulatory Services capital scheme bid will be approved as part of updating the Council's future capital

Community Services Committee – Capital Programme 2023/24

programme. The proposed wider scheme includes a combined software system for several Council services, including Planning and Building Control services. If this capital bid is approved then there will be no requirement to complete the planning system upgrade scheme. The timings for the next capital programme update are to be confirmed in the near future.

In the meantime, the software supporting the current planning system is currently out of date and an update will be required in the near future. The nature of the update required will determine whether the spend is funded from revenue or from this capital scheme budget.

November 2021: There will be no spend on the scheme in 2021/22 because it has previously been put on hold. At this stage, it is proposed the scheme budget is moved forward to 2022/23 and the 2021/22 revised estimate budget is reduced to nil. A wider Software Upgrade for Regulatory Services capital bid has been proposed to Budget Working Group as part of the 2022/23 to 2026/27 capital programme budget process. This includes a combined software system for several Council services, including Planning and Building Control services. If this capital bid is approved then there will be no requirement to complete the planning system upgrade scheme.

The 2022/23 to 2026/27 capital programme budget is approved by Full Council in March 2022 and we will report any impact on the planning system upgrade scheme to this Committee at that point.

August 2021: The planning portal link has been installed and configured previously. Further work is being undertaken to facilitate integration into the Development Management service.

The planning system update element of the scheme was previously put on-hold awaiting the outcome of the planned wider process review in the Planning section. That planned wider process review has still not taken place because of the on-going impact of the Covid-19 pandemic, but work has begun to consider back office systems integration improvements in some service areas including planning and building control. Given this, the planning system update element of this scheme will not be undertaken in 2021/22.

July 2021: The planning portal link has been installed and configured previously. Further work is being undertaken to facilitate integration into the Development Management service.

The planning system update element of the scheme was previously put on-hold awaiting the outcome of the planned wider process review in the Planning section. That planned wider process review has still not taken place because of the on-going impact of the Covid-19 pandemic. Also, CMT are looking to consider back office systems integration improvements in some service areas including planning and building control. Given this, the planning system update element of this scheme will not be undertaken in 2021/22.

November 2020: The planning portal link has been installed and configured previously. The planning system update element of the scheme was previously put on-hold awaiting the outcome of the planned wider process review in the Planning section. That planned wider process review has not taken place yet because of Covid-19 issues since Spring 2020. It is hoped that the wider process review can commence in 2021, Covid-19 permitting. Given this, the planning system update element of this scheme will not be undertaken in 2020/21. It is recommended that the 2020/21 revised estimate for the scheme is reduced to nil and the £26,420 scheme budget is moved to the 2021/22 financial year.

August 2020: The planning portal link has been installed and configured previously. The planning system update element of the scheme was previously put on-hold awaiting the outcome of the planned wider process review in the Planning section. That planned wider process review has not taken place yet because of Covid-19 issues since Spring 2020.

It is hoped that the wider process review can commence in early 2021, Covid-19 permitting. Given this, the planning system update element of this scheme will not be undertaken in 2020/21 and approval will be sought from members to move the remaining scheme budget into 2021/22 when the revised estimate capital programme is presented for approval in January 2021.

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November 2019: This scheme is on hold awaiting the outcome of the wider process review in the Planning section. The current elements included in this capital scheme need to be compatible with the functionality of the Planning system going forwards and may change as a result of the wider process review. As a result, this scheme will not be completed in-year. It is recommended that the £26,420 budget for this scheme is moved to the 2020/21 financial year and the 2019/20 revised estimate is nil.

September 2019: This scheme is on hold awaiting the outcome of the wider process review in the Planning section. The current elements included in this capital scheme need to be compatible with the functionality of the Planning system going forward and may change as a result of the wider process review. As a result, it is unlikely that this scheme will be completed in-year.

July 2019: The computerised system currently used within both the Planning and Building Control services is overdue to be upgraded and the upgrade is needed to facilitate the introduction of the Planning Portal. However, a review of how the upgraded software can be used to improve the efficiency and effectiveness of the service is currently underway. The proposed changes to the processes within the service and associated software costs will be reported to CMT by January 2020 and then to a future meeting of this Committee. The current elements included in this capital scheme need to be compatible with the functionality of the Planning system going forwards and may change as a result of the wider process review. Given that, this scheme is now on-hold awaiting the outcome of the review.

March 2019: There has been 2018/19 spend on IT consultant input to complete the Planning Portal Update, prior to installing the Planning Portal Link, and to begin the M3 to Engage migration. Protracted communication with the service provider has led to delay in implementation of an update in the current system which has resulted in a lack of progress.

November 2018: The Head of Planning Services and ICT Manager have agreed to implement the Planning Portal integration into the current version of the system as soon as possible and to then look at migrating the whole system to Assure and completing the planning system update. Some expenditure is expected prior to the end of the financial year, but the scheme will not be completed within the 2018/19 financial year.

September 2018: The Director of Economic Development and Planning, Head of Planning Services and ICT Manager are to meet with the software supplier on 1 November to investigate the functionality that the M3 / Assure system will provide going forward. Based on the outcome of that meeting a decision will be made on how this scheme will be progressed.

July/August 2018: The Local Land Property Gazetteer and Planning integration has now been completed, so the Council's ICT team are in discussions with the software supplier on the approach, timings and revised costings for the Planning Portal Link and Planning System Update work. In addition, the scheme approach will be reviewed by the new Director, together with the Head of Planning and the ICT Manager.

March 2018: Officers are waiting to complete the implementation of the Local Land Property Gazetteer and Planning integration, which is expected to be completed by May 2018, before commencing work on the Planning Portal and Planning System upgrade. The Planning Portal link will be implemented first followed by the Planning / Building Control System upgrade, which are expected to be completed in the financial year 2018/19.

November 2017: The latest position on scheme progress is as follows:

- Full Planning Portal integration is waiting for the integration of the current Planning system and National Land and Property Gazetteer. This integration is in progress and is now at testing stage. Once testing is completed, Planning Portal integration will begin.
- Given that the software supplier has confirmed it will be twelve months before the whole M3 planning system will be migrated over to Assure, ICT and the Head of Planning have agreed to proceed with partial migration and upgrade to Assure once the Planning Portal integration work has been completed. This will allow the Planning department to take advantage of some of the new functionality offered from partial migration.

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- We are awaiting the software supplier to confirm the server hardware and software requirements for the updated system. After that, ICT will then provide the additional server space on the new infrastructure, which will provide more resilience to the system and tie in with the Council's current backup and recovery strategy.

September 2017: The progress of the scheme has been reviewed by the Head of Planning Services and ICT, including an update from the software supplier:

- Full planning portal integration is waiting for ICT and the software supplier to finish implementation of integration of the current Planning system and National Land and Property Gazetteer.
- We are waiting for the software supplier to confirm the server hardware and software requirements for the updated system. After that, ICT will then provide the additional server space on the new infrastructure which will provide more resilience to the system and tie in with the Council's current back up and recovery strategy.
- The software supplier has said it will be 12 months before the whole M3 planning system will be migrated over to Assure. Some partial migration could take place in the interim to take advantage of some of the new functionality offered. The Head of Planning Services and ICT will consider whether we opt for partial integration in the interim or wait for the software supplier to complete the whole migration of their software to the new platform.

Given this, the scheme will not be able to be fully implemented within this financial year.

July 2017: A quote has been received for the planning portal integration software installation element of the scheme and this installation will be planned in shortly. In addition, the corporate ICT infrastructure refresh scheme is now complete, so IT can consider whether the additional server space element of the scheme is still required. However, the planning system software provider has not yet completed writing the scripts for the planning system update from the Engage system to the Assure system. This means that no progress can be made at this stage on the M3 to Engage migration, fast scanner, EDRM document management upgrade and Public Access module elements of the scheme.

March 2017: The planning system software provider has not yet completed writing the scripts for the planning system update from the Engage system to Assure system, so this element of the scheme cannot be completed yet. In addition, the Council is currently installing new and increased server capacity as part of a corporate ICT infrastructure refresh scheme, which may or may not negate the purchase of additional server space planned for this scheme. Officers have therefore decided not to implement all elements of this scheme until the ICT infrastructure refresh scheme is completed and the software provider has written the planning system update scripts.

November 2016: No spend on the scheme. Officers are still waiting confirmation from the software supplier of when the initial on-site assessment for the scheme will be carried out. A scheme implementation timeline will be agreed following this assessment. At this stage, the aim is still to complete the scheme by the end of the financial year, but this is dependent on the availability of software supplier consultant input.

September 2016: Awaiting confirmation from the software supplier of when the initial on-site assessment for the scheme will be carried out. A scheme implementation timeline will be agreed following this assessment. At this stage, the aim is to complete the scheme by the end of the financial year, but this is dependent on the availability of software supplier consultant input.

August 2016: The scheme implementation and procurement plan is to be worked up between Planning and ICT. At this stage, the aim is to complete the scheme by the end of the financial year.

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 24 AUGUST 2023
 title: PLANNING APPLICATION STATISTICS REPORT
 submitted by: NICOLA HOPKINS – DIRECTOR ECONOMIC DEVELOPMENT AND PLANNING
 principal author: LESLEY LUND – SENIOR PLANNING ADMINISTRATION OFFICER

1 PURPOSE

- 1.1 To update Committee on key information in relation to the determination of planning applications.
- 1.2 The report covers the first quarter of year 2023/2024 (1 April 2023 – 30 June 2023)

2 PLANNING APPLICATIONS RECEIVED AND DETERMINED DURING QUARTER 1 OF 2023/2024

- 2.1 The table below shows the number of planning applications received and determined during Quarter 1 of the current year 2023/2024. Figures for the previous four quarters in 2022/23 are also included for comparison.

	QUARTER 1 2023/2024	QUARTER 4 2022/2023	QUARTER 3 2022/2023	QUARTER 2 2022/2023	QUARTER 1 2022/2023
APPLICATIONS RECEIVED	156	173	174	191	170
APPLICATIONS DETERMINED	154	155	160	139	218
% OF DELEGATED DECISIONS	97.40%	96.13%	98.12%	96.40%	89.90%

- 2.2 Please note these figures do not include other types of applications that are submitted (including discharge of conditions, non-material amendments, prior approvals) which we are not required to report our performance on to Government.

3 CATEGORY OF PLANNING APPLICATIONS

- 3.1 Planning Applications are put into categories Major, Minor and Other. Below is a description of how the applications are categorised:

Major applications are applications which fall into the following categories:

- Dwellings - 10+ dwellings or a site area of 0.5ha+
- Offices/Retail & Distribution/Light Industry - 1,000m²+ of floor space or a site area of 1ha+

- General Retail Distribution and Servicing – 1,000m²+ of floor space or a site area of 1ha+
- Gypsy and Traveller sites – 10+ pitches
- All other major developments – all other uses, whether in a use class or sui generis uses, with a floor space of 1,000m²+ or a site area of 1ha+

Minor applications are applications which fall into the following categories:

- Dwellings – 1-9 dwellings or a site area of less than 0.5ha
- Offices/Retail & Distribution/Light Industry – less than 1,000m² floor space or less than 1 ha site area
- General Industry and Distribution and Servicing – less than 1,000m² floor space or less than 1ha site area
- Gypsy and Traveller sites – 1-9 pitches
- All other minor developments – less than 1,000m² floor space or less than 1ha site area

Other Developments

- Minerals Processing
- Change of Use – going from one class use to another
- Householder developments - extensions, conservatories, garages etc within the domestic curtilage of the property
- Advertisements
- Listed Building Consent

4 TARGETS

4.1 Performance has traditionally been measured in terms of time taken to determine a planning application. The Government's current targets are 13 weeks for Major applications and 8 weeks for Minor and Other applications, and is calculated from the date of validation to the date of despatch of the decision notice. There is also an opportunity to negotiate an extension of time for applications where it is clear that the statutory target cannot be met.

4.2 Currently the Government has set Local Planning Authority performance targets (Improving Planning Performance: Criteria for Designation Updated 2020) as follows:-

60% of Major applications to be determined within 13 weeks

70% of Minor and Other applications to be determined within 8 weeks.

<https://www.gov.uk/government/publications/improving-planning-performance-criteria-for-designation>

5 RIBBLE VALLEY DETERMINATION RATES

QUARTER 1 2023/2024 – 1 April 2023 to 30 June 2023

Majors - **75%** determined within 13 weeks or within agreed time extensions

Minors - **74.5%** determined within 8 weeks or within agreed time extensions

Others - **81.3%** determined within 8 weeks or within agreed time extensions

6 FEES RECEIVED

6.1 The table below shows the fees received for all applications during Quarter 1 of the current year 2023/2024. Figures for the previous four quarters in 2022/23 are also included for comparison.

	QUARTER 1 2023/2024	QUARTER 4 2022/2023	QUARTER 3 2022/2023	QUARTER 2 2022/2023	QUARTER 1 2022/2023
FEES RECEIVED	£144,305	£141,587	£109,421	£86,712	£135,267

7 APPEALS DETERMINED

7.1 There are three main types of planning appeals. These are written representations, Hearings and Inquiries.

WRITTEN REPRESENTATIONS

7.2 Most planning appeals are decided by the written representations procedure. With this procedure the Planning Inspector will consider written evidence from the appellant, the local planning authority (LPA) and anyone else who has an interest in the appeal.

7.3 The written evidence usually takes the form of a statement of case by the main parties (the appellant and the LPA), and there is also the opportunity to comment on each other's statements.

7.4 For householder appeals there is a slightly different process, There are no opportunities to submit further information once the original appeal form has been submitted and the Local Authority will provide a copy of either the officers delegated/ committee report rather than a separate statement.

HEARING

7.5 A planning hearing is an appeal in which there is normally no legal representation. Statements are submitted by both parties and there is an open, informal discussion on the key issues.

PUBLIC INQUIRY

7.6 An Inquiry is more formal process and there is normally legal representation who cross examine witnesses.

8. APPEAL DECISIONS

8.1 The number of appeal decisions determined during quarter 1 of 2023/24 (01/04/2023 – 30/6/2023) was as follows:

Planning Appeals Determined	Number	Allowed	Dismissed
Written Representations	5	2	3
Hearings	0	0	0
Inquiry	0	0	0
Householder	2	0	2
Total	7	2	5

8.2 The percentage of appeals that were allowed was **28.57%**. The performance target for appeals allowed (overturned) set by Government in the 'Improving Planning Performance – Criteria for Designations updated 2020' is 10%.

8.3 COST AWARDS

None to report this quarter.

9 PRE-APPLICATION ADVICE

9.1 The National Planning Policy Framework (NPPF) actively encourages pre-application engagement. It advises that early engagement has significant potential to improve the efficiency and effectiveness of the planning application process.

9.2 The fees generated during quarter 1 of 2023/2024 were £9726.00. Figures for the previous four quarters of 2022/23 are also presented below for comparison.

	QUARTER 1 2023/2024	QUARTER 4 2022/2023	QUARTER 3 2022/2023	QUARTER 2 2022/2023	QUARTER 1 2022/2023
PRE-APP FEES RECEIVED	£9726	£7080	£5140	£9135	£10974

10 CONCLUSION

10.1 The Local Planning Authority met the Government performance targets for determining planning applications in quarter 1 of 2023/24. Whilst the % of appeals allowed was slightly higher than Government targets for this quarter, appeal decisions are monitored and this does not raise any concern.

10.2 Members are asked to note the report.

LESLEY LUND

NICOLA HOPKINS
DIRECTOR ECONOMIC DEVELOPMENT
AND PLANNING

For further information please ask for Lesley Lund extension 4490.

Agenda Item 12

APPEALS UPDATE P & D Committee 24 August 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
3/2022/0044 R	05/10/2022	The Barn by the River, Kenyon Lane, Dinckley BB6 8AN	HH			Appeal Dismissed 04/07/2023
3/2021/1104 R	09/12/2022	Bradleys Farm, Four Acre Lane, Thornley PR3 2TD	WR			Appeal Dismissed 20/04/2023
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
3/2021/1008 R	15/03/2023	Land adj Higher Hodder Bridge	Hearing		11/07/2023	Appeal Dismissed 27/07/2023
3/2022/0589 R	17/02/2023	Bank House, 1 Ribble Lane, Chatburn BB7 4AG	WR (procedure changed by PINS)			Awaiting Decision
3/2022/0742 R	27/02/2023	7 Accrington Road, Whalley BB7 9TD	WR	Yes – costs refused		Appeal Allowed 03/07/2023
3/2022/0619 R	23/02/2023	Water Tank and Valve House off Vicarage Lane, Wilpshire BB1 9HY	WR			Awaiting Decision
3/2022/0440 R	16/02/2023	1 Park Road, Gisburn BB7 4HT	HH			Appeal Dismissed 26/06/2023
3/2022/0822 R (Advert)	27/02/2023	Dog and Partridge Hotel, 1-3 Wellgate, Clitheroe BB7 2DS	CAS			Part Allowed/Dismissed 13/07/2023
3/2022/0823 R (LBC)	28/02/2023	Dog and Partridge Hotel, 1-3 Wellgate, Clitheroe BB7 2DS	WR			Part Allowed/Dismissed 13/07/2023
3/2022/0824 R (PP)	28/02/2023	Dog and Partridge Hotel, 1-3 Wellgate, Clitheroe BB7 2DS	WR			Part Allowed/Dismissed 13/07/2023
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 Refused		Appeal Allowed 03/07/2023

R = Refusal C = Condition U = Undetermined

3/2022/0970 R	28/02/2023	Swallows Barn, Whalley Old Road, Billington BB7 9JE	HH			Appeal Allowed 01/08/2023
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			Awaiting Decision
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	16/05/2023	Woodfold Park Stud, Woodfold Park, Mellor BB2 7QA	WR	Costs refused 08/08/2023		Appeal Dismissed 08/08/2023
3/2022/0987 R	04/06/2023	4 The Green, Osbaldeston Lane, Osbaldeston BB2 7LY	WR			Awaiting Decision
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			Awaiting Decision
3/2022/0678 R	20/06/2023	Chipping Farm Shop, Wilsden, Garstang Road, Chipping PR3 2QH	WR			Awaiting Decision
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			Appeal Dismissed 26/06/2023
3/2022/1073 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)	02/08/2023	Land adjacent to 25 Paris, Ramsgreave BB1 9BJ	WR			Statement due 06/09/2023
3/2023/0059 R	09/08/2023	94 Ribchester Rd, Clayton le Dale BB1 9HQ	WR	Yes – costs app received		Statement due 13/09/2023
3/2023/0058 R	07/06/2023	5 Whalley Road, Read BB12 7PB	HH			Awaiting Decision

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)			
3/2022/1180 R	Awaiting start date from PINS	Pinfold Farm, Preston Road, Ribchester PR3 3YD	WR (to be confirmed by PINS)			
3/2022/0573 R	Awaiting start date from PINS	Land off Shire Lane, Hurst Green BB7 9QR	WR (to be confirmed by PINS)			
3/2023/0226 R	03/08/2023	Land adj to Miles Hill Moor Lane Billington BB7 9JH	Hearing (to be confirmed by PINS)			Statement due 07/09/2023
3/2022/1011 R	Awaiting start date from PINS	Killymoon, 1 Bennetts Close, Whalley BB7 9AF	WR (to be confirmed by PINS)			
3/2022/0771 R	Awaiting start date from PINS	Flat 6 35-39 Whalley Road, Clitheroe BB7 1EE	WR (to be confirmed by PINS)			

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