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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, 19 OCTOBER 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 - 28)
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 29 - 30)

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

- i) 3/2023/0156 - Dog and Partridge Hesketh Lane (Pages 31 - 48)
Chipping PR3 2TH
- ii) 3/2023/0680 - Parks Store Clitheroe Castle Castle Gate (Pages 49 - 54)
Clitheroe BB7 1AZ
- iii) 3/2023/0681 - Parks Store Clitheroe Castle Castle Gate (Pages 55 - 60)
Clitheroe BB7 1AZ

- iv) 3/2022/1129 - Bridge Hey Wood Caravan Park Dunkirk (Pages 61 - 76)
Farm Read BB12 7RR
- v) 3/2022/1039 Land adjacent 115 Kemple View Clitheroe (Pages 77 - 88)
BB7 2QJ
- 6. **FEES AND CHARGES 2024/25** (Pages 89 - 104)

Report of the Director of Resources and Deputy Chief
Executive enclosed

ITEMS FOR INFORMATION

- 7. **CAPITAL MONITORING 2023/24** (Pages 105 - 112)

Report of the Director of Resources and Deputy Chief
Executive enclosed
- 8. **REVENUE MONITORING 2023/24** (Pages 113 - 120)

Report of the Director of Resources and Deputy Chief
Executive enclosed
- 9. **APPEALS (IF ANY)** (Pages 121 - 122)
- 10. **MINUTES OF WORKING GROUPS**

There are no items under this heading.
- 11. **REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES**

There are no items under this heading.
- 12. **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, 21 September 2023, starting at 6.30 pm
Present: Councillor S Brunskill (Chair)

Councillors:

T Austin	K Horkin
D Brocklehurst	S O'Rourke
I Brown	K Spencer
S Fletcher	N Stubbs
M French	L Jameson
S Hore	

In attendance: Director of Economic Development and Planning, Head of Development management and Building Control and Solicitor

Also in attendance: Councillors R Walsh and G Scott

311 APOLOGIES FOR ABSENCE

Apologies for absence for the meeting were received from Councillors S Bibby, L Edge and J Rogerson.

In Councillor Bibby's absence, Councillor S Brunskill acted as Chair for the meeting, save as outlined below.

312 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 24 August 2023 were approved as a correct record and signed by the Chair.

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

Councillor S Brunskill declared an interest in Agenda Item 5(b) – Planning Application Land south of Causeway Farm, Balderstone

314 PUBLIC PARTICIPATION

There was no public participation.

315 PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990

316 3/2023/0421 - Fairfield Farm Longsight Road Clayton-le-Dale BB2 7JA

RESOLVED THAT COMMITTEE:

Grant planning permission subject to the following conditions:

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

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

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

- Location Plan (dwg no.EX.00 Rev A)
- Proposed Site Plan, Floor Plans, and Elevations (dwg no. PL.01 Rev C)
- Proposed Roof Plan (dwg no. PL.02 Rev A)

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

3. The materials to be used on the external surfaces of the development as indicated within the application form and on approved drawing(s) 'Proposed Site Plan, Floor Plans and Elevations' (dwg no. PL.01 Rev C) shall be implemented as indicated.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

4. The installation of a Greenwoods Ecohabitats Two Chamber Bat Box or Kent Bat Box shall be incorporated into the site during the construction stage of the development and made available for use before the extension(s) hereby approved is first brought into use and thereafter retained.

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

INFORMATIVE:

The granting of any planning permission does not entitle a developer to obstruct a right of way. Any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. The applicant is advised to contact Lancashire County Council's Public Rights of Way section by email on PROW@lancashire.gov.uk, quoting the location, district and planning application number to discuss their proposal before any development works begin.

317 3/2023/0148 - Land south of Causeway Farm Balderstone

The Chair, Councillor S Brunskill left the room and took no part in the vote. Councillor S Hore was appointed as Chairman for this agenda item.

Ms Vanessa Rowell spoke in support of the application.

Balderstone Parish Councillor, Mr Colin Everett spoke against the application.

Councillor R Walsh was given permission to speak against the application.

It was noted that in the original published report on this item, the response of Balderstone Parish Council was not included. An apology was given for this omission. It was confirmed that their response had been added into the late item report that had been published.

RESOLVED THAT COMMITTEE:

Refuse planning permission for the following reasons:

1. The proposed development would result in large scale commercial development outside of a defined settlement boundary which fails to meet any of the exception criteria for allowing development in such locations and which would be dependent on the use of private motor vehicles. The harm that would arise by allowing this inappropriate development in a countryside location would be contrary to Policies DMG1, DMG2 and EC1 of the Ribble Valley Core Strategy 2008 -2028 as well as the National Planning Policy Framework which supports sustainable patterns of development. There are no material considerations which justify deviating from the Development Plan in this case.

2. The proposed development, by virtue of its overall scale and footprint, would result in the introduction of an incongruous, unsympathetic, and discordant form of development, of an overtly suburban appearance, particularly when viewed from the A59 approaching the site and Public Footpaths FP0304060, FP0304061, FP0304062, FP0304063 and FP0304064. The loss of over 100m of hedgerow (classed as Habitat of Principle Importance) adjacent to the prominent road frontage together with a further 40m of hedgerow being reduced to 1.5m in order to accommodate the site access and sightlines would result in further environmental harm. The resultant impact fails to protect key landscape features or respond positively to the inherent visual and landscape character of the area contrary to Policies DMG1, DMG2, DME1, DME2 and DMB5 of the Ribble Valley Core Strategy 2008 – 2028.

3. The proposal fails to demonstrate that appropriate assessments have been carried out to fully assess the impacts upon Great Crested Newts and appropriate mitigation required. As such there is uncertainty over whether a Natural England (protected species) license is required, and in the event that it is required, then it is the Local Planning Authority's view that it is unlikely to be granted. Therefore, the proposal fails to adequately protect and enhance protected species and habitat contrary to Key Statement EN4 and policy DME3 of the Ribble Valley Core Strategy 2008 -2028 as well as the National Planning Policy Framework.

4. The proposal fails to demonstrate that the proposed site access arrangements are safe and suitable to serve the development. These highway safety concerns mean the development is contrary to Policy DMG1 of the Ribble Valley Core Strategy 2008 - 2028 as well as the National Planning Policy Framework.

Councillor S Hore stood down as Chairman and Councillor S Brunskill returned to the meeting.

318 3/2023/0100 - Land west of Preston Road Longridge PR3 3BE

Councillors noted the late item report.

RESOLVED THAT COMMITTEE:

Defer and delegate to the Director of Economic Development and Planning for approval following the satisfactory completion of a Legal Agreement (with instruction from Committee for the Section 106 Agreement to secure education contributions towards the new primary school in Longridge as option 1 followed by the expansion of an existing primary school within the Ribble Valley borough area as option 2) and subject to the following conditions:

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

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

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

- Location Plan Dwg no LOC01
- Site Plan 1 Dwg no PL01 REV F
- Single & Twin Garage Types Dwg no GAR-01
- The Sandford SAND-01, SAND-02 and SAND-03
- The Rensford RENS-01, RENS-02 and RENS-03 (plot 268 only)
- The Lemsford LEMS-01, LEMS-02
- The Chelford CHEL-01, CHEL-02
- The Scotswood SCOT-01
- The Hartwood HART-01
- The Cedarwood CEDA-01
- The Denton DENT-01
- Bungalow BUN-01, BUN-02, BUN-03
- Landscape Masterplan Dwg no R/2012/19F
- Landscape Details Dwg no R/2012/20E
- Landscape Details Dwg no R/2012/21C
- Landscape Details Dwg no R/2012/22A
- Landscape Details Dwg no R/2012/23E
- Materials Plan Dwg no MP01 REV E

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

3. The materials to be used on the external surfaces of the development as indicated on Proposed Plan: Materials Plan Dwg no MP01 REV E shall be implemented as indicated unless otherwise agreed in writing by the Local planning Authority.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

4. The approved landscaping scheme (Landscape Details Dwg no R/2012/20E, Landscape Details Dwg no R/2012/21C, Landscape Details Dwg no R/2012/22A, Landscape Details Dwg no R/2012/23E and Landscape Masterplan Dwg no R/2012/19F) shall be implemented in accordance with a timetable that shall be submitted to and approved in writing by the Local Planning Authority prior to slab level being reached for any dwelling hereby approved. Once implemented, the approved landscaping shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: To ensure that the site is sufficiently landscaped within an appropriate timescale and to comply with Policy DMG1 of the Ribble Valley Core Strategy.

5. No dwelling hereby approved shall be first occupied until the new estate road(s) affording access to those dwelling(s) has been constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level.

In the event that the new estate road is not proposed for adoption by the Local Highway Authority then details of their road construction (surface materials and depth) and highway infrastructure (footways, street lighting, drainage) shall be submitted to, and approved in writing by, the Local Planning Authority. No dwelling hereby approved shall be first occupied until the new estate road(s) affording access to that dwelling has been constructed in accordance with the approved details.

REASON: To ensure that the road surfaces are visually acceptable and that any private roads are of sufficiently adequate construction to support any loading applied to them to enable effective waste management and emergency services access, and that the necessary infrastructure is provided.

6. Prior to the first occupation of any dwelling, the proposed arrangements for future management and maintenance of the roads/ footways/ cycleways within the development shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include a plan showing areas of highway proposed for adoption by the Local Highway Authority and any areas proposed for private management.

Should the plan required as per the above show that any highway within the estate would be privately managed, details of a Road Management Plan to detail how those sections of highway would be maintained in perpetuity, such as a private management and maintenance company to be established if applicable, shall be submitted to and approved in writing by the Local Planning Authority. The highway shall thereafter be maintained in accordance with the approved management and maintenance details or until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

Should the plan required as per the above show that any highway within the estate would be proposed for adoption by the Local Highway Authority, those roads/ footways/ cycleways shall be made up to, and retained thereafter to, the Local Highway Authority's Adoptable Standards.

REASON: To ensure that all highways, footways and cycleways will be maintained to a sufficient standard by either the Local Highway Authority or by a site management company.

7. Prior to occupation of the 50th residential dwelling hereby approved, the new footpath/cycleway as shown on drawing number Site Plan 1 Dwg no PL01 REV F shall be provided within the site and extending up to the site boundaries.

For the avoidance of doubt the footpath/cycleway shall be constructed to a minimum width of 3.5m, surfaced and with footway lighting provision. Details of construction, surfacing, lighting, management and maintenance will be required to be submitted prior to commencement of the construction of the footpath/cycleway.

REASON: To provide a safe and adequate standard of provision for the movement of pedestrians and cyclists within the site and to ensure adequate permeability and connectivity with adjacent development and the existing highway/pedestrian network in accordance with Key Statement DMI2 and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

8. The works hereby approved are to be carried out in accordance with the Construction Environmental Management Plan Version 1 (January 2023).

REASON: In the interests of highway safety and residential amenity in accordance with DMG1.

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

REASON: To prevent stones and mud being carried onto the public highway and to ensure the continued safe operation of the highway during the construction phase(s) of the development in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

10. 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 site specific flood risk assessment [and indicative surface water sustainable drainage strategy] submitted 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.

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. Existing and 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 of an assessment of the existing on-site watercourse to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.

e) 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.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

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.

11. 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 the maintenance, operational and access requirement for all SuDS components and connecting drainage structures, including all watercourses and their ownership;

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.

12. 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.

13. Within 3 months of commencement of any phase of development hereby approved, full details of the siting, scale, appearance, delivery timeframe and management arrangements of all play equipment or street furniture shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the submitted details shall include the phasing and timings of the installation of such provision and equipment. The development shall be carried out in strict accordance with the approved details.

REASON: To comply with Policies DMG1 and DMB4 of the Ribble Valley Core Strategy, to ensure a satisfactory standard of appearance in the interests of the visual amenities of the area to ensure adequate usable open space provision is provided for

future residents/occupier of the development within an appropriate and acceptable timeframe.

14. Prior to commencement of any development hereby approved the applicant shall obtain a modified European Protected Species Mitigation Licence for any licensable works as required by Natural England and as modified as outlined within the Updated Ecology Survey dated 19th January 2023. A copy of the licence obtained shall then be submitted to and approved in writing by the local planning authority.

The actions, methods & timings included in the mitigation measures identified and the conditions of the Natural England Licence shall be fully implemented and adhered to throughout the lifetime of the development.

REASON: To ensure the protection of species/habitat protected by the Wildlife and Countryside Act 1981 (as Amended) and in the interests of biodiversity and to enhance habitat opportunities for species of conservation concern/protected species and to minimise/mitigate the potential impacts upon protected species resultant from the development in accordance with Key Statement EN4 and Policy DME3 of the Ribble Valley Core Strategy.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, amending or re-enacting that Order), all garages hereby permitted shall be maintained as such and shall not be converted to or used as additional living accommodation that would preclude its ability to accommodate parked motor vehicles unless a further planning permission has first been granted in respect thereof.

REASON: To allow for the effective use of the parking areas in accordance with Policy DMG3 of the Ribble Valley Core Strategy.

16. The car parking and manoeuvring areas for each dwelling as shown on the approved plans shall be marked out and made available for use before each dwelling hereby permitted becomes operative and permanently maintained thereafter.

REASON: To allow for the effective use of the parking areas in accordance with Policy DMG3 of the Ribble Valley Core Strategy.

17. Prior to the first occupation of any dwelling hereby approved details of the provision of electric vehicle charging points within the boundary of the site shall have been submitted to and approved in writing by the local planning authority. These shall have been made available for use prior to the first occupation of the dwelling and thereafter retained as such.

REASON: To contribute towards sustainable transport objectives and the reduction of harmful vehicle emissions.

18. Prior to the commencement of development details of the existing and proposed ground, slab and finished floor levels shall be submitted to and approved in writing by the Local Planning Authority.

The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details.

REASON: To ensure that the development has a satisfactory visual impact on the streetscene, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (Schedule 2, Part 1, Classes A to E), or any subsequent re-enactment thereof, no development of that permitted in the above order shall be constructed on plots 252-254, 203, 207, 156-157, 186-194 and 217-222 without express planning permission first being obtained.

REASON: To ensure that the development has a satisfactory impact on neighbouring residential amenity.

20. Cycle storage shall be provided within the site in the locations identified on the approved plan (Site Plan 1 Dwg no PL01 REV F) prior to the occupation of the dwelling to which they relate. All cycle storage shall be enclosed and lockable. The approved details shall be retained and made available for use at all times thereafter.

REASON: In order that the Local Planning Authority may ensure that the development provides adequate provision for the storage of bicycles to encourage the use of sustainable means of transport.

21. Notwithstanding the details submitted, details of the alignment, height, and appearance of all boundary treatments, fencing, walling, retaining wall structures and gates to be erected within the development shall have been submitted to and approved in writing by the Local Planning Authority prior to slab level being reached for any dwelling hereby approved. The approved details shall be provided prior to first occupation of the dwelling to which they relate.

REASON: To ensure that the development has a satisfactory visual impact on the streetscene and a satisfactory impact on highway safety.

22. Prior to slab level being reached for any dwelling hereby approved, a scheme which identifies opportunities for biodiversity enhancement on site including (but not limited to) bat bricks and/or tubes within the new development, bird boxes, bat boxes and suitable sized gaps/corridors at ground level to encourage wildlife movement shall be submitted to and approved in writing by the Local Planning Authority.

The approved details shall be implemented prior to occupation of the dwelling to which they relate or, if within public areas, at the same time as those areas are delivered. The agreed scheme shall be retained in perpetuity and the wildlife corridor shall thereafter remain free from obstructions which would preclude their use by wildlife.

REASON: Such a scheme was not submitted with the application but is necessary to secure opportunities for the enhancement of the nature conservation value of the site in the interests of ecology and biodiversity and in accordance with the Wildlife and Countryside Act 1981.

319 3/2022/0966 - Crow Trees Farm Crow Trees Brow Chatburn BB7 4AA

Councillors noted the late item report.

Ms Sarah Jones and Mr Sam Fleuriot spoke in support of the application.

Councillor G Scott was given permission to speak against the application.

Councillor D Brocklehurst left the meeting during this item and did not take part in the vote.

RESOLVED THAT COMMITTEE:

Defer and delegate to the Director of Economic Development and Planning for approval following the satisfactory completion of a Legal Agreement and subject to the following conditions:

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

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

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

- Location Plan Ref 21/139/L01
- Proposed Site Layout Ref 21/139/P01D
- Mews Block Proposed Floor Plans & Elevations Ref 21/138/AF01B
- The Bristow (Apartment Block) Proposed Floor Plans & Elevations Ref 21/139/AF02B
- The Marsden (2H795) Proposed Floor Plans & Elevations Ref 21/139/AF03A
- The Bransfield (3H951) Proposed Floor Plans & Elevations Ref 21/139/AF04A
- The Wainwright (3H1079) Proposed Floor Plans & Elevations Ref 21/139/AF05A
- The Wainwright (3H1057) Proposed Floor Plans & Elevations Ref 21/139/AF06A
- The Ruxton (2B719) Proposed Floor Plans & Elevations Ref 21/139/AF07B
- The Hastings and Burton Semi (2B744) Proposed Floor Plans & Elevations Ref 21/139/AF09A
- Proposed Main House Refurbishment and Extension of Store to form Garage Ref 21/139/CO1A
- Proposed Barn Conversion & Extension Floor Plans & Elevations Ref 21/139/C02A
- Proposed Dutch Barn Conversion (Annex accommodation to dwelling) Floor Plans & Elevations Ref 21/139/C03A
- Site Sections and Street Scene Ref 21/139/SS01C
- Proposed Boundary Treatment Details Ref 21/139/PO4B
- Detached Garage to Barn Conversion Ref 21/139/GO4
- Landscape Layout 4265/101D

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

3. Notwithstanding the submitted details, the details or specifications of all materials to be used on the external surfaces of the development hereby approved shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the area.

4. 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 details will be expected to be in general accordance with the approved Landscape layout plan (4265/101D).

The soft landscaping works shall be carried out in accordance with the approved details within the first planting season following occupation of the dwelling to which they relate to, or in the case of landscaping within public areas, prior to occupation of the 20th dwelling hereby approved. The hard landscaping works shall be carried out in accordance with the approved details prior to first occupation of the dwelling to which they relate.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 10 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 and to ensure compliance with the Wildlife and Countryside Act 1981.

5. (a) The new estate road for the new build dwellings phase of development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level for a distance of 10 metres into the site from the highway before any other development associated with that phase takes place within the site.

(b) No new build dwelling hereby approved shall be first occupied until the new estate road(s) affording access to those dwelling(s) has been constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level.

(c) In the event that the new estate road is not proposed for adoption by the Local Highway Authority then details of their road construction (surface materials and depth) and highway infrastructure (footways, street lighting, drainage) shall be submitted to, and approved in writing by, the Local Planning Authority. No new build dwellings hereby approved shall be first occupied until the new estate road(s) affording access to such dwellings has been constructed in accordance with the approved details.

REASON: To ensure that the road surfaces are visually acceptable and that any private roads are of sufficiently adequate construction to support any loading applied to them to enable effective waste management and emergency services access, and that the necessary infrastructure is provided.

6. (a) Prior to the first occupation of any new build dwelling, the proposed arrangements for future management and maintenance of the roads/ footways/ cycleways associated with that phase of the development shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall

include a plan showing areas of highway proposed for adoption by the Local Highway Authority and any areas proposed for private management.

(b) Should the plan required as per the above show that any highway within the estate would be privately managed, details of a Road Management Plan to detail how those sections of highway would be maintained in perpetuity, such as a private management and maintenance company to be established if applicable, shall be submitted to and approved in writing by the Local Planning Authority. The highway shall thereafter be maintained in accordance with the approved management and maintenance details or until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

(c) Should the plan required as per the above show that any highway within the estate would be proposed for adoption by the Local Highway Authority, those roads/ footways/ cycleways shall be made up to, and retained thereafter to, the Local Highway Authority's Adoptable Standards.

REASON: To ensure that all highways, footways and cycleways will be maintained to a sufficient standard by either the Local Highway Authority or by a site management company.

7. No part of the new build phase of development hereby permitted shall be occupied until such time as the western site access arrangements shown on LMP drawing number 21/139/P01 Rev D have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

8. No part of the new build phase of development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway mitigation namely:

- Tactile paving provided on both sides of the footway at the two junctions serving the site.
- Highway signage improvement scheme (from the site to Mill Hay Barn, Sawley Road, Chatburn).

has been submitted to, and approved in writing by, the Local Planning Authority including a timetable for implementation. The works shall be completed in accordance with the approved details including approved timetable.

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

9. No part of the new build phase of 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:

- 24 Hour emergency contact number;
- Details of the parking of vehicles of site operatives and visitors;
- Details of loading and unloading of plant and materials;
- Arrangements for turning of vehicles within the site;

- 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;
- Measures to protect vulnerable road users (pedestrians and cyclists);
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities;
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
- Measures to control the emission of dust and dirt during construction;
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
- Construction vehicle routing;
- 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.

10. No part of the new build development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 63 metres to the north and 2.4 metres by 61 metres to the south have been provided at the western site access. These shall thereafter be permanently maintained with nothing within those splays higher than 1 metres above the level of the adjacent footway/verge/highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2021).

11. No dwelling hereby permitted shall be occupied until such time as the applicable parking and turning facilities serving that dwelling have been implemented in accordance with LMP drawing number 21/139/P01 Rev D. 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).

12. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment (September 2022 / Flood Risk Assessment and Drainage Strategy – 22.1150 / Reford Consulting Engineering Limited).

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

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.

13. No development shall commence in any phase (one phase being the new build development, the other phase being the dwelling conversion) 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 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.

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. Existing and 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 Water and Sewerage Company to connect to the offsite combined sewer.

The sustainable drainage strategy shall be implemented in accordance with the approved details prior to occupation of the development of that phase and/or in accordance with the timing / phasing arrangements embodied within the approved 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.

14. No development shall commence in the new build phase of development 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 method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, 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 entering 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.

15. The occupation of the new build phase of development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of that phase 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 the maintenance, operational and access requirement for all SuDS components and connecting drainage structures, including all watercourses and their ownership;
- 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.

16. The occupation of the new build development phase shall not be permitted until a site-specific verification report for that phase, 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.

17. Prior to the commencement of development of any phase (one phase being the new build dwelling development, the other phase being the dwelling conversion), a detailed site investigation for that phase shall be carried out in accordance with a written methodology, which shall first have been submitted to and approved in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of that phase shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented prior to any development of that phase, and validation of the approved measures shall be submitted to, and approved by, the Local Planning Authority in writing on completion of the works. Any changes to the approved scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken on that phase.

REASON: The development is for a sensitive end use and insufficient information has been submitted with the application as to the potential contamination risks of the site. The potential for contamination must therefore be addressed in order to safeguard the development in accordance.

18. No demolition, ground works, site / vegetation clearance or construction in respect of the Grade II Listed Farmhouse shall commence until the Local Planning Authority has been provided in writing with either:

- a licence issued by Natural England pursuant to Regulation 39 of the Conservation of Habitats and Species Regulations 2010 in respect of the likely

- harm to bats as a result of the demolition / development authorising the specified activity / development go ahead; or
- a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

REASON: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and Section 15 of the National Planning Policy Framework.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, amending or re-enacting that Order), all garages hereby permitted shall be maintained as such and shall not be converted to or used as additional living accommodation that would preclude its ability to accommodate parked motor vehicles unless a further planning permission has first been granted in respect thereof.

REASON: To allow for the effective use of the parking areas in accordance with Policy DMG3 of the Ribble Valley Core Strategy.

20. The development hereby approved shall be implemented in full accordance with the Ecological Appraisal submitted with the planning application [Preliminary Ecology Appraisal, Envirotech, 7903, 1/9/2022] including all the mitigation measures set out in that report.

REASON: To ensure compliance with the Wildlife and Countryside Act 1981, Policy DME3 of the Ribble Valley Core Strategy and section 15 of the National Planning Policy Framework.

21. Prior to the first occupation of any dwelling hereby approved details of the provision of electric vehicle charging points within the boundary of the site shall have been submitted to and approved in writing by the local planning authority. These shall have been made available for use prior to the first occupation of the dwelling and thereafter retained as such.

REASON: To contribute towards sustainable transport objectives and the reduction of harmful vehicle emissions.

22. Prior to the commencement of development of any phase (one phase being the new build dwelling development, the other phase being the dwelling conversion) details of the existing and proposed ground, slab and finished floor levels shall be submitted to and approved in writing by the Local Planning Authority.

The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details.

REASON: To ensure that the development has a satisfactory visual impact on the streetscene, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding.

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no fences, gates, walls, railings or other means of enclosure shall, at any time, be constructed/erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts on to a highway without express planning permission first being obtained.

REASON: To safeguard the appearance of open plan development.

24. Prior to slab level being reached, details of the location and appearance of cycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority for those plots which do not have garages within their curtilage. The development shall be implemented in accordance with the approved details, prior to first occupation of any relevant part of the approved development and thereafter maintained and retained.

REASON: In the interests of the appearance of the site and locality and to promote sustainable transport as a travel option, encourage healthy communities and reduce carbon emissions.

25. The annexe (existing Dutch barn outbuilding) hereby approved shall only be used ancillary to the enjoyment of the approved dwelling (existing dairy building) and shall not be used by way of sale or sub-letting to form separate residential accommodation.

REASON: To avoid the creation of separate dwellings which require further consideration against relevant Local Plan policies.

26. Prior to slab level being reached for any new-build dwelling hereby approved, or in the case of the dairy building, prior to conversion works commencing, a scheme which identifies opportunities for biodiversity enhancement on site including (but not limited to):

- bat bricks and/or tubes within the new development
- bird boxes
- bat boxes
- Native tree and shrub planting
- Hedgerow planting
- Bolstering of existing hedgerows
- Creation of suitable sized gaps/corridors at ground level to encourage wildlife movement

shall be submitted to and approved in writing by the Local Planning Authority.

The approved details shall be implemented prior to occupation of the dwelling to which they relate or, if within public areas, at the same time as those areas are delivered. The agreed scheme shall be retained in perpetuity and the wildlife corridor shall thereafter remain free from obstructions which would preclude their use by wildlife.

27. Notwithstanding the details submitted, details of the alignment, height, and appearance of all boundary treatments, fencing, walling, retaining wall structures and gates to be erected within the development shall have been submitted to and approved in writing by the Local Planning Authority prior to slab level being reached for any dwelling hereby approved. The approved details shall be provided prior to first occupation of the dwelling to which they relate.

REASON: To ensure that the development has a satisfactory visual impact on the streetscene and a satisfactory impact on highway safety.

28. Prior to first occupation of the new build dwellings hereby approved, the noise mitigation measures set out in the supporting Noise Assessment submitted with the application [Martec Environmental Consultants Ltd, 12.4.2022] shall be implemented. The approved noise mitigation measures shall thereafter be retained and maintained.

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.

29. No works to the application buildings, including any clearance/demolition or preparation works shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological building recording as set out in "Understanding Historic Buildings" (Historic England 2016). The recording should be to Level 3 for Crow Trees farmhouse, and Level 2 for the barn/dairy and other 19th century or earlier ancillary buildings. No record is required for the Dutch Barn. Wherever possible the recording of the farmhouse should also include observation and recording during opening-up and other investigative works to the building structure. This work must be carried out by an appropriately qualified and experienced professional contractor to the standards set out by the Chartered Institute for Archaeologists and in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

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

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

REASON: To ensure and safeguard the investigation and recording of matters of archaeological/historical importance associated with the development.

31. Prior to the first occupation of plot 1 of the new build element, the first floor window(s) in the north elevation(s) of plot 1 shall be:

- i) obscure glazed at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured), and
- ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

The window(s) (including any subsequent repaired or replacement window) shall be maintained and retained thereafter in accordance with this detail.

REASON: To safeguard the privacy of adjoining residents.

32. No tree felling, tree works or works to hedgerows shall take place during the optimum period for bird nesting (March to August inclusive) unless a report, undertaken by a suitably qualified person immediately prior to any clearance, has been submitted to and approved in writing by the Local Planning Authority, demonstrating that nesting / breeding birds have been shown to be absent.

REASON: To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

33. No works to alter and extend the existing (Listed) curtilage building to the Farmhouse shall commence until the approved renovation works to the external elevations of the Farmhouse have been implemented in full.

REASON: To ensure that the public benefits identified to justify the assessed level of harm are delivered.

34. Prior to the commencement of the development hereby approved in respect of the Listed Farmhouse, details of the extent of new render to be applied to the elevations shall be submitted along with a specification for the render to be used (including mix ratio and finishing) together with a methodology for its application shall have been submitted to and approved in writing by the Local Planning Authority. Dependent on the extent of new render required and approved, there may also be a requirement to provide a sample panel on site to be inspected and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details.

After completion, only the approved details shall be subsequently used as a repair or replacement.

REASON: To preserve or enhance the architectural and historic character of the Listed Building.

INFORMATIVES/NOTES

1. 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

2. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278 and Section 38), 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 The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 38), 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.

3. Relevant archaeological standards and a list of registered contractors can be found on the ClfA web pages: <http://www.archaeologists.net>. Contact details for other non-registered contractors can be found on the BAJR web site: <http://www.bajr.org>. "Understanding Historic Buildings" can be accessed online at <https://historicengland.org.uk/images-books/publications/understanding-historicbuildings/>.

4. Relevant archaeological standards and a list of registered contractors can be found on the ClfA web pages: <http://www.archaeologists.net>. Contact details for other non-registered contractors can be found on the BAJR web site: <http://www.bajr.org>

320 PLANNING ENFORCEMENT UPDATE

The Chief Executive submitted a report providing Committee with an update on planning enforcement.

Members were informed that the Council currently had 92 live planning enforcement matters, of which 37 had submitted planning applications awaiting decisions.

Between 20 June 2023 and 11 September 2023, the Council received 27 new complaints and 14 matters had been closed with no further action during this period.

Committee noted the contents of the report.

321 APPEALS (IF ANY)

Committee noted the contents of the Appeals report.

322 MINUTES OF WORKING GROUPS

There were no minutes from working groups.

323 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

324 EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

The meeting closed at 7.50 pm

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

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

meeting date: THURSDAY, 19TH OCTOBER 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:			
	3/2023/0156	Will Hopcroft	AC	Dog and Partridge, Hesketh Lane, Chipping PR3 2TH
	3/2023/0680	Ben Taylor	AC	Parks Store, Clitheroe Castle, Castle Gate, Clitheroe BB7 1AZ
	3/2023/0681	Ben Taylor	AC	Parks Store, Clitheroe Castle, Castle Gate, Clitheroe BB7 1AZ
	3/2022/1129	Stephen Kilmartin	AC	Bridge Hey Wood Caravan Park, Dunkirk Farm, Read BB12 7RR
C	APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR REFUSAL:			
	3/2022/1039	Stephen Kilmartin	REF	Land adjacent 115 Kemple View, Clitheroe BB7 2QJ
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

APPROVAL

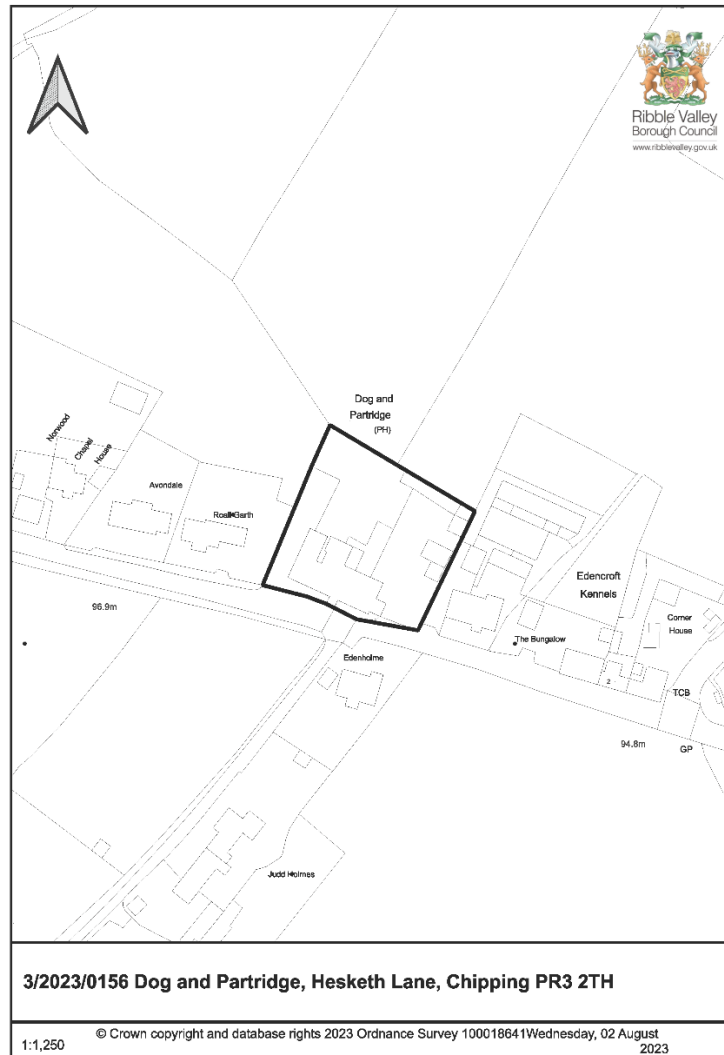
DATE: 19 OCTOBER 2023
REF: WH
CHECKED BY: LH

APPLICATION REF: 3/2023/0156

GRID REF: SD 61879 41330

DEVELOPMENT DESCRIPTION:

CONVERSION AND EXTENSION OF FORMER DOG & PARTRIDGE TO FORM ONE DWELLING AND SIX RESIDENTIAL APARTMENTS AND THE ERECTION OF THREE BUILDINGS FOR HOLIDAY ACCOMMODATION USE AND DETACHED GARAGE.
DOG AND PARTRIDGE, HESKETH LANE, CHIPPING PR3 2TH



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

No representations received in respect of the application.

LANCASHIRE COUNTY COUNCIL HIGHWAYS (LOCAL HIGHWAY AUTHORITY):

No objection subject to the imposition of a number of conditions, relating to: provision of a construction traffic management plan; no occupation prior to implementation of access arrangements; no occupation prior to the implementation of vehicular visibility splays; removal of Permitted Development rights relating to access gates, barriers, bollards, chains or other such obstructions; no occupation until surfacing of hard bound material; appropriate drainage; no occupation until implementation of parking and turning facilities; provision of appropriate cycle storage. In addition the provision of an informative relating to entering into an appropriate Section 278 agreement has been requested through the above response.

UNITED UTILITIES:

No objection but a reminder to the applicant of their obligations towards sustainable drainage.

LEAD LOCAL FLOOD AUTHORITY:

No objection subject to the imposition of conditions relating to the provision of a final surface water sustainable drainage strategy; a construction surface water management plan; sustainable drainage system operation and maintenance manual; verification report of constructed sustainable drainage system.

LANCASHIRE FIRE AND RESCUE SERVICE:

Reminder of the applicants obligations towards compliance with the appropriate building regulations.

ADDITIONAL REPRESENTATIONS:

9 No. letters of representation have been received objecting to the application on the following grounds:

- Concerns surrounding the submitted drainage strategy
- Concerns over insufficient level of parking
- Concerns that the holiday accommodation will be sold on as regular accommodation.
- Concerns relating to traffic as a result of the increased use of Hesketh Lane
- Noise concerns relating to the adjacent dog kennels

1. Site Description and Surrounding Area

- 1.1 The site is located off Hesketh Lane, approximately 1.6 miles South of Chipping Village. The site itself consists of the former Dog and Partridge Restaurant & Bar which includes the main stone restaurant building, a modern rear extension, car park and rear garden area.

1.2 The site is situated in the Forest of Bowland Area of Outstanding Natural Beauty (AONB) and has a road side frontage and vehicular access from Hesketh Lane.

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

2.1 The proposal seeks alterations to the former Dog and Partridge pub to accommodate 6no. apartments labelled as plots 2-7 (4no. 2-bed, 2no. 1-bed), as well 1no. 3-bed dwelling labelled as plot 1 utilising the existing footprint, as well as a new detached, single-storey pitched roof garage. Plot 1 will have its own private rear amenity space, with plots 2-7 utilising a private communal area.

2.2 In addition, it is proposed to erect 3no. single-storey 2-bed holiday lets to the rear of the site (plots 8-10) incorporating a flat roof, with a small amount of private amenity space and 2no. off-street parking spaces per plot. These are broadly square in shape, 10.9m deep and 9.3m wide with large glazed feature to the rear and natural stone to the front elevations.

2.3 Access is gained off the existing accesses for Hesketh Lane – plot 1 utilises an existing access to serve just that property, with the remainder of the development served by a gated access leading into 10no. parking spaces and the siting of a bin-store. There would be a small internal road to the rear of the pub providing access to the holiday lets.

3. **Relevant Planning History**

2018/0786: Conversion of an existing restaurant (A3) to create twelve apartments (C3) and the siting of four holiday lets – Approved subject to Legal Agreement

2015/0405: Demolition of existing garage and erection of new garage and store – Approved with Conditions

The remaining planning history relates back to the use of the building as a public house and as such is not considered directly relevant to this planning application.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1: Development Strategy

Key Statement DS2: Sustainable Development

Key Statement EN2: Landscape

Key Statement EN4: Biodiversity and Geodiversity

Key Statement EC1: Business and Employment Development

Key Statement EC2: Development of Retail, Shops and Community Facilities

Key Statement EC3: Visitor Economy

Key Statement H3: Affordable Housing

Key Statement DMI1: Planning Obligations

Key Statement DMI2: Transport Considerations

Policy DMG1: General Considerations

Policy DMG2: Strategic Considerations

Policy DMG3: Transport & Mobility

Policy DME2: Landscape & Townscape Protection
Policy DME3: Site and Species Protection and Conservation
Policy DME6: Water Management
Policy DMH3: Dwellings in the Open Countryside and AONB
Policy DMB1: Supporting Business Growth and the Local Economy
Policy DMB3: Recreation and Tourism Development

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

5. **Assessment of Proposed Development**

5.1 Principle of Development:

- 5.1.1 In relation to the principle of development, Core Strategy Policy DMG2 restricts development outside the defined settlement areas. One such exception is small-scale tourism developments appropriate to a rural area. The application includes three holiday units which are considered to fall into this exception.
- 5.1.2 Additionally, Core Strategy Policy DMB1 generally seeks to support business growth and the local economy, and Policy DMB3 relates specifically to recreation and tourism uses. Policy DMB3 requires new tourism development to be physically well related to an existing main settlement or village; or to an existing group of buildings, except where the proposed facilities are required in conjunction with a particular countryside attraction.
- 5.1.3 In this respect the application site is not located within an existing main settlement or village but it is not considered to be visually isolated due to the existing residential properties forming ribbon development on Hesketh Lane.
- 5.1.4 It is considered that the site is suitable for a small-scale tourism use in accordance with the relevant principle sections of Policies DMG2, DMB1 and DMB3 and therefore this element of the proposal is viewed to be acceptable, subject to compliance with other policies of the Core Strategy.
- 5.1.5 Policy DMH3 supports the conversion of buildings to dwellings in rural areas providing they are suitably located and their form and general design are in keeping with their surroundings, and providing the buildings are structurally sound and capable of conversion without the need for substantial reconstruction. The existing stone building is of substantial construction and appropriate in its setting and so its conversion would accord with this criteria.
- 5.1.6 Policy DMH4 builds on DMH3 and states that planning permission will be granted for the conversion of buildings to dwellings where they achieve the following:
- The building is not isolated in the landscape, i.e. it is within a defined settlement or forms part of an already group of buildings, and
 - There need be no unnecessary expenditure by public authorities and utilities on the provision of infrastructure, and
 - There would be no materially damaging effect on the landscape qualities of the area or harm to nature conservations interests, and

- There would be no detrimental effect on the rural economy, and
- The proposals are consistent with the conservation of the natural beauty of the area.
- That any existing nature conservation aspects of the existing structure are properly surveyed and where judged to be significant preserved or, if this is not possible, then any loss adequately mitigated.

5.1.7 As set out in 5.1.3 above the site is not visually isolated. Its road frontage location and presence of existing services within the site means there would be no unnecessary expenditure on infrastructure such as water and electricity. The site has been vacant since 2018 when the former restaurant and public house closed and so there would be no detrimental effect on the rural economy. Impacts upon landscape and nature conservation will be considered in subsequent sections below.

5.1.8 Key Statement DM12 and Policy DMG3 encourages development which minimises the need to travel by private motor vehicle which is in line with the NPPF in supporting sustainable development. The site is in a rural area although is located approximately 100m from the nearest bus stop which serves buses travelling between Chipping and Longridge and beyond. Whilst it is likely that future residents and visitors would be car dependent there is at least an opportunity for some sustainable travel.

5.1.9 Key Statement EC2 states that proposals which have an adverse impact on existing community facilities will only be permitted as an exception where the proposed development would bring defined and demonstrable benefits. The site has been vacant since 2018 when the former restaurant and public house closed. Therefore it has not supported the community for a number of years. Furthermore the proposal would deliver social and economic benefits with 7 residential units and 3 holiday units and its development has previously been accepted in 2018 when it was permitted to be converted into residential flats and to build holiday accommodation at the rear (permission not implemented).

5.1.10 For the reasons above the principle of development is considered acceptable and compliant with relevant Core Strategy policies.

5.2 Design and Visual Amenity

5.2.1 As per CS Policy DMG1, all development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.

Further consideration is given to CS Policy DME2, which states that 'development proposals will be refused which significantly harm important landscape or landscape features including:

1. *Traditional stone walls*
2. *Ponds*
3. *Characteristic herb rich meadows and pastures*
4. *Woodlands*
5. *Copses*

6. *Hedgerows and individual trees (other than in exceptional circumstances where satisfactory works of mitigation or enhancement would be achieved, including rebuilding, replanting and landscape management)*
 7. *Townscape elements such as the scale, form and materials that contribute to the characteristic townscapes of the area*
- 5.2.2 Paragraph 172 of the NPPF considers the potential impact of development within an AONB and notes that “great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads.”
- 5.2.3 Key Statement EN2 (Landscape) states *the landscape and character of the Forrest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area. As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.*
- 5.2.4 In this sense Officers consider the proposed alterations to the existing building to be acceptable. It is noted that no additional footprint is proposed, with the main visual alterations relating to the change of use the building to apartments and dwelling house.
- 5.2.5 The alterations to the front elevation of what would become the dwellinghouse are minor in nature and relate to the conversion of 1no. window opening to a door opening, which is considered minor enough to cause a negligible level of visual harm.
- 5.2.6 The main front elevation will receive a greater level of amendments – notably, the removal of the existing ‘front porch element’ to accommodate the additional front door openings. There are other minor alterations to the fenestration layout, as well as the removal of 1no. window opening. Whilst these alterations are considered to have a greater impact on the visual amenity and design of the prominent and front elevation, weight is given to the fact that they are necessary alterations related to the re-use of an existing, derelict building for residential use. The way in which this has been done is considered sensitive and appropriate to the local vernacular and visual style (notably through the use of matching materials, prominent heads and cills to window openings and complementary door styles) and as such is considered acceptable with regard to policies DMG1 and DME2.
- 5.2.7 The side elevation (west) incorporates limited visual change associated mainly to the use of that part of the building as a dwellinghouse (incorporating a modest number of additional window and door openings and as such is considered acceptable particularly given it is not a prominent elevation and again the additions have been achieved in a sensitive and complementary manner.
- 5.2.8 The side elevation (east) has been amended to a greater level, with a rear projecting pitched roof element of the existing public house removed and replaced

by two reverse-gable features to allow for the provision of apartments. This does not add to the built footprint of the pub but rather amends it and reflects against the existing nature of the rear and side elevation of the pub in a way that is considered acceptable by Officers, again as there is limited prominent visual impact and the changes are both in-proportion and achieved utilising matching materials and complementary architectural features. This alteration to the layout of the existing building is therefore considered acceptable.

5.2.9 The rear elevation incorporates a number of additional design features, including the provision of internal covered balconies and 6no. rear doors providing access to the rear communal area as well as sufficient ingress of natural light. This will have very limited impact on the streetscene given it is only visible from inside the site, and in any case is considered an improvement on the existing arrangement which is cluttered and contributes little to the visual amenity of the surrounding area. Given the above the design features associated with the alteration of the existing building are considered acceptable.

5.2.10 The 3no. new-build holiday lets to the rear of the site are low-lying in nature (3250mm to the eaves) and incorporate a flat roof to minimise their impact on the views of the landscape to the north, which at present is considered fairly open and offers some level of visual and landscape amenity to passersby. This is particularly relevant given the site lies within the AONB and as such the retention of those views to the north is key, and it is noted the applicant has amended the scheme on the request of Officers in order to accommodate the retention of this view (both in regard to the removal of 1no. holiday let, to provide 3no. total instead of 4 and with regard to reducing the built footprint of each holiday let). The materials are random stone but are to be secured by condition, ensuring they are complementary to the visual amenity, style and vernacular of the surrounding area.

5.2.11 Given the above, from a design point of view the proposals are considered acceptable, with respect to CS Policies DMG1, DME2 and DMH4 as well as the NPPF.

5.3 Residential Amenity

5.3.1 As per Core Strategy Policy DMG1, development must:

1. Not adversely affect the amenities of the surrounding area.
2. Provide adequate day lighting and privacy distances.
3. Have regard to public safety and secured by design principles.
4. Consider air quality and mitigate adverse impacts where possible.

5.3.2 Particular reverence was given to the adjacent existing use to the east, that being an operating dog kennels. On request a noise impact assessment was provided. Following internal review by the Council's Environmental Health Team, this has been considered acceptable subject to the mitigative recommendations made within the report being conditioned (e.g. use of acoustic fencing).

5.3.3 Furthermore, the removal of 1no. holiday unit and subsequent use of the land adjacent to the side (east) boundary as maintained green space will ensure that the amenity impact on the occupiers of the holiday lets will be minimal. There is not considered to be any further impact either on, or as a result of, adjacent

neighbours, particularly given the low-lying nature of the proposed holiday accommodation, and lack of intrusive fenestration.

- 5.3.4 With regard to the amenity of the potential occupiers of the apartments, this is considered acceptable – it is notable all occupiers will have access to shared private amenity space to the rear of the building and the apartments offer a good level of amenity and circulation space internally as well as sufficient provision of natural light and access to bathrooms.
- 5.3.5 Given the above the proposal is considered acceptable with regard to DMG1 (Amenity).

5.4 Landscape and Ecology:

- 5.4.1 The proposal has been accompanied by an Ecological Assessment, which recommended undertaking appropriate dawn and dusk emergence and re-entry surveys in relation to any potential bat roost. On receipt of the further requested surveys, which identified no bat roost within the building, this has been considered acceptable. In order to enhance biodiversity the provision for bat and bird habitat will be secured by condition.
- 5.4.2 With regard to landscaping, no scheme has been submitted with the application but in principle the approved site plan ensures that there will be appropriate opportunities and provision for suitable landscaping. In order to ensure this, a landscaping scheme has been conditioned.

5.5 Highway Safety and Accessibility:

- 5.5.1 Following review from LCC Highways, the access arrangement, layout and level of parking has been considered acceptable with no unacceptable impacts on the local highways network identified. This is subject to the imposition of a number of conditions, as outlined within the 'consultee response' section above. The siting of the bin-store within the internal layout is also considered acceptable; being adjacent to the existing adopted road allows appropriate and convenient access for refuse vehicles. Whilst an electric gate has been proposed for vehicles entering the internal road layout, a servicing door on the bin-store to allow for easy access from the highway will be provided.
- 5.5.2 Subject to appropriate conditions, the proposal is considered acceptable with regard to any impacts on Highways Safety and Accessibility.

5.6 Drainage and Water Treatment

- 5.6.1 A drainage strategy has been submitted with the application. The surface water run-off from the new and refurbished buildings, car park, access road, parking and driveway areas will be collected in a fully separate system of drains and will pass through a Hydro-brake control system before final discharge to the surface water drain. Following consultation with United Utilities and the LLFA this has been considered acceptable as an indicative strategy, with the LLFA requesting conditions to secure the final details including management arrangements.

- 5.6.2 The foul drainage will be provided by a new system of drains that will outfall to a new waste water treatment plant. Treated clean run-off from this new plant will discharge into the new surface water drainage system, downstream of the new flow control chamber, before all flows discharge into the existing surface water drain and leave the site to eventually discharge to the local watercourse. This has been reviewed by United Utilities who have considered the proposed drainage arrangements acceptable.
- 5.6.3 Whilst representations have been received in relation to the concerns around the ownership of the existing surface water drain and pipe, this is considered to be a Civil matter and as such is not relevant with regard to the determination of this application.

5.7 Social Infrastructure

- 5.7.1 The scale of the development (7 residential units) is below the threshold at which requests for education contributions and public open space provision can be required. Whilst Key Statement H3 (Affordable Housing) suggests an affordable housing requirement on schemes of 5 dwellings or more outside the settlements of Clitheroe and Longridge, paragraph 64 of the NPPF has the effect of superseding this requirement unless the site is located within a 'designated rural area'. The Housing (Right to Buy) (Designated Rural Areas and Designated Regions) (England) Order 2002 confirms the parish of Chipping is not such a designation, therefore there is no requirement for affordable housing in this case.

6. Observations/Consideration of Matters Raised/Conclusion

- 6.1 For the reasons outlined above and having regard to all material considerations the proposed development is considered to be compliant with the relevant policies outlined within the Ribble Valley Core Strategy as well as the NPPF.

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

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

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

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

- Location and Block Plan Dwg no LP01 Rev A
- Proposed Site Plan Dwg no P05 Rev H
- Proposed Floor Plan Dwg no P14 Rev E
- Proposed Elevations Dwg no P22 Rev D
- Proposed Ground Floor Plan Dwg no P12 Rev A
- Proposed First Floor Plan Dwg no no P13 Rev A
- Proposed Elevations Dwg no P21 Rev B

REASON: For the avoidance of doubt as the proposal was the subject of agreed design improvements and/or amendments and to clarify which plans are relevant to the consent.

3. Notwithstanding the submitted details, precise specifications, or samples of all external surfaces, including surfacing materials and their extents, of the development hereby permitted shall have been made available to view to and approved by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy/Policies DMG1 and DME2 of the Ribble Valley Core Strategy.

4. The holiday cottages hereby approved (identified as plots 8-10 on the approved site plan) shall be restricted to holiday accommodation use only and shall not be occupied at any time as permanent residential accommodation or as a person's main place of residence. These units shall not be occupied by the same occupant/s for periods of more than 28 days in any 3 month period and shall be operated as one business for holiday rental and shall not be sold off individually to other third parties.

The owners/operators of the site shall maintain an up-to-date register of the names of all occupiers of the individual holiday cottages on the site, and of their main home addresses, and shall make this information available, on request, to the Local Planning Authority.

REASON: To prevent the permanent residential occupation of the site in a location where new residential development is unacceptable in principle and to define the scope of the permission hereby approved.

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 site-specific flood risk assessment and indicative surface water sustainable drainage strategy submitted (20th April 2023 / C-1050 - Issue 1 / Hamilton Technical Services) 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 20l/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 of an assessment of the existing on-site sewer to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.

e) 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.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

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.

- 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 method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, 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 runoff rate from the site prior to redevelopment.
- b) Measures taken to prevent siltation and pollutants from the site entering 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 the maintenance, operational and access requirement for all SuDS components and connecting drainage structures,
- 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. No part of the development shall be occupied or brought into first use until the foul drainage works have been completed in accordance with the approved scheme for foul water as identified in the FRA & Drainage Strategy, Issue 2, 6/27/2023, C-1050. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

REASON: To promote sustainable development using appropriate drainage systems and ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health.

10. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

11. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Black Barn drawing number P05 Rev H have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

12. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 70 metres have been provided at the site access serving

the proposed 6 apartments and 3 holiday lets and vehicular visibility splays of 2 metres by 70 metres have been provided at the site access serving the proposed dwelling. These shall thereafter be permanently maintained with nothing within those splays higher than 1 metres above the level of the adjacent footway/verge/highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2021).

13. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary. The gates shall then open away from the highway only.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2021).

14. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

15. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Black Barn drawing number P05 Rev H. 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).

16. Prior to the first occupation of the 1no. 3-bed dwelling hereby approved details of the provision of 1no. electric vehicle charging point within the curtilage of this dwelling shall have been submitted to and approved in writing by the local planning authority. The approved scheme shall have been made available for use prior to the first occupation of the dwelling and thereafter retained as such.

REASON: To contribute towards sustainable transport objectives and the reduction of harmful vehicle emissions.

17. Notwithstanding the submitted details, no building works hereby approved shall progress beyond slab level until a scheme for the hard and soft landscaping of the site, including details of boundary treatment, has been submitted to and approved in writing by the local planning authority.

For the avoidance of doubt the submitted details shall include the following: types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, and the location and types of all new boundary treatments to be installed.

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

REASON: To ensure the proposal is satisfactorily landscaped.

18. Notwithstanding the submitted details, no building works hereby approved shall progress beyond slab level until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority.

The landscape shall thereafter be managed and maintained in accordance with the approved plan.

REASON: To ensure the proper long-term management and maintenance of the landscaped areas in the interests of visual amenity and biodiversity enhancement.

19. The development shall be constructed in accordance with the submitted Ecological Survey and Assessment ref 2023-006 July 2023 including the mitigation measures contained therein (including details of the specification and siting of 2no. house sparrow terraces and 4no. bat access panels), prior to use hereby approved first becoming operational. The approved details and mitigation shall remain in place thereafter.

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.

20. The development shall be constructed in accordance with the submitted Acoustic Survey and Assessment document (prepared June 2023) including the mitigation measures contained therein, prior to use hereby approved first becoming operational. The approved details and mitigation shall remain in place thereafter.

REASON: In the interests of protecting the amenities of nearby residents and businesses.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (Schedule 2, Part 1, Classes A-E) or any subsequent re-enactment thereof, no development that falls within the above Classes shall be constructed without express planning permission first being obtained.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the visual and residential amenities of the immediate area.

22. There shall be no changes to the existing ground levels/FFL as indicated on the approved Proposed Elevations Dwg no P21 Rev B without express planning permission being obtained.

REASON: In order that the Local Planning Authority may ensure that proposed development responds appropriately to the topography of the site, is appropriate to the locality and to protect neighbouring amenity.


23. Notwithstanding the submitted details, elevational details at a scale of not less than 1:20 and details of the precise location of all proposed refuse storage provision shall have been submitted to and approved in writing by the Local Planning Authority prior to their installation.

The development shall be carried out in strict accordance with the approved details which shall be in place prior to first occupation of any dwelling or holiday unit, and the approved details shall be retained and made available for use at all times thereafter.

REASON: In order that the Local Planning Authority may ensure that the development provides adequate dedicated provision for the storage of domestic waste.

BACKGROUND PAPERS

https://webportal.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2023%2F0156

Late Items – Planning & Development Committee				 Ribble Valley Borough Council www.ribblevalley.gov.uk	
Meeting Date: 19 OCTOBER 2023					
Briefing version		Issue Date:			
Committee Version	•	Issue Date:	19/10/2023		
Application Ref:	3/2023/0156	CONVERSION AND EXTENSION OF FORMER DOG & PARTRIDGE TO FORM ONE DWELLING AND SIX RESIDENTIAL APARTMENTS AND THE ERECTION OF THREE BUILDINGS FOR HOLIDAY ACCOMMODATION USE AND DETACHED GARAGE. DOG AND PARTRIDGE HESKETH LANE CHIPPING PR3 2TH		REC:	APPROVAL
<p>Since the publication of the Committee Agenda the Committee are asked to note the following updates to conditions following further liaison with the Applicant:</p> <ul style="list-style-type: none"> - Condition nos. 5 and 6 (drainage scheme to be submitted) are to be amended so that instead of stating ‘No development shall commence in any phase until...’ they read ‘<i>No development shall commence on plots 8-10 as indicated on Dwg no P05 Rev H until...’.</i> <p>This will allow the developer to undertake conversion and extension works to the existing building prior to the submission of the final drainage scheme, and this change has been agreed with the Lead Local Flood Authority who would be consulted on the discharge of both conditions.</p> <ul style="list-style-type: none"> - Condition no. 4 has been amended to remove the clause requiring the holiday units to operate as one business for holiday rental and to not be sold off individually to other third parties as this was considered overly restrictive on the business operation. Condition 4 now reads as follows:- <p><i>The holiday cottages hereby approved (identified as plots 8-10 on the approved site plan) shall be restricted to holiday accommodation use only and shall not be occupied at any time as permanent residential accommodation or as a person's main place of residence. These units shall not be occupied by the same occupant/s for periods of more than 28 days in any 3-month period.</i></p> <p><i>The owners/operators of the site shall maintain an up-to-date register of the names of all occupiers of the individual holiday cottages on the site, and of their main home addresses, and shall make this information available, on request, to the Local Planning Authority.</i></p> <p><i>Reason: To prevent the permanent residential occupation of the site in a location where new residential development is unacceptable in principle and to define the scope of the permission hereby approved.</i></p>					

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RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

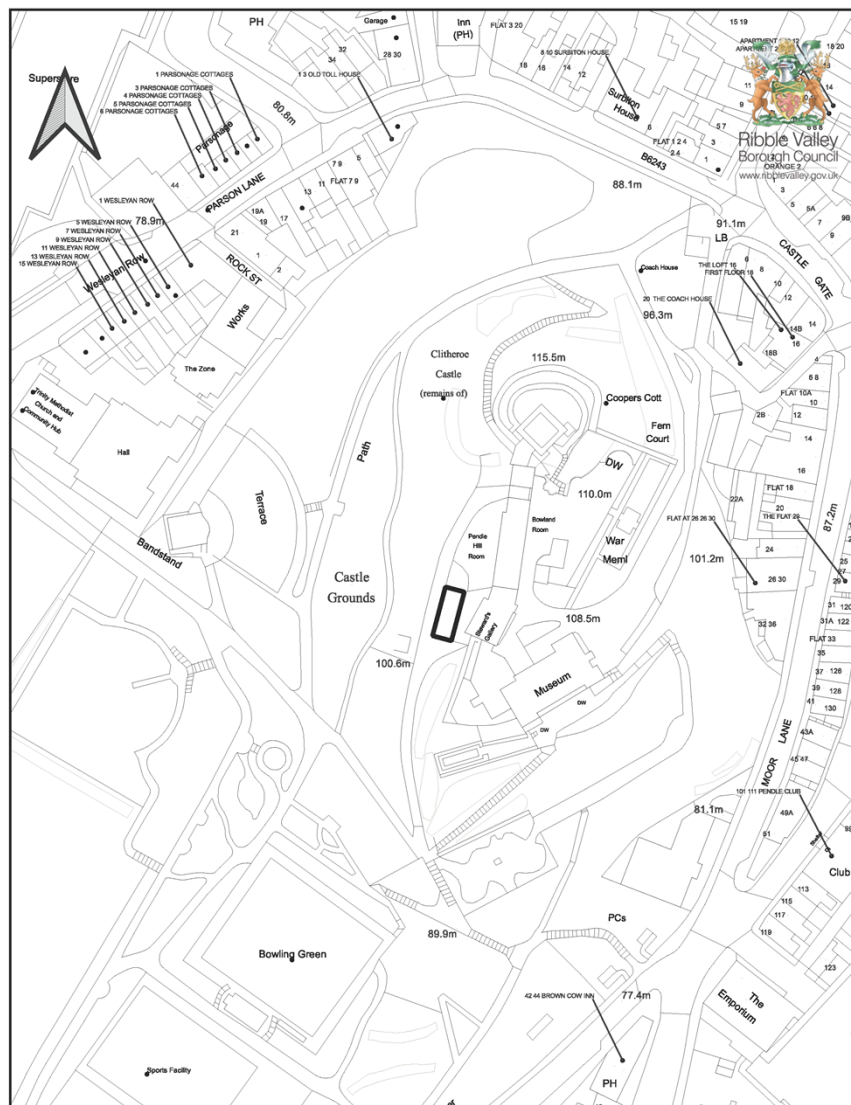
APPROVE FULL PLANNING PERMISSION

DATE: 19 October 2023
REF: BT
CHECKED BY: LH

APPLICATION REF: 3/2023/0680

DEVELOPMENT DESCRIPTION:

PLANNING PERMISSION FOR REMOVAL OF EXISTING ROOF AND REPLACEMENT WITH NEW PREFABRICATED TRUSSED RAFTERS AND WELSH BLUE SLATES. NEW CAST IRON RAINWATER GOODS AND NEW ELECTRICAL WIRING AND FITTINGS.



3/2023/0680 and 3/2023/0681 Parks Store, Clitheroe Castle, Castle Gate, Clitheroe BB7 1AZ

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

TOWN COUNCIL: No objection.

ADDITIONAL REPRESENTATIONS: None received.

1. Site Description and Surrounding Area

- 1.1 The planning application is submitted by Ribble Valley Council in relation to proposed works at the Council owned parks store building located at Clitheroe Castle.
- 1.2 The building is located to the rear of the Stewards Gallery at a lower land level than the main castle buildings, adjacent to the access track which leads to the rear of Castle Hill.
- 1.3 The building has been constructed into the sloping ground at this part of the castle grounds with a lower ground floor accessible from the lower end and the main entrance situated on the upper ground floor level.

2. Proposed Development for which consent is sought

- 1.4 The application proposes the replacement of the roof which currently consists of plain roof tiles and concrete ridge tiles. It is understood that the existing roof, which incorporates traditional purlins and rafters, was constructed in the late 1950/ early 1960s following a fire.
- 1.5 The existing roof is showing signs of wear with numerous broken/ slipped tiles. Additionally, the roof trusses appear to be under strain.
- 1.6 The proposed development involves the complete removal of the roof to involve replacement prefabricated trussed rafters, Welsh blue slates for the roof covering and new cast iron rainwater goods.

3. Relevant Planning History

None

4. Relevant Policies

Planning (Listed Buildings and Conservation Areas) Act 1990.

Clitheroe Conservation Area Appraisal

Ribble Valley Core Strategy:

Key Statement EN5– Heritage Assets

Policy DMG1– General Considerations

Policy DME3: Site and Species Protection And Conservation

Policy DME4– Protecting Heritage Assets

NPPF

NPPG

5. **Assessment of Proposed Development**

5.1 Design

5.1.1 In accordance with Policy DMG1 of the Adopted Core Strategy and national planning guidance any new development is required to be of a high-quality building design. The main external change to the building will be the visual alteration to the appearance of the slates. The proposed slates have been suggested following consultation with Growth Lancashire's Conservation Officer and are consistent with the roof covering currently utilised on the adjacent Steward's House.

5.1.2 It is considered that Welsh blue slate is more consistent with both the host building and the architectural aesthetic already seen within the castle grounds. As such the proposed development represents a high-quality design solution in accordance with Policy DMG1.

5.1.3 The remainder of the works are all internal and will have no impact aesthetically. Full details of the new cast iron rainwater goods will be secured by condition.

Impact upon the special architectural and historic interest of the listed building, the setting of listed buildings, the character and appearance of Clitheroe Conservation Area, the setting of the scheduled monument and the character of the historic park and garden

5.1.4 The building is not listed individually although it is treated as listed due to its location within the curtilage of Clitheroe Castle. The building is identified as a building of townscape merit with the Clitheroe Conservation Area Appraisal.

5.1.5 The proposed works appear to be necessary to ensure the proper preservation of the building, its continued use and to ensure the continued effectiveness of the roof covering.

5.1.6 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.1.7 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.1.8 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of the planning acts, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

5.1.9 NPPF paragraph 199 requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight

should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

5.1.10 Ribble Valley Core Strategy Policy DME4 states that in considering development proposals the council will make a presumption in favour of the conservation and enhancement of heritage assets and their settings. Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported. Proposals within, or affecting views into and out of, or affecting the setting of a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves and enhances the special architectural and historic character of the area as set out in the relevant conservation area appraisal. Development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported.

5.1.11 Ribble Valley Core Strategy Policy DMG1 states that in determining planning applications, all development must:

Design:

- be of a high standard of building design which considers the 8 Building in Context Principles (from the CABE/English Heritage Building on Context Toolkit).
- be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.

Environment:

- protect and enhance heritage assets and their settings.

5.1.12 The proposed works will not harm the historic fabric. It is understood that the existing roof covering and structure, featuring traditional purlins and rafters with intermediate trusses, were installed as replacements following a fire in the late 1950s or early 1960s. This incident necessitated the reconstruction of the walls and the installation of the present roof structure and covering. The proposed prefabricated trussed rafters have been designed to accommodate the load requirements of the original specification, which will be Welsh Blue slates to ensure that this can be utilised as the preferred material for the new roof covering. This along with the installation of new cast iron rainwater goods is considered to be more in keeping with the heritage asset.

5.1.13 The works will not be incongruous or conspicuous or harm the special architectural and historic interest of the building, the setting of listed buildings, the character and appearance of Clitheroe Conservation Area, the setting of the scheduled monument or the character of the historic park and garden.

5.2 Ecology:

- 5.2.1 A bat survey has been submitted with the application which notes historic records of Long Eared Bats roosting within the barn. Emergence surveys carried out in August and September 2023 did not record any bats emerging from the barn but did not bat activity along treelines nearby. To ensure that wildlife is not disturbed, four bat access slates, two per roof face, will be fitted and a loft space will be created within the roof space, to provide a dark area for bats to roost.
- 5.2.2 In the unlikely event bats are found during works, bats will be rehoused within bat boxes on site under licence. A compensatory bat box (Two Greenwood Eco Habitats two crevice box) will be placed on site (on trees to the south of the building) prior to work commencing. Bat boxes will remain on site as part of proposed biodiversity enhancement. This will be secured by condition.
- 5.2.3 The Council's Countryside Officer has considered these proposals and is satisfied that compliance with the reasonable avoidance and mitigation measures will safeguard against risks to both foraging bats as well as provide future roost opportunities for bats.

6. Observations/Consideration of Matters Raised/Conclusion

- 6.1 Taking into account the above considerations it is recommended that the application is approved, subject to the following conditions.

RECOMMENDATION: That planning permission be APPROVED subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Park Store Location Plan
Park Store Proposed Plan

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

3. The external facing materials, detailed on the submitted application form, namely natural Welsh Blue Slate, shall be used and no others substituted.

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

4. The development hereby approved shall be carried out in accordance with the Bat Survey Report and Method Statement European Protected Species (Bats) dated 4th September 2023. In particular:

As part of the construction of the new roof four bat access slates, two per roof face, shall be fitted, two slate rows below ridge tiles. A loft space will be created within the new roof for bats to roost.

Prior to the commencement of the development compensatory bat box (Two Greenwood Eco Habitats two crevice box) shall be placed on trees within Clitheroe Castle grounds to south of the building. Thereafter the bat boxes shall be retained on site in perpetuity.

REASON: To ensure the continued protection of bats as part of the development and in the interests of biodiversity enhancement.

5. Before the commencement of any works, full details of the proposed rainwater goods, including the eaves detail, to be used on the building shall have been submitted to and been approved in writing by the Local Planning Authority. All works undertaken on site should be strictly in accordance with the approved details.

REASON: In the interests of the character and appearance of the building

INFORMATIVES:

1. In the event that bats are found during works, all works shall cease until the appropriate licence has been secured to rehouse the bats.

BACKGROUND PAPERS

[Planning Application - Ribble Valley Borough Council](#)

RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

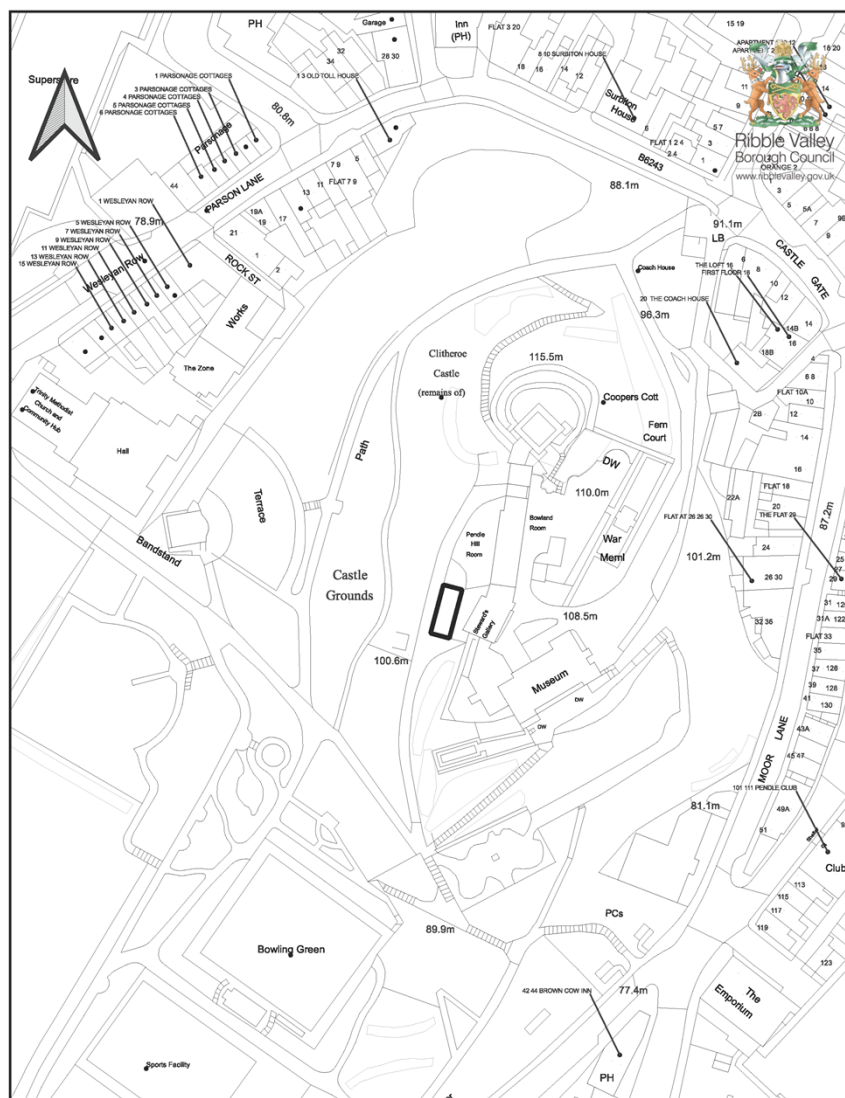
APPROVE LISTED BUILDING CONSENT

DATE: 19 October 2023
REF: BT
CHECKED BY: LH

APPLICATION REF: 3/2023/0681

DEVELOPMENT DESCRIPTION:

LISTED BUILDING CONSENT FOR REMOVAL OF EXISTING ROOF AND REPLACEMENT WITH NEW PREFABRICATED TRUSSED RAFTERS AND WELSH BLUE SLATES. NEW CAST IRON RAINWATER GOODS AND NEW ELECTRICAL WIRING AND FITTINGS.



3/2023/0680 and 3/2023/0681 Parks Store, Clitheroe Castle, Castle Gate, Clitheroe BB7 1AZ

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

TOWN COUNCIL: None received.

ADDITIONAL REPRESENTATIONS: None received.

1. Site Description and Surrounding Area

- 1.1 This Listed Building Consent application is submitted by Ribble Valley Borough Council in relation to proposed works at the Council owned parks store building located at Clitheroe Castle.
- 1.2 The building is located to the rear of the Stewards Gallery at a lower land level than the main castle buildings, adjacent to the access track which leads to the rear of Castle Hill.
- 1.3 The building has been constructed into the sloping ground at this part of the castle grounds with a lower ground floor accessible from the lower end and the main entrance situated on the upper ground floor level.

2. Proposed Development for which consent is sought

- 1.4 The application proposes the replacement of the roof which currently consists of plain roof tiles and concrete ridge tiles. It is understood that the existing roof, which incorporates traditional purlins and rafters, was constructed in the late 1950/ early 1960s following a fire.
- 1.5 The existing roof is showing signs of wear with numerous broken/ slipped tiles. Additionally, the roof trusses appear to be under strain.
- 1.6 The proposed development involves the complete removal of the roof to involve replacement prefabricated trussed rafters, Welsh blue slates for the roof covering and new cast iron rainwater goods.

3. Relevant Planning History

None

4. Relevant Policies

Planning (Listed Buildings and Conservation Areas) Act 1990.

Clitheroe Conservation Area Appraisal

Ribble Valley Core Strategy:

Key Statement EN5– Heritage Assets

Policy DMG1– General Considerations

Policy DME3: Site and Species Protection And Conservation

Policy DME4– Protecting Heritage Assets

NPPF

NPPG

5. **Assessment of Proposed Development**

5.1 **Impact upon the special architectural and historic interest of the listed building, the setting of listed buildings, the character and appearance of Clitheroe Conservation Area, the setting of the scheduled monument and the character of the historic park and garden**

- 5.1.1 The building is not listed individually although it is treated as listed due to its location within the curtilage of Clitheroe Castle. The building is identified as a building of townscape merit with the Clitheroe Conservation Area Appraisal.
- 5.1.2 The proposed works appear to be necessary to ensure the proper preservation of the building, its continued use and to ensure the continued effectiveness of the roof covering.
- 5.1.3 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.1.4 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.1.5 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of the planning acts, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 5.1.6 NPPF paragraph 199 requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 5.1.7 Ribble Valley Core Strategy Policy DME4 states that in considering development proposals the council will make a presumption in favour of the conservation and enhancement of heritage assets and their settings. Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported. Proposals within, or affecting views into and out of, or affecting the setting of a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves and enhances the special architectural and historic character of the area as set out in the relevant conservation area appraisal. Development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location,

scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported.

- 5.1.8 Ribble Valley Core Strategy Policy DMG1 states that in determining planning applications, all development must:

Design:

- be of a high standard of building design which considers the 8 Building in Context Principles (from the CABI/English Heritage Building on Context Toolkit).
- be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.

Environment:

- protect and enhance heritage assets and their settings.

- 5.1.9 The proposed works will not harm the historic fabric. It is understood that the existing roof covering and structure, featuring traditional purlins and rafters with intermediate trusses, were installed as replacements following a fire in the late 1950s or early 1960s. This incident necessitated the reconstruction of the walls and the installation of the present roof structure and covering. The proposed prefabricated trussed rafters have been designed to accommodate the load requirements of the original specification, which will be Welsh Blue slates to ensure that this can be utilised as the preferred material for the new roof covering. This along with the installation of new cast iron rainwater goods is considered to be more in keeping with the heritage asset.

- 5.1.10 The works will not be incongruous or conspicuous or harm the special architectural and historic interest of the building, the setting of listed buildings, the character and appearance of Clitheroe Conservation Area, the setting of the scheduled monument or the character of the historic park and garden.

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

- 6.1 Taking into account the above considerations it is recommended that the application is approved, subject to the following conditions.

RECOMMENDATION: That planning permission be APPROVED subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Park Store Location Plan
Park Store Proposed Plan

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

3. The external facing materials, detailed on the submitted application form, namely natural Welsh Blue Slate, shall be used and no others substituted.

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

4. Before the commencement of any works, full details of the proposed rainwater goods, including the eaves detail, to be used on the building shall have been submitted to and been approved in writing by the Local Planning Authority. All works undertaken on site should be strictly in accordance with the approved details.

REASON: In the interests of the character and appearance of the building

BACKGROUND PAPERS

[Planning Application - Ribble Valley Borough Council](#)

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RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

APPROVAL

DATE: 19 October 2023
REF: SK
CHECKED BY: LH

APPLICATION REF: 3/2022/1129

GRID REF: SD 375770 434060

DEVELOPMENT DESCRIPTION:

RETROSPECTIVE CHANGE OF USE WITH MINOR ENGINEERING WORKS AND ASSOCIATED LANDSCAPING WORKS FOR THE REUSE OF THE FORMER RAILWAY EMBANKMENT AND TRACK BED TO FORM AN INFORMAL RECREATIONAL AMENITY AREA IN ASSOCIATION WITH THE ADJACENT HOLIDAY PARK.

BRIDGE HEY WOOD CARAVAN PARK, DUNKIRK FARM, READ BB12 7RR



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Read Parish Council object to the application on the following grounds:

1. In the planning application it is stated that no trees were on the site however it appears multiple mature (70-80yrs+) trees have been removed from the site.
2. The removed woodland formed part of a natural ecosystem with a wealth of biodiversity and wildlife which has seen major impact from the development.
3. The Ditch and Bund formed block access to the Viaduct which is necessary for Railway Paths to perform maintenance on the Viaduct and ensure safety. This provides no additional protection from trespass as there is already a large metal fence in place. This right of access is noted on the land registry documentation (dated 12.10.1979). The ditch also holds potential to cause damage to the viaduct itself.
4. In the Ribble Valley's Local Plan (7.6.6) it is stated that "The site should blend into the landscape and be capable of being screened from both local and more distant viewpoints" and "Advantage should be taken of minor variations in topography and existing natural features, such as trees and hedgerows, should be used to sub-divide or screen the site. Particular importance will be given to the protection of views from footpaths and high level roads. The internal layout of the site should take advantage of natural features and be supplemented when necessary by further landscaping and new tree planting. This will both help to absorb the site into the landscape and create a pleasant internal appearance. Planning permission should therefore not be granted if a site presents an unacceptable intrusion into the landscape and cannot be satisfactorily screened from local and high viewpoints." The removal of healthy mature trees is contrary to this.
5. The planning documents note a footpath which travels under the Viaduct, this is not a footpath owned by the Caravan Park and actually belongs to Railway Paths

LANCASHIRE COUNTY COUNCIL HIGHWAYS (LOCAL HIGHWAYS AUTHORITY):

Initial response - Lancashire County Council acting as the Local Highway Authority (LHA) does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required.

The LHA have reviewed the supporting information and are aware that the proposal will use a part of an existing track leading from the caravan park as part of the nature trail. The LHA require the LHAs Public Rights of Way team to comment whether the usability of the trail is suitable for the proposal.

Furthermore, as part of the proposal, works are going to be undertaken adjacent to the viaduct which is described in the Cover Letter as "the works undertaken involve the excavation of a channel and mound adjacent to the viaduct." The LHA require further information regarding what type of works are going to be undertaken adjacent to the viaduct, with the LHA needing to ensure that any works will not destabilise the viaduct and impact upon Lancashire County Councils land.

As the works have been completed already, photographs and a description of the works undertaken adjacent to the viaduct will suffice in this case.

Final response – Having seen the photographs no objection is raised.

THE COAL AUTHORITY:

There will be no operational development resulting from this proposal that materially intersects the ground and could therefore present risks to the coal mining features. Accordingly, we do not consider that a Coal Mining Risk Assessment is necessary for this proposal and do not object to this planning application.

SUSTRANS:

Sustrans (National Cycle Network) are custodians of the National Cycle Network and would request that if the reporter is minded to approve the application, that this does not impact on any future aspiration for the former railway line to be reopened as an active travel corridor to connect Great Harwood and Padiham.

ADDITIONAL REPRESENTATIONS:

Twenty-two letters of representation have been received objecting to the application on the following grounds:

- Works undertaken restricts access to the viaduct for maintenance.
- Works could harm viaduct.
- Errors in the submitted information.
- Historic tree clearance.
- Impacts upon wildlife/ecology.
- Site owner denies access to the area by members of the public.
- Erection of fencing by Sustrans.
- Works results in destruction of walking routes.
- Historic works undertaken to the riverbank.
- Drainage issues.
- Visual harm.

1. Site Description and Surrounding Area

- 1.1 The application relates to a 2.54 Hectare area of land that incorporates former railway embankments that served the Great Harwood loop line of the Lancashire and Yorkshire Railway. The site area incorporates areas of raised embankments with areas of significant tree presence bounding the site to the north at its western extents and to the north and south at its eastern extents. The site is currently being utilised as an informal recreational area for patrons of the Bridge Hey Caravan Park to the southeastern extents of the site.
- 1.2 The western extents of the site adjoins the Grade II Martholme Viaduct (List Entry Number 1362005) with the official listing describing the structure as follows:

GREAT HARWOOD MARTHOLME LANE SD 73 SE 3/71 Martholme Viaduct - - II

Viaduct carrying Great Harwood loop line of Lancashire and Yorkshire Railway over River Calder, 1870-77 (Engineer, Sturges Meek). Sandstone rubble. Ten 40ft. span 65ft. high rounded arches on slightly curved line. Impost band and solid parapet. History: originally planned as wooden viaduct, but design in stone substituted before building; contractors

(Thomas Stone & Son) executed work only on condition that coal measures beneath were purchased. Line closed 1957.

- 1.3 The site is located outside of any defined settlement limits being within the designated Green Belt. The surrounding area is largely open aspect green field land with scattered parcels of woodland also being found in the area.

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

- 2.1 The application seeks retrospective consent for a retrospective change of use of land, minor engineering works and landscaping works to enable the use of a former railway embankment for the purposes of an informal 'recreational amenity' area associated with Bridge Hey Caravan Park.
- 2.2 The submitted supporting information states that the works involve the '*excavation of a channel and mound adjacent the viaduct to avoid trespass together with the siting of benches and picnic tables and the reseeded of areas with wild-flower meadow mix to incorporate the lands into a wider recreational facility as a nature walk*' for use by patrons of the caravan park.
- 2.3 The submitted details indicate the siting of three picnic benches/seating areas at intermittent points towards the western extents of the railway embankment, with embankment areas where tree-removal has been undertaken (north and south of the former railway track) to be seeded with grass and a wildflower mix. A pedestrian access point has been formed towards the eastern extents of the former railway embankment to facilitate pedestrian access between the site and the caravan park to the south.
- 2.4 An 'earth bund' has been formed at the western extents of the site, adjacent to the eastern extents of the Martholme Viaduct, to act as visual screening, mitigating views of palisade security fencing that has been erected at the eastern termination point of the Viaduct bridge.

3. **Relevant Planning History**

3/2021/0632: Application to thin out any weak/poor/dying trees. 152 Sycamore, 10 Beech, 52 Ash (Approved)

3/2018/0426: Discharge of condition 3 (materials), 4 (boundary treatment), 5 (landscape plan) and 6 (car parking plan) from planning permission 3/2015/0756. (Approved)

3/2017/0761: Application to vary condition 2 from planning permission 3/2006/0435 to allow all year round holiday occupation of caravans. (Approved)

3/2017/0687: Discharge of condition 3 (specifications of fence post foundations) from planning permission 3/2017/0501. (Approved)

3/2017/0686: Discharge of condition 3 (specifications of fence post foundations) from planning permission 3/2017/0502. (Approved)

3/2017/0502: Relocation of an existing steel palisade fence and pedestrian gate from the southern end of the viaduct to the northern end of the viaduct. The fence will be mounted

on posts founded in the material forming the viaduct deck and will not be fixed to the parapets of the viaduct. The fence and gate will be set in 2.0m from the northern end of the viaduct. The fence and gate will be painted gloss black once re-erected. (Approved)

3/2017/0501: Relocation of an existing steel palisade fence and pedestrian gate from the southern end of the viaduct to the northern end of the viaduct. The fence will be mounted on posts founded in the material forming the viaduct deck and will not be fixed to the parapets of the viaduct. The fence and gate will be set in 2.0m from the northern end of the viaduct. The fence and gate will be painted gloss black once re-erected. (Approved)

3/2015/0756: Erection of managers dwelling with reception and storage facilities, creation of access from existing track and landscaping work. (Approved)

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy
Key Statement DS2 – Sustainable Development
Key Statement EN1 – Green Belt
Key Statement EN2 – Landscape
Key Statement EN4 – Biodiversity and Geodiversity
Key Statement EN5 – Heritage Assets
Key Statement EC3 – Visitor Economy
Key Statement DMI2 – Transport Considerations

Policy DMB3 – Recreation and Tourism Development
Policy DMB5 – Footpaths and Bridleways
Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport & Mobility
Policy DME1 – Protecting Trees & Woodland
Policy DME2 – Landscape & Townscape Protection
Policy DME3 – Site and Species Protection and Conservation
Policy DME4 – Protecting Heritage Assets

Planning (Listed Buildings and Conservation Areas) Act
National Planning Policy Framework (NPPF)
Technical Guidance to National Planning Policy Framework

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 Given the proposal seeks retrospective consent for the use of a Green Belt area of land, to that of an informal recreational area associated with the nearby existing caravan park, Key Statement EN1 and Policies DMG1, DMG2, DME1, DME2, DME3, DMB3 and DMB5 together with the NPPF section on 'Green Belt' are primarily, but not solely, engaged for the purposes of assessing the acceptability of the principle of the development.

- 5.1.2 Policy DMG2 supports small scale tourism or recreational developments appropriate to a rural area. DMB3 seeks to support tourism facilities where there is no conflict with other policies of the plan. Policy DMB5 seeks to protect footpaths and bridleways, but no public rights of way networks would be affected (see 5.5.1 for further details). It is noted that a number of representations make reference to the site area forming part of the 'Martholme Greenway' and that the works undertaken will preclude the ability for a continuous route to be formed. Members will note that the ability to establish such route(s) relies upon the consent of individual associated landowners. As such this matter is not material to the determination of the current application insofar that it relates to third-party land ownership issues, which in this case, lie outside of the planning process. Furthermore, there is no policy protection of a possible future route being established, and the proposed works are not irreversible and so granting permission would not prevent this route from coming forward in the future should the associated landowners agree to this.
- 5.1.3 The referenced policies and key statements in 5.1.1 above, when considered in unison and in concert with each other, ensure that proposals do not undermine the character of the landscape – and in this case the openness of the Green Belt area - and that development proposals respond positively to the inherent character of the area without resulting in detrimental impacts upon ecology, biodiversity, protected species or species of conservation concern.
- 5.1.4 The submitted details do not propose any fundamental change in relation to the character of the land to which it relates other than the site will be made available for use by patrons of the adjacent caravan park. In this respect such a change of use would not be considered as development that would cause or result in any direct measurable harm to the character of the Green Belt, particularly insofar that such use would solely result in modest activities within the site area that are unlikely to have any measurable bearing on the open character of the Green Belt.
- 5.1.5 As such and taking account of the above matters, notwithstanding other development management considerations, the principle of the change of use of the area of land from that of a 'railway embankment' to that of an informal recreational area, raises no significant direct conflict with the adopted development plan for the borough that would warrant the refusal to grant planning permission in relation to 'matters of principle'.

5.2 Impact upon Residential Amenity:

- 5.2.1 Given the nature of the works associated with the proposal and given that the works have already been undertaken, it is not considered that approval will result in any significant nor measurable impacts upon nearby residential amenity.
- 5.2.2 As such and in this respect the proposal raises no significant direct conflict with Policy DMG1 of the Ribble Valley Core Strategy in respect of impacts upon residential receptors or nearby potentially affected residential amenities.

5.3 Landscape/Ecology and Visual Amenities:

- 5.3.1 It is noted that the works for which consent is sought are retrospective in nature, in this respect the extent of the operations/works undertaken were evident at the time of the officers site visit. It is recognised that a significant amount of tree clearance had been undertaken prior to the receipt of the application. However, members will note that the trees removed were not historically afforded protection by way of a formal Tree Protection Order. As such, no consent would have been required from the Local Planning Authority prior to their removal.
- 5.3.2 Officers are of the view that should an application for the consent for the change of use of the land have been submitted prior to the works being undertaken, and such an application included extensive tree removal, without warranted reason(s), and in the absence of adequate mitigation/replacement planting, that the authority would not have supported such a proposal. Whilst the historic tree removal is regrettable, and the opportunity to ensure appropriate tree retention as part of the development has been lost, there is at least an opportunity to secure appropriate replacement tree planting as mitigation.
- 5.3.3 Further to the above, officers have engaged with the applicant to secure additional replacement tree planting on the northern and southern extents of the embankment to ensure and provide ecological uplift and biodiversity enhancement within the site. In this respect indicative amended details have been submitted that propose tree planting in addition to the proposed wildflower and grass planting. Should consent be granted, a condition will be imposed requiring that full details of the proposed landscaping be submitted within 3 months of the issuing of the consent, with the condition also requiring that the approved landscaping scheme be implemented in the first planting season following approval of the submitted details and shall be maintained thereafter for a period of not less than 20 years to the satisfaction of the Local Planning Authority.
- 5.3.4 The use of the embankment for use by patrons/users of Bridge Hey caravan park, as an informal recreational area, raises no significant concerns nor direct conflict with any currently adopted development plan policies and is further unlikely, with appropriate management and custodianship, to result in any measurable impact upon the character or visual amenities of the area and immediate Green Belt setting.
- 5.3.5 In respect of the proposed picnic benches/seating areas, given their siting and modest scale in relation to the expansive landscape setting within which they will be sited, their visual presence is likely to be largely lost within the landscape and as such are not considered to result in any significant measurable harm. The use of the benches is likely to be transient and infrequent in nature, as such the activities associated with their use is also further considered to result in negligible harm upon the character of the designated area.
- 5.3.6 The 'earth bund' at the western extents of the site, complimented by landscape planting, acts to some degree as a successful visual device that mitigates the visual impact of the palisade fencing that is currently erected on the eastern extents of the viaduct bridge. As such it is not considered that the earthworks undertaken in this area result in any measurable harm to the character or visual

amenities of the immediate area. As such the proposal is acceptable in respect of Key Statement EN2 and Policies DMG1, DMG2, DME2 and DME3 in respect of visual, landscape and ecological impacts.

5.4 Heritage

5.4.1 Given the proposed 'earth bund' is located directly adjacent to the eastern extents of the Martholme Viaduct (Grade II Listed), consideration must also be given in respect as to whether the earthworks undertaken result in any measurable harm to the adjacent designated heritage asset.

5.4.2 In determining the application it is therefore a requirement to consider the Planning (Listed Building and Conservation Areas) Act 1990 (the Act). The principal statutory duty under the Act is to preserve the special character of heritage assets, including their setting. Relevant sections of the Act state the following:-

Listed Buildings - Section 66(1)

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

5.4.3 Paragraphs 194, 195, 197, 199, 200, 202 and 203 of the NPPF are a significant material consideration that should be considered alongside the Council's development plan policies (Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy).

5.4.4 The purpose of the bund is to act as visual screening to an existing security palisade fencing arrangement that has been erected on the viaduct structure, whilst also acting to deter 'trespass' on to the applicants land. Given the bund currently accommodates grass and wildflower planting, it is visually read as being part of the landscape, albeit being raised in nature in relation to the surrounding topography. There is slight gap (channel) between the bund and the Viaduct and no concerns are raised by LCC Highways about the impact on the structure (see 5.5.2 below).

5.4.5 As such it is not considered that the presence of the 'bund' results in measurable harm to the inherent character of the Viaduct structure and as such the proposal raises no direct significant conflict with the aims and objectives of Key Statement EN5 or Policy DME4 of the Ribble Valley Core Strategy which aim to ensure the protection and enhancement of designated heritage assets and their setting.

5.5 Highway Safety and Accessibility:

5.5.1 It is noted that the Local Highways Authority have requested that the Public Rights of Way (PROW) team should 'comment as to whether the usability of the trail is suitable for the proposal'. Members will note that the site area, informal recreational area and associated route(s) does not form part of a wider PROW network, as such it is not considered appropriate nor reasonable to seek the views of the PROW team insofar that the 'pedestrian routes' within the area forms part

of private land associated with an existing Caravan Park, as such the nature and configuration of the route falls outside of the remit of the PROW team.

5.5.2 The Local Highways Authority had initially requested details of the works undertaken adjacent to the viaduct to ensure that they will not destabilise the viaduct. However, members will note that following discussion with the Local Highways Authority it has been deemed that such details are no longer required insofar that the scale and nature of the works undertaken are considered unlikely to result in undermining the structural stability of the viaduct.

5.5.3 For the above reasons there is no conflict with Key Statement DM12 or Policy DMB5 or DMG1 of the Ribble Valley Core Strategy in respect of highway safety and accessibility matters.

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

6.1 For the reasons outlined above and having regard to all material considerations and matters raised, the application is recommended for approval insofar that is not considered that the proposal will result in any significant measurable direct conflict with the adopted development plan or the borough nor any significant adverse harm to the character and visual amenities of the designated Green Belt.

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

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

HANS/02 Dwg 1A: Site Plan
HANS/02 Dwg 2: Site Plan
HANS/03 Dwg 3: Site Plan

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

2. Notwithstanding the submitted details, full details for the landscaping of the site shall be submitted to the Local planning Authority no later than 3 months from the date of this consent. For the avoidance of doubt the submitted details shall include the following: types and numbers of trees and shrubs, their distribution on site, those areas to be seeded or turfed including detail of planting species.

The approved soft landscaping scheme shall be implemented in the first planting season following approval of the submitted details and shall be maintained thereafter for a period of not less than 20 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

For the avoidance of doubt all trees/hedgerow shown as being retained within the approved details shall be retained as such in perpetuity.

REASON: To ensure the proposal is satisfactorily landscaped and trees/hedgerow of landscape/visual amenity value are retained as part of the development.

3. No additional seating, structures or any ground mounted lighting or sources of illumination shall be erected or installed upon the site to which the application relates without details of such having first been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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.

BACKGROUND PAPERS

https://webportal.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2022%2F1129


Late Items – Planning & Development Committee				 Ribble Valley Borough Council www.ribblevalley.gov.uk	
Meeting Date: 19 OCTOBER 2023					
Briefing version		Issue Date:			
Committee Version	•	Issue Date:	19/10/2023		
Application Ref:	3/2022/1129	RETROSPECTIVE CHANGE OF USE WITH MINOR ENGINEERING WORKS AND ASSOCIATED LANDSCAPING WORKS FOR THE REUSE OF THE FORMER RAILWAY EMBANKMENT AND TRACK BED TO FORM AN INFORMAL RECREATIONAL AMENITY AREA IN ASSOCIATION WITH THE ADJACENT HOLIDAY PARK. BRIDGE HEY WOOD CARAVAN PARK, DUNKIRK FARM, READ BB12 7RR		REC:	APPROVAL
<p>Since the publication of the Committee Agenda officers have received a further representation from Councillor Birtwhistle as follows:-</p> <ul style="list-style-type: none"> - A friend, who provided the google earth images is a project co-ordinator for CML civil engineering. In her opinion the trench has weakened the structure and this will cause deterioration. Sustrans should have been informed of the new depth of the trench and allowed them to carry out a structural survey. Furthermore, the bund is on a recreational area, therefore having a 2.5 metre drop where a child could then strike their head against the sharp exposed foundations of a bridge does not form a safe play environment. The bund serves one purpose, which is to hinder the potential of a public right of way. <p>Officer's response: The viaduct is a privately owned structure and any damage caused by an applicant to a private asset is not a planning matter. That said because of the viaduct's Grade II Listed status in view of the concerns raised by Councillor Birtwhistle this week the Council's Head of Engineering Service and the Council's Senior Building Control Officer have visited the site and viewed the photographs of the pre-development works. In exercising their professional judgement no concerns were raised by either officer to the works that have been carried out.</p> <p>To assist Member's understanding of the trench referred to by Councillor Birtwhistle the following photographs are presented:-</p>					

Photo 1 – Google Earth dated November 2017 (pre engineering works the subject of the planning application)

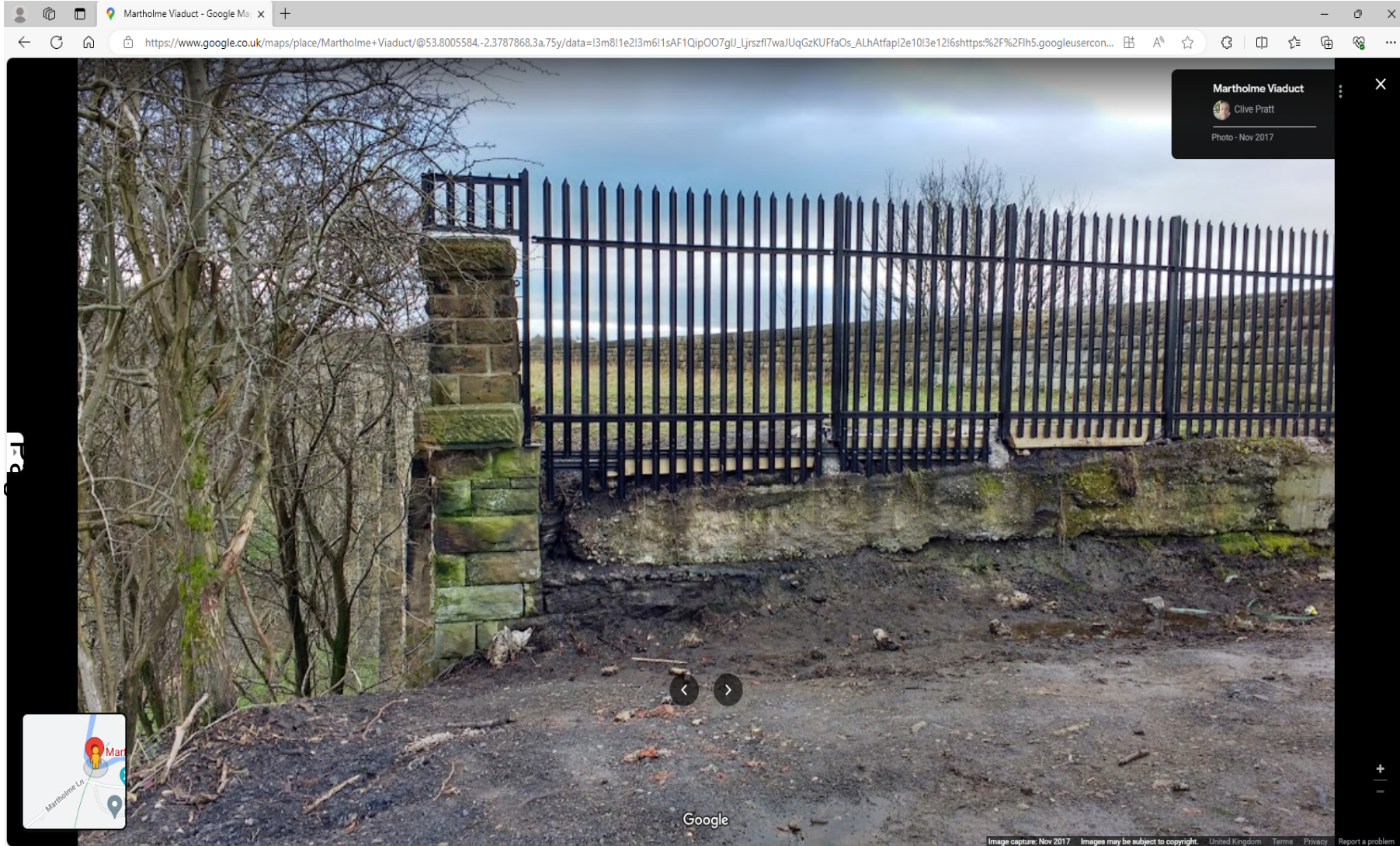


Photo 2 – Photo taken by Council Enforcement Officer February 2022 (post engineering works)



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Photo 3 – Photo taken by Planning Dept 18/10/2023 (current)



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Photo 4 – Photo taken by Planning Dept 18/10/23 showing the proposed bund



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RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

REFUSAL

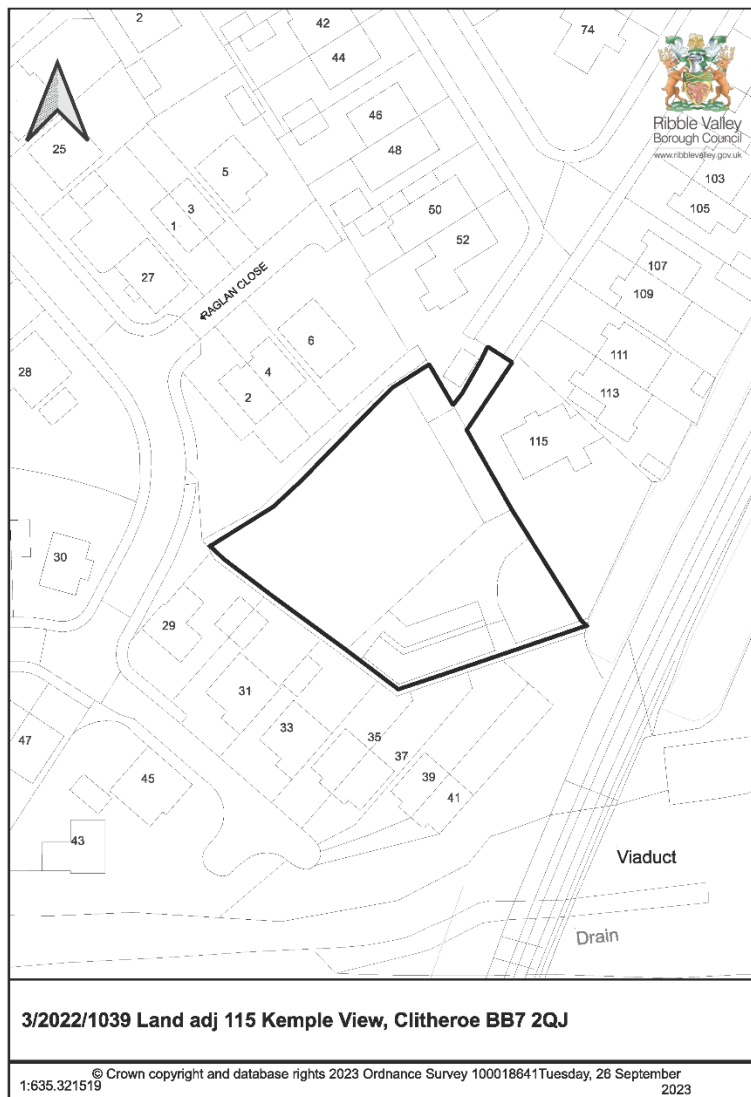
DATE: 19 October 2023
REF: SK
CHECKED BY: LH

APPLICATION REF: 3/2022/1039

GRID REF: SD 373384 440661

DEVELOPMENT DESCRIPTION:

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



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

No representations received in respect of the application.

LANCASHIRE COUNTY COUNCIL (LOCAL HIGHWAYS AUTHORITY):

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

Should consent be granted, the following conditions are requested:

- No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority
- Prior to commencement of any building works, the drainage diversion works shown on drawing 'Site drainage diversion and proposed building outline' PHA/366-100 shall be completed in accordance with Lancashire County Council Specification under an appropriate agreement with access rights agreed thereafter.
- The new estate road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.
- Prior to the first occupation of any dwelling, the car parking and turning areas shall be provided and maintained thereafter for the purposes of vehicle parking.
- Prior to the first occupation each dwelling shall have an electric vehicle charging point. Charge points must have a minimum power rating output of 7kW, be fitted with a universal socket that can charge all types of electric vehicle currently.

UNITED UTILITIES (UU):

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

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

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

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

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

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

ADDITIONAL REPRESENTATIONS:

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

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

1. Site Description and Surrounding Area

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

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

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

- 2.1 The application seeks consent for the erection of two detached dwellings, one being located towards the eastern extents of the site (Building 2) with the remaining dwelling being located to the southern extents of the site (Building 1). Both dwellings are part single-storey, part two-storey with the upper floors, for the most part being accommodated within the roof-space save that for a full two-storey gable on the north-east facing elevation of 'Building 1' and the south-west and north facing elevation of 'Building 2'. To facilitate the provision of habitable accommodation within the roof-space a number of the elevations of the dwellings benefit from 'elevated' eaves heights to create usable floorspace at first-floor.
- 2.2 the submitted details propose that the dwellings will be faced in 'stone facings and render' to be agreed with roofs faced in primarily a slate finish. The submitted details also propose the gating-off of the entrance, however at this stage no details have been provided in respect of the proposed gate or associated boundary treatment to the site frontage. Parking provision for both dwellings would be accommodated within each respective residential curtilage with a bin storage area being located to the northern extents of the site.

3. **Relevant Planning History**

3/2021/1263: Proposed construction of two new detached dwellings. (Refused)

3/2020/0390: Proposed two detached dwellings. (Withdrawn)

3/2018/0740: Application for outline planning permission for three dwellings, access and parking. (Approved)

3/2014/0461: Outline application for three dwellings, access and parking. (Approved)

4. **Relevant Policies**

Ribble Valley Core Strategy

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

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

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

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

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

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

5.2 **Impact upon Residential Amenity:**

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

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

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

5.2.4 Taking account of the above it is considered that the proposed development would result in conflict with Policy DMG1 of the Ribble Valley Core Strategy insofar that the proximity, scale and orientation of 'Building 2' would significantly undermine and compromise the residential amenities of the occupiers of 115 Kemple View by virtue of a direct unsympathetic overbearing relationship.

5.2.5 It is further considered that the proximity, scale and orientation of 'Building 1' would significantly undermine and compromise the residential amenities of the occupiers residential dwellings to the south-west by virtue of an overbearing relationship,

exacerbated by the differing topographies between that of the application site and garden areas/land-levels associated with the existing affected dwellings, thereby resulting in further conflict with Policy DMG1 which seeks to protect existing and future residential amenities from undue detrimental impacts.

5.3 Visual Amenity/External Appearance

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

5.4 Landscape and Ecology:

- 5.4.1 The application has been accompanied by a Preliminary Bat Roost Assessment, which at the time of being undertaken identifies that no evidence was recorded to suggest bats were roosting within the building, no bats were observed or recorded using the building for roosting and that the building is considered to be of negligible potential for roosting bats. Enhancement in the form of new bat and bird roosting habitats could be secured by condition. The proposal is therefore considered to satisfy Policy DME3 of the Ribble Valley Core Strategy in terms of biodiversity conservation and enhancement.
- 5.4.2 The site is bounded by a number of trees, with a grouping being located directly to the north of the existing access point, and with a substantial grouping being located at the south-eastern extents of the site. Based on the submitted information it appears that the tree's adjacent the access point lie outside the site extents. In respect of the grouping at the south-eastern extents of the site, the submitted details are not clear in respect of whether these fall within the site extents, however no tree removal has been proposed associated with the submitted details therefore the proposal is considered to satisfy Policy DME2 of the Ribble Valley Core Strategy in terms of landscape protection.

5.5 Highway Safety and Accessibility:

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

5.6 Flood Risk and Drainage

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

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

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

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

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

1. The proposal is considered contrary to Policy DMG1 of the Ribble Valley Core Strategy insofar that the proximity, scale and orientation of 'Building 2' would significantly undermine and compromise the residential amenities of the occupiers of 115 Kemple View by virtue of a direct unsympathetic overbearing relationship.
2. The proposal is considered contrary to Policy DMG1 of the Ribble Valley Core Strategy in that the proximity, scale and orientation of 'Building 1' would significantly undermine and compromise the residential amenities of the occupiers of residential dwellings to the south-west by virtue of an overbearing relationship, exacerbated by the differing topographies between that of the application site and garden areas/land-levels associated with the existing affected dwellings.

3. The proposal is considered contrary to Policy DMG1 of the Ribble Valley Core Strategy and Paragraphs 130 and 134 of the National Planning Policy Framework insofar that approval of the proposal would result in the introduction of an anomalous and discordant pattern and form of development, that by virtue of the scale of the proposed dwellings, their inherent footprints and site configuration, would fail to respond positively to the inherent pattern and scale of adjacent built-form being of significant detriment to the character and visual amenities of the area.
7. **Update Following Planning and Development Committee Meeting of the 1 June 2023**
- 7.1 Following the Planning and Development Committee of the 1 June 2023, Members were minded to approve the proposed development, contrary to officer recommendation.
- 7.2 Members will note that subsequent to the meeting of the 1 June 2023, the authority became aware of anomalies with the submitted details insofar that the submitted drainage easement plan failed to correspond with the submitted proposed site plan in relation to dwelling footprint(s), their location, siting and orientation.
- 7.3 This matter has subsequently been addressed through the submission of a revised and updated site drainage plan which now corresponds with the proposed site plan. United Utilities have been reconsulted on the revised details, with a response still awaited. Should the response be received prior to the Planning and Development Committee meeting, details of the nature of the response will be reported to the Committee on the Late Items Sheet. In the event that a response is not forthcoming then the Committee are being asked to determine the application and defer and delegate this matter to the Director of Economic Development and Planning to resolve before issuing the final decision.
- 7.4 In this respect the application is being brought back before the Committee for redetermination with suggested conditions should Committee still be minded to motion approval of the proposal(s). As such, should the Committee remain minded to approve, the proposal should be motioned for approval on the following basis:

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Economic Development and Planning for approval subject to no objections being raised by United Utilities and subject to the following conditions:

1. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:
 - A102: Proposed Floor Plans and elevations Building 1
 - A202: Proposed Floor Plans and Elevations Building 2
 - A302: Proposed Site Plan
 - A303: Site Plan Boundary Dimensions
 - A400: Sections
 - A401: Location Plan
 - PH/366 Revision A (received 7/09/23): Site Drainage Diversion (TBC)
2. Notwithstanding the submitted details, details or specifications of all materials to be used on the external surfaces of the development hereby approved shall have been submitted

to and approved in writing by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the area.

3. Details of the alignment, height, and appearance of all walling, retaining wall structures and gates to be erected within the development shall have been submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in strict accordance with the approved details.

REASON: To ensure a satisfactory standard of appearance in the interests of the visual amenities of the area.

4. 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 unless and until a scheme for protective fencing for trees and hedgerow within and adjacent to the site, has been submitted to and approved in writing by the Local Planning Authority.

The submitted details shall be in accordance with BS5837 (2012): 'Trees in Relation to Construction'. The agreed fencing/protection shall be erected in its entirety prior to any other operations taking place on the site and shall not be breached nor removed during development. Furthermore, within the areas so fenced the existing ground level shall be neither raised nor lowered and there shall be no development or development-related activity of any description including the deposit of spoil or the storage of materials unless expressly agreed by the Local Planning Authority.

For the avoidance of doubt all trees/hedgerow shown as being retained within the approved details shall be retained as such in perpetuity.

REASON: To ensure the proposal is satisfactorily landscaped and trees/hedgerow of landscape/visual amenity value are retained as part of the development.

5. The flat roof/ roofed area(s) of the dwellings hereby approved shall not be used as a balcony, roof garden, terrace or similar amenity area.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm nearby residential amenity.

6. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period of the development hereby approved. For the avoidance of doubt the submitted details shall include the following:

- i. The parking of vehicles of site operatives and visitors
- ii. The loading and unloading of plant and materials
- iii. The storage of plant and materials used in constructing the development

- iv. The erection and maintenance of security hoarding
- v. Wheel washing facilities
- vi. Measures to control the emission of dust and dirt during construction
- vii. A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. Details of working hours
- ix. Routing of delivery vehicles to/from site

REASON: To minimise disruption during the construction phase of the development hereby approved.

7. Prior to commencement of any building works, the drainage diversion works shown on drawing 'Site drainage diversion and proposed building outline' PHA/366-100 Revision A shall be completed in accordance with Lancashire County Council Specification under an appropriate agreement with access rights agreed thereafter.

REASON: To ensure the appropriate provision(s) of drainage infrastructure to be installed/diverted.

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

REASON: To ensure that satisfactory access is provided to the site before any other construction work is carried out.

9. Prior to the first occupation of any dwelling hereby approved, the car parking and turning areas shall be provided and made available for use. Such areas thereafter shall solely be maintained for the purposes of vehicle parking.

REASON: To ensure adequate dedicated parking provision is made available on site to accommodate the development hereby approved.

10. Prior to first occupation of each of the dwellings hereby approved, each dwelling shall be afforded the provision of an electric vehicle charging point. For the avoidance of doubt the installed charge points must have a minimum power rating output of 7kW, be fitted with a universal socket that can charge all types of current electric vehicle.

REASON: To encourage sustainable methods of transport and to reduce carbon emissions associated with the dwellings(s) hereby approved.

11. The development hereby approved shall be carried out in accordance with the Preliminary Bat Roost Assessment Report dated 2nd December 2021. In particular:

- Prior to commencement of development above slab level a Greenwoods Ecohabitats Two Chamber Bat Box or Kent Bat Box shall be installed within the site to provide roosting potential for the local bat population. Thereafter the bat box shall be retained on site in perpetuity.

REASON: To ensure the continued protection of bats as part of the development and in the interests of biodiversity enhancement.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the dwellings shall not be altered or extended, nor shall any building, structure or enclosure be erected within the curtilage of the dwellings without planning permission.

REASON: To ensure that the Local Planning Authority have control over any future development of the dwellings in the interests of the residential amenity of occupants / neighbours.

BACKGROUND PAPERS

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

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

meeting date: 19 OCTOBER 2023
 title: REVIEW OF FEES AND CHARGES
 submitted by: DIRECTOR OF RESOURCES AND DEPUTY CHIEF EXECUTIVE
 principal author: VALERIE TAYLOR

1 PURPOSE

1.1 To seek member approval on proposals to increase this committee's fees and charges with effect from the 1 April 2024.

2 BACKGROUND

2.1 The annual review of the council's fees and charges has been undertaken as part of the budget setting process for the forthcoming 2024/25 financial year.

2.2 This report requests that members consider proposals for the increase in fees and charges for this committee's services. Such charges would be implemented with effect from 1 April 2024 and would operate for the duration of the 2024/25 financial year.

3 POLICY AND FINANCE COMMITTEE SEPTEMBER 2023

3.1 In September 2023, the Budget Working Group and Policy and Finance Committee considered the overall three-year Budget Forecast. This forecast assumes that fees and charges are increased overall by 4%.

3.2 Guidance from Policy and Finance Committee to service committees is that they review their fees and charges in order to achieve an average overall target increase in income of 4%.

4 FEES AND CHARGES INCLUDED FOR COMMITTEE REVIEW

4.1 Planning application fees are decided nationally and so are not included within this review. Legislation to increase planning application fees has been laid before parliament for approval. This legislation includes an increase to major development planning application fees of 35%, an increase to other planning application fees of 25% and annual increases from April 2025 in line with inflation.

4.2 A minimum 4% increase to other fees and charges that are decided by this committee would generate additional income as follows:

Area	Current Year Budget £	At 4% £
Building Control	212,840	8,514
General fees and charges (mainly planning pre-application advice)	43,080	1,723
TOTAL	255,920	10,237

5 FAST TRACK PRE-APPLICATION ADVICE SERVICE

- 5.1 The fast-track option for the pre-application advice service is gradually being re-introduced following suspension of the service during a period of restricted resources within the planning section.
- 5.2 The options for householder, major and large-scale developments were re-introduced on a staged basis from 1 April 2023, and it is now proposed to re-introduce the service for minor and intermediate developments from 1 April 2024. These re-introduced fees have been included within the schedule at Annex 1 at a premium of 50% on the standard fee.

6 REVIEW OF FEES AND CHARGES FOR 2024/25

- 6.1 The review of fees and charges is coordinated by financial services, working together with heads of service and budget holders.
- 6.2 The following process is undertaken:
 - Budget holders are provided with an indication of the fees and charges factoring in the 4% increase on the current base budget.
 - A discussion meeting is then held between the budget holder and financial services to enable the budget holder to propose a set of fees and charges for their services. This may depend on where there is a national requirement or service specific reason for setting a fee or charge different from a 4% increase.
- 6.3 Following discussions a proposed set of fees and charges for implementation from 1 April 2024 has been produced for this committee and is shown at Annex 1.
- 6.4 The annex provides a breakdown of general fees and charges, mainly those in respect of pre-application advice and sets out:
 - the current charge for 2023/24;
 - the current year base budgeted income estimated to be raised by each charge (Net of VAT);
 - the **proposed** charges for implementation from 1 April 2024;
 - an indication of the potential income that may be achieved in 2024/25 compared to the current base budget, should the proposals be agreed (Net of VAT);
 - the resulting percentage increase in the charge from 2023/24 to 2024/25;
 - Date that each charge was last increased (They are all reviewed annually, but may not necessarily be increased)
- 6.5 Annex 2 sets out the proposed Building Control fee schedule for 2024/25. For information purposes the current fee schedule that has been in place since April 2022 is provided at Annex 3.
- 6.6 If you agree the recommended fees and charges for next year, the estimated additional income raised based on **current budgeted income levels** is as follows:

Area	Current Year Budget £	Additional income to be raised £	% Increase
Building Control	212,840	8,530	4.01
General Fees and Charges	43,080	1,730	4.02
TOTAL	255,920	10,260	4.01

6.7 The indication of potential income shown above is provided for guidance purposes only and is based on past activity levels. No account is taken of any change in service use which may be influenced by a change in charge levels.

7 RISK ASSESSMENT

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

- Resources – Fees and Charges provide a key income source for the Council. Fees and charges also provide a mechanism to target concessions, and also to charge service users directly rather than allowing the financial burden of certain service provision to fall on the council tax.
- Technical, Environmental and Legal – The Local Government Acts of 2000 and 2003 extended authorities' powers to charge for discretionary services.
- Political – none
- Reputation – Substantial increases to charges can generate adverse publicity.
- Equality and Diversity – One of the aims of the fees and charges mechanism on many services is to pass on service concession in order to increase inclusivity.

8 CONCLUSION

8.1 Work has been undertaken by financial services, heads of service and budget holders in reviewing the fees and charges operated by this committee in advance of the next financial year.

8.2 The council's three-year budget forecast that was approved by Policy and Finance Committee in September 2023 assumes that fees and charges are increased next year by 4%.

8.3 If members agree with the increases in charges as set out in the annexes to the report, then this committee will meet the 4% target for the financial year 2024/25.

9 RECOMMENDATION THAT COMMITTEE

9.1 Consider the level of fees and charges to be levied for this committee for 2024/25.

SENIOR ACCOUNTANT

DIRECTOR OF RESOURCES

PD11-23/VT/AC
9 OCTOBER 2023

PLANNING AND DEVELOPMENT COMMITTEE – PROPOSED FEES AND CHARGES FOR IMPLEMENTATION FROM 1 APRIL 2024

BUILDING CONTROL – BLDGC	Ledger Code	VAT	Date of last change	Charge from 1st April 2022	Current Charge 2023/24	Budgeted Income Net of VAT for 2023/24	Proposed Charges for 2024/25	Indication of Potential Income Net of VAT for 2024/25	Percentage Increase in Charge
				£	£	£	£	£	%
Building Control Decision Notices	BCNON/8231m	Non Vatable	01/04/2023	24.00	26.00	1,260	27.00	1,310	3.85%

PLANNING - PLANG	Ledger Code	VAT	Date of last change	Charge from 1st April 2022	Current Charge 2023/24	Budgeted Income Net of VAT for 2023/24	Proposed Charges for 2024/25	Indication of Potential Income Net of VAT for 2024/25	Percentage Increase in Charge
				£	£	£	£	£	%
Planning Decision Notices	PLANG/8231m	Non Vatable	01/04/2023	24.00	26.00	2,270	27.00	2,360	3.85%
Planning S106 Application Modification	PLANG/8404u	Non Vatable	01/04/2023	460.00	500.00	1,050	520.00	1,090	4.00%

Pre-Application Advice	Minor Developments	PLANG/8495n	VAT Inclusive	01/04/2023	265.00	300.00	14,860	312.00	15,450	4.00%
	- additional meeting	PLANG/8495n	VAT Inclusive	01/04/2023	130.00	150.00	1,000	156.00	1,040	4.00%
	- Fast track service (re-introduced)	PLANG/8495n	VAT Inclusive	01/04/2021	-	-	-	468.00	-	-
	Intermediate Developments	PLANG/8495n	VAT Inclusive	01/04/2023	510.00	562.00	4,980	585.00	5,180	4.09%
	- additional meeting	PLANG/8495n	VAT Inclusive	01/04/2023	250.00	275.00	0	286.00	0	4.00%
	- Fast track service (re-introduced)	PLANG/8495n	VAT Inclusive	01/04/2021	-	-	-	877.00	-	-

PLANNING AND DEVELOPMENT COMMITTEE – PROPOSED FEES AND CHARGES FOR IMPLEMENTATION FROM 1 APRIL 2024

PLANNING - PLANG	Ledger Code	VAT	Date of last change	Charge from 1st April 2022	Current Charge 2023/24	Budgeted Income Net of VAT for 2023/24	Proposed Charges for 2024/25	Indication of Potential Income Net of VAT for 2024/25	Percentage Increase in Charge	
				£	£	£	£	£	%	
Page 93 Pre-Application Advice	Major Developments - up to two meetings	PLANG/8495n	VAT Inclusive	01/04/2023	1,550.00	1,700.00	9,460	1,768.00	9,840	4.00%
	- additional meeting	PLANG/8495n	VAT Inclusive	01/04/2023	775.00	850.00	950	884.00	990	4.00%
	- fast track service	PLANG/8495n	VAT Inclusive	01/04/2023	2,325.00	2,600.00	0	2,704.00	0	4.00%
	Large Scale Major Developments - up to two meetings	PLANG/8495n	VAT Inclusive	01/04/2023	2,060.00	2,300.00	2,510	2,392.00	2,610	4.00%
	- additional meeting	PLANG/8495n	VAT Inclusive	01/04/2023	1,030.00	1,150.00	0	1,196.00	0	4.00%
	- fast track service	PLANG/8495n	VAT Inclusive	01/04/2023	3,090.00	3,500.00	0	3,640.00	0	4.00%
	Discharge of Conditions Meeting	PLANG/8495n	VAT Inclusive	01/04/2023	115.00	125.00	0	130.00	0	4.00%
	Householders - Without Meeting	PLANG/8495n	VAT Inclusive	01/04/2023	60.00	66.00	0	68.50	0	3.79%
	- With Meeting	PLANG/8495n	VAT Inclusive	01/04/2023	120.00	132.00	4,540	137.50	4,730	4.17%
	- additional meeting	PLANG/8495n	VAT Inclusive	01/04/2023	60.00	66.00	0	68.50	0	3.79%
	- fast track service	PLANG/8495n	VAT Inclusive	01/04/2023	180.00	200.00	0	208.00	0	4.00%
	High Hedge or Tree Issues	PLANG/8495n	VAT Inclusive	01/04/2023	80.00	88.00	0	91.50	0	3.98%

PLANNING AND DEVELOPMENT COMMITTEE – PROPOSED FEES AND CHARGES FOR IMPLEMENTATION FROM 1 APRIL 2024

PLANNING - PLANG		Ledger Code	VAT	Date of last change	Charge from 1st April 2022	Current Charge 2023/24	Budgeted Income Net of VAT for 2023/24	Proposed Charges for 2024/25	Indication of Potential Income Net of VAT for 2024/25	Percentage Increase in Charge
					£	£	£	£	£	%
Pre-Application Advice	Listed Building or work In Conservation	PLANG/8495n	VAT Inclusive	01/04/2023	115.00	125.00	0	130.00	0	4.00%
	Advertisement Advice	PLANG/8495n	VAT Inclusive	01/04/2023	80.00	88.00	200	91.50	210	3.98%
	Prior Notification	PLANG/8495n	VAT Inclusive	01/04/2023	130.00	150.00	0	156.00	0	4.00%

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HIGH HEDGES - HIGHH		Ledger Code	VAT	Date of last change	Charge from 1st April 2022	Current Charge 2023/24	Budgeted Income Net of VAT for 2023/24	Proposed Charges for 2024/25	Indication of Potential Income Net of VAT for 2024/25	Percentage Increase in Charge
					£	£	£	£	£	%
Submission of High Hedges Complaint		HIGHH/8460u	Non Vatable	01/04/2023	630.00	700.00	-	728.00	-	4.00%

Total budgeted income	43,080	44,810	4.02%
Overall extra income generated compared to base budget		1,730	

BUILDING REGULATION CHARGES – PROPOSED FEES AND CHARGES FOR IMPLEMENTATION FROM 1 APRIL 2024

RIBBLE VALLEY BOROUGH COUNCIL BUILDING REGULATION CHARGES

The Building (Local Authority Charges) Regulations 2010
Charges with effect from 1st April 2024
(VAT rate of 20.00% - Totals rounded to nearest whole sum)



Explanatory Notes

1. Before you build, extend or convert, you or your agent must advise your local authority either by submitting Full Plans or a Building Notice. The charges payable depends on the type of work, the number of dwellings in a building and the total floor area. The following tables may be used in conjunction with the current scheme to calculate the charges.
If you have difficulties calculating the charges ring Building Control on 01200 414508.
2. Charges are payable as follows:
 - 2.1 Should you submit Full Plans you will pay a plan charge at the time of submission to cover their passing or rejection.
 - 2.2 With Full Plans submissions, for most types of work, an inspection charge covering all necessary site visits will normally be payable following the first inspection. You will be invoiced for this charge.
 - 2.3 Should you submit a Building Notice, the appropriate Building Notice charge is payable at the time of submission and covers all necessary checks and site visits.
 - 2.4 Should you apply for a regularisation certificate, regarding unauthorised building work, commenced on or after 11 November 1985, you will pay a regularisation charge to cover the cost of assessing your application and all inspections. The Local Authority will individually assess the charge.
3. Table A: Charges for small domestic buildings e.g., certain new dwelling houses and flats. Applicable where the total internal floor area of each dwelling, excluding any garage or carport does not exceed 700m² and the building has no more than three storeys, each basement level being counted as one storey. In any other case, Table E applies.
4. Table B: Where work comprises more than one domestic extension the total internal floor areas of all the extensions shown on the application may be added together to determine the relevant charge. If the extension(s) exceed 80m² or three storeys in height then Table E applies (subject to a minimum plan charge).
5. Table C: Charges for certain alterations to dwellings.
6. Table D: Charges for extension and new buildings other than dwellings.
7. Table E: Applicable to all other building work not covered by Table A, B, C, or D. Total estimated cost means an estimate accepted by the local authority of a reasonable cost that would be charged by a person in business to carry out the work shown or described in the application excluding VAT and any professional fees paid to an architect, engineer or surveyor, etc., and also excluding land acquisition costs.
8. Floor area is measured as gross internal area on a horizontal plane measured 2 metres above floor level.
9. Exemptions/reduction in charges:
 - 9.1 Where plans have been either approved or rejected no further charge is payable on resubmission for substantially the same work.
 - 9.2 Works to provide access and/or facilities for disabled people to existing dwellings and buildings to which the public have access are exempt from charges. In these regulations 'disabled person' means a person who is within any of the descriptions of persons to whom section 29(1) of the National Assistance Act 1948 applied, as that section was extended by virtue of section 8(2) of the Mental Health Act 1959, but not taking into account amendments made to section 29(1) by paragraph 11 of schedule 13 to the Children Act 1989.
10. A 'Regularisation Charge' is payable at the time of the application to the Authority in accordance with Regulation 18 of the Building Regulations for unauthorised works, this is 150% of the total Building Notice Charge, net of VAT.
11. With the exception of the regularisation charge, all local authority Building Regulation charges are subject to VAT at the rate applicable at the time the application is deposited and for the inspection charge when the invoice is sent.
12. For work exceeding an estimated cost £200,000 or for complex work the Building Regulation charge will be individually assessed. Please tel. 01200 414508 or email building.control@ribblevalley.gov.uk
13. A full copy of the Ribble Valley Borough Council Scheme of Charges is available on request or may be viewed on www.ribblevalley.gov.uk

BUILDING REGULATION CHARGES – PROPOSED FEES AND CHARGES FOR IMPLEMENTATION FROM 1 APRIL 2024

TABLE A
STANDARD CHARGES FOR NEW HOUSING
(Up to 300m² floor area including flats and maisonettes but not conversions)

No of Dwellings	Full Plans Application						Building Notice Application		
	Plan Charge	Vat	Total	Inspect Charge	Vat	Total	Building Notice Charge	Vat	Total
1	303.33	60.67	364.00	551.67	110.33	662.00	927.50	185.50	1113.00
2	435.83	87.17	523.00	883.33	176.67	1060.00	1495.83	299.17	1795.00
3	529.17	105.83	635.00	1047.50	209.50	1257.00	1795.00	359.00	2154.00
4	611.67	122.33	734.00	1158.33	231.67	1390.00	2017.50	403.50	2421.00
5	671.67	134.33	806.00	1250.83	250.17	1501.00	2300.83	460.17	2761.00

- For more than 5 dwellings or flats over three storeys, the charge will be individually determined. (See table below for dwellings over 300m²)
- The amount of the plan charge is based on the number of dwellings contained in the application.
- The inspection charge is based on the total units in the project.
- Unless otherwise agreed, schemes exceeding twelve months in duration may be subject to an additional charge.
- For larger building projects the Council may agree to fees being paid by instalments.

STANDARD CHARGES FOR NEW HOUSING (CONT)
(Floor area between 300m² and 700m²)

Proposal	Full Plans Application						Building Notice Application		
	Plan Charge	VAT	Total	Inspection Charge	VAT	Total	Building Notice Charge	VAT	Total
Single Dwelling with floor area between 301m ² and 500m ²	303.33	60.67	364.00	814.17	162.83	977.00	1231.67	246.33	1478.00
Single Dwelling with floor area between 501m ² and 700m ²	303.33	60.67	364.00	1080.00	216.00	1296.00	1558.33	311.67	1870.00

All the above charges are on the basis that any controlled electrical work is carried out by a person who is a member of a registered Competent Person Scheme, if this is not the case an additional charge may apply.

TABLE B
STANDARD CHARGES FOR CERTAIN SMALL BUILDINGS, EXTENSIONS AND ALTERATIONS TO DWELLINGS

Proposal	Full Plans Application						Building Notice Application		
	Plan Charge	VAT	Total	Inspection Charge	VAT	Total	Building Notice Charge	VAT	Total
CATEGORY 1. Extensions to dwellings									
Extension(s):- Internal floor area not exceeding 6m²	372.50	74.50	447.00	Inc	Inc	Inc	446.67	89.33	536.00
Internal floor area over 6m² but not exceeding 40m²	230.83	46.17	277.00	322.50	64.50	387.00	634.17	126.83	761.00
Internal floor area over 40m² but not exceeding 60m²	230.83	46.17	277.00	464.17	92.83	557.00	804.17	160.83	965.00
Internal floor area over 60m² but not exceeding 80m²	230.83	46.17	277.00	570.00	114.00	684.00	943.33	188.67	1,132.00

BUILDING REGULATION CHARGES – PROPOSED FEES AND CHARGES FOR IMPLEMENTATION FROM 1 APRIL 2024

Proposal	Full Plans Application						Building Notice Application		
	Plan Charge	VAT	Total	Inspection Charge	VAT	Total	Building Notice Charge	VAT	Total
CATEGORY 2. Garages and Carports									
Erection or extension of a detached or attached building or an extension to a dwelling									
which consists of a garage, external store, carport having a floor area not exceeding 40m² in total and is intended to be used in common with an existing building or the conversion of an attached garage into a habitable room.	303.33	60.67	364.00	Inc	Inc	Inc	349.17	69.83	419.00
Where the garage/store exceeds a floor area of 40m² but does not exceed 60m²	423.33	84.67	508.00	Inc	Inc	Inc	505.83	101.17	607.00
CATEGORY 3. Loft Conversions and Dormers									
Formation of a room in a roof space, including means of access thereto. Fees for lofts greater than 40m ² are to be based on the cost of work.									
Without a dormer but not exceeding 40m² in floor area*	390.83	78.17	469.00	Inc	Inc	Inc	469.17	93.83	563.00
With a dormer but not exceeding 40m² in floor area*	230.83	46.17	277.00	307.50	61.50	369.00	645.83	129.17	775.00

*Not carried out under a Competent Person Scheme

Where the extension to the dwelling exceeds **80m²** in floor area, the charge is based on the estimated cost in table E, subject to the sum of the plan charge and inspection charge being not less than £902.50 (nett of vat), the total estimated cost of the work must therefore be at least £50,001.

All the above charges are on the basis that any controlled electrical work is carried out by a person who is a member of a registered Competent Person Scheme, if this is not the case an additional charge may apply.

**TABLE C
STANDARD CHARGES FOR ALTERATIONS TO DWELLINGS**

Proposal	Full Plans Application						Building Notice Application		
	Plan Charge	VAT	Total	Inspection Charge	VAT	Total	Building Notice Charge	VAT	Total
Installation of replacement windows and doors * in a dwelling where the number of windows / doors does not exceed 20.	100.83	20.17	121.00	Inc	Inc	Inc	100.83	20.17	121.00
Underpinning with a cost not exceeding £30,000.	312.50	62.50	375.00	Inc	Inc	Inc	312.50	62.50	375.00
Controlled Electrical work * to a single dwelling (not carried out in conjunction with work being undertaken that falls within Table B)	202.50	40.50	243.00	Inc	Inc	Inc	202.50	40.50	243.00
Renovation of a thermal element (excluding cavity wall insulation) i.e. work involving recovering of a roof or renovation of an external wall to which Regulation L1b applies i.e. work involving recovering of a roof or renovation of an external wall to which Regulation L1b applies	120.00	24.00	144.00	Inc	Inc	Inc	120.00	24.00	144.00

**BUILDING REGULATION CHARGES – PROPOSED FEES AND CHARGES FOR IMPLEMENTATION
FROM 1 APRIL 2024**

Proposal	Full Plans Application						Building Notice Application		
	Plan Charge	VAT	Total	Inspection Charge	VAT	Total	Building Notice Charge	VAT	Total
Formation of a single en suite bathroom/shower room or cloakroom within an existing dwelling (excluding electrical work)	247.50	49.50	297.00	Inc	Inc	Inc	247.50	49.50	297.00
Removal or partial removal of chimney breast	247.50	49.50	297.00	Inc	Inc	Inc	247.50	49.50	297.00
Removal of wall and insertion of beam(s) maximum span 4 metres (If more than one opening formed use schedule E)	151.67	30.33	182.00	Inc	Inc	Inc	151.67	30.33	182.00
Converting two existing dwellings into a single dwelling where no alterations are necessary) Otherwise use table E	345.00	69.00	414.00	Inc	Inc	Inc	345.00	69.00	414.00
Heating Appliance Installation Installation of a multi fuel heating appliance including associated flue to a single dwelling by a person not registered under a Competent Persons Scheme. (Where new chimney use schedule E)	183.33	36.67	220.00	Inc	Inc	Inc	183.33	36.67	220.00
Installation of a sewage treatment tank in connection with a private dwelling	295.00	59.00	354.00	Inc	Inc	Inc	345.83	69.17	415.00

*Not carried out under a Competent Person Scheme

Where it is intended to carry out additional work internally within a dwelling at the same time as undertaking alterations as defined in Table B then the charge for all of the internal work (including work as defined in table C) may be assessed using the total estimated cost of work as set out in table E. All other work within dwellings will be charged as set out in table E.

**TABLE D
EXTENSIONS AND NEW BUILD – OTHER THAN TO DWELLINGS**
(i.e. shops, offices, industrial, hotels, storage, assembly etc.)

Note – **must be submitted as a full plans application** (other than application for replacement windows)

Category of Work	Proposal	Full Plans Application					
		Plan Charge	VAT	Total	Inspection Charge	VAT	Total
1	Internal floor area not exceeding 6m²	436.67	87.33	524.00	Inc	Inc	Inc
2	Internal floor area over 6m² but not exceeding 40m²	230.83	46.17	277.00	322.50	64.50	387.00
3	Internal floor area over 40m² but not exceeding 80m²	230.83	46.17	277.00	515.00	103.00	618.00
4	Shop fit out not exceeding a value of £50,000	459.17	91.83	551.00	Inc	Inc	Inc
5	Replacement windows a – not exceeding 10 windows b – between 11 – 20 windows	a) 143.33 b) 243.33	a) 28.67 b) 48.67	a) 172.00 b) 292.00	Inc Inc	Inc Inc	Inc Inc

**BUILDING REGULATION CHARGES – PROPOSED FEES AND CHARGES FOR IMPLEMENTATION
FROM 1 APRIL 2024**

TABLE E
STANDARD CHARGES FOR ALL OTHER WORK NOT IN TABLES A, B, C & D
(Excludes individually determined charges)

Estimated cost		Full Plans Application						Building Notice Application		
From:	To:	Plan Charge	VAT	Total	Inspection Charge	VAT	Total	Building Notice Charge	VAT	Total
£0.00	1,000.00	151.67	30.33	182.00	Inc	Inc	Inc	183.33	36.67	220.00
£1,001.00	2,000.00	252.50	50.50	303.00	Inc	Inc	Inc	303.33	60.67	364.00
£2,001.00	5,000.00	295.00	59.00	354.00	Inc	Inc	Inc	345.83	69.17	415.00
£5,001.00	7,000.00	322.50	64.50	387.00	Inc	Inc	Inc	378.33	75.67	454.00
£7,001.00	10,000.00	369.17	73.83	443.00	Inc	Inc	Inc	440.83	88.17	529.00
£10,001.00	20,000.00	446.67	89.33	536.00	Inc	Inc	Inc	525.83	105.17	631.00
£20,001.00	30,000.00	575.00	115.00	690.00	Inc	Inc	Inc	691.67	138.33	830.00
£30,001.00	40,000.00	340.00	68.00	408.00	399.17	79.83	479.00	805.00	161.00	966.00
£40,001.00	50,000.00	372.50	74.50	447.00	469.17	93.83	563.00	928.33	185.67	1,114.00
£50,001.00	75,000.00	427.50	85.50	513.00	568.33	113.67	682.00	1,066.67	213.33	1,280.00
£75,001.00	100,000.00	464.17	92.83	557.00	716.67	143.33	860.00	1,300.83	260.17	1,561.00
£100.00	150,000.00	533.33	106.67	640.00	814.17	162.83	977.00	1,446.67	289.33	1,736.00
£150.00	200,000.00	598.33	119.67	718.00	947.50	189.50	1,137.00	1,747.50	349.50	2,097.00

Where it is intended to carry out additional work on a dwelling at the same time as undertaking an extension within table B then the charge for this additional work (as indicated in Table E) shall be discounted by 50% subject to a maximum estimated cost of less than £30,000.

In respect of domestic work, the above charges are on the basis that any controlled electrical work is carried out by a person who is a member of a registered Competent Person Scheme, if this is not the case an additional charge may apply.

Where the estimated cost of work exceeds £200,000 Ribble Valley Borough Council will individually assess the charge.

BUILDING REGULATION CHARGES – CURRENT CHARGES FROM 1 APRIL 2022**RIBBLE VALLEY BOROUGH COUNCIL
BUILDING REGULATION CHARGES**

The Building (Local Authority Charges) Regulations 2010
Charges with effect from 1st April 2022
(VAT rate of 20.00%)

**Explanatory Notes**

1. Before you build, extend or convert, you or your agent must advise your local authority either by submitting Full Plans or a Building Notice. The charges payable depends on the type of work, the number of dwellings in a building and the total floor area. The following tables may be used in conjunction with the current scheme to calculate the charges. If you have difficulties calculating the charges ring Building Control on 01200 414508.
2. Charges are payable as follows:
 - 2.1 Should you submit Full Plans you will pay a plan charge at the time of submission to cover their passing or rejection.
 - 2.2 With Full Plans submissions, for most types of work, an inspection charge covering all necessary site visits will normally be payable following the first inspection. You will be invoiced for this charge.
 - 2.3 Should you submit a Building Notice, the appropriate Building Notice charge is payable at the time of submission and covers all necessary checks and site visits.
 - 2.4 Should you apply for a regularisation certificate, regarding unauthorised building work, commenced on or after 11 November 1985, you will pay a regularisation charge to cover the cost of assessing your application and all inspections. The Local Authority will individually assess the charge.
3. Table A: Charges for small domestic buildings e.g., certain new dwelling houses and flats. Applicable where the total internal floor area of each dwelling, excluding any garage or carport does not exceed 700m² and the building has no more than three storeys, each basement level being counted as one storey. In any other case, Table E applies.
4. Table B: Where work comprises more than one domestic extension the total internal floor areas of all the extensions shown on the application may be added together to determine the relevant charge. If the extension(s) exceed 80m² or three storeys in height then Table E applies (subject to a minimum plan charge).
5. Table C: Charges for certain alterations to dwellings.
6. Table D: Charges for extension and new buildings other than dwellings.
7. Table E: Applicable to all other building work not covered by Table A, B, C, or D. Total estimated cost means an estimate accepted by the local authority of a reasonable cost that would be charged by a person in business to carry out the work shown or described in the application excluding VAT and any professional fees paid to an architect, engineer or surveyor, etc., and also excluding land acquisition costs.
8. Floor area is measured as gross internal area on a horizontal plane measured 2 metres above floor level.
9. Exemptions/reduction in charges:
 - 9.1 Where plans have been either approved or rejected no further charge is payable on resubmission for substantially the same work.
 - 9.2 Works to provide access and/or facilities for disabled people to existing dwellings and buildings to which the public have access are exempt from charges. In these regulations 'disabled person' means a person who is within any of the descriptions of persons to whom section 29(1) of the National Assistance Act 1948 applied, as that section was extended by virtue of section 8(2) of the Mental Health Act 1959, but not taking into account amendments made to section 29(1) by paragraph 11 of schedule 13 to the Children Act 1989.
10. A 'Regularisation Charge' is payable at the time of the application to the Authority in accordance with Regulation 18 of the Building Regulations for unauthorised works, this is 150% of the total Building Notice Charge, net of VAT.
11. With the exception of the regularisation charge, all local authority Building Regulation charges are subject to VAT at the rate applicable at the time the application is deposited and for the inspection charge when the invoice is sent.
12. For work exceeding an estimated cost £200,000 or for complex work the Building Regulation charge will be individually assessed. Please tel. 01200 414508 or email building.control@ribblevalley.gov.uk
13. A full copy of the Ribble Valley Borough Council Scheme of Charges is available on request or may be viewed on www.ribblevalley.gov.uk

BUILDING REGULATION CHARGES – CURRENT CHARGES FROM 1 APRIL 2022

TABLE A
STANDARD CHARGES FOR NEW HOUSING
 (Up to 300m² floor area including flats and maisonettes but not conversions)

No of Dwellings	Full Plans Application						Building Notice Application		
	Plan Charge	VAT	Total	Inspection Charge	VAT	Total	Building Notice Charge	VAT	Total
1	291.67	58.33	350.00	530.83	106.17	637.00	891.67	178.33	1070.00
2	419.17	83.83	503.00	849.17	169.83	1019.00	1438.33	287.67	1726.00
3	509.17	101.83	611.00	1007.50	201.50	1209.00	1725.83	345.17	2071.00
4	588.33	117.67	706.00	1114.17	222.83	1337.00	1940.00	388.00	2328.00
5	645.83	129.17	775.00	1202.50	240.50	1443.00	2212.50	442.50	2655.00

- f) For more than 5 dwellings or flats over three storeys, the charge will be individually determined. (See table below for dwellings over 300m²)
- g) The amount of the plan charge is based on the number of dwellings contained in the application.
- h) The inspection charge is based on the total units in the project.
- i) Unless otherwise agreed, schemes exceeding twelve months in duration may be subject to an additional charge.
- j) For larger building projects the Council may agree to fees being paid by instalments.

STANDARD CHARGES FOR NEW HOUSING (CONT)

(Floor area between 300m² and 700m²)

Proposal	Full Plans Application						Building Notice Application		
	Plan Charge	VAT	Total	Inspection Charge	VAT	Total	Building Notice Charge	VAT	Total
Single Dwelling with floor area between 301m² and 500m²	291.67	58.33	350.00	782.50	156.50	939.00	1184.17	236.83	1421.00
Single Dwelling with floor area between 501m² and 700m²	291.67	58.33	350.00	1038.33	207.67	1246.00	1498.33	299.67	1798.00

All the above charges are on the basis that any controlled electrical work is carried out by a person who is a member of a registered Competent Person Scheme, if this is not the case an additional charge may apply.

TABLE B
STANDARD CHARGES FOR CERTAIN SMALL BUILDINGS, EXTENSIONS AND ALTERATIONS TO DWELLINGS

Proposal	Full Plans Application						Building Notice Application		
	Plan Charge	VAT	Total	Inspection Charge	VAT	Total	Building Notice Charge	VAT	Total
CATEGORY 1 - Extensions to Dwellings									
Internal floor area not exceeding 6m²	358.33	71.67	430.00	Inc	Inc	Inc	429.17	85.83	515.00
Internal floor area over 6m² but not exceeding 40m²	221.67	44.33	266.00	310.00	62.00	372.00	610.00	122.00	732.00
Internal floor area over 40m² but not exceeding 60m²	221.67	44.33	266.00	446.67	89.33	536.00	773.33	154.67	928.00
Internal floor area over 60m² but not exceeding 80m²	221.67	44.33	266.00	548.33	109.67	658.00	906.67	181.33	1088.00
CATEGORY 2 - Garages and Carports Erection or extension of a detached or attached building or an extension to a dwelling									

BUILDING REGULATION CHARGES – CURRENT CHARGES FROM 1 APRIL 2022

Proposal	Full Plans Application						Building Notice Application		
	Plan Charge	VAT	Total	Inspection Charge	VAT	Total	Building Notice Charge	VAT	Total
Which consists of a garage, external store, carport having a floor area not exceeding 40m² in total and is intended to be used in common with an existing building or the conversion of an attached garage into a habitable room.	291.67	58.33	350.00	Inc	Inc	Inc	335.83	67.17	403.00
Where the garage/store exceeds a floor area of 40m² but does not exceed 60m²	406.67	81.33	488.00	Inc	Inc	Inc	486.67	97.33	584.00
CATEGORY 3 - Loft conversion and Dormers Formation of a room in a roof space, including means of access thereto. Fees for lofts greater than 40m2 are to be based on the cost of work.									
Without a dormer but not exceeding 40m² in floor area*	375.83	75.17	451.00	Inc	Inc	Inc	450.83	90.17	541.00
With a dormer but not exceeding 40m² in floor area*	221.67	44.33	266.00	295.83	59.17	355.00	620.83	124.17	745.00

*Not carried out under a Competent Person Scheme

Where the extension to the dwelling exceeds **80m²** in floor area, the charge is based on the estimated cost in table E, subject to the sum of the plan charge and inspection charge being not less than £902.50 (nett of vat), the total estimated cost of the work must therefore be at least £50,001.

All the above charges are on the basis that any controlled electrical work is carried out by a person who is a member of a registered Competent Person Scheme, if this is not the case an additional charge may apply.

TABLE C
STANDARD CHARGES FOR ALTERATIONS TO DWELLINGS

Proposal	Full Plans Application						Building Notice Application		
	Plan Charge	VAT	Total	Inspection Charge	VAT	Total	Building Notice Charge	VAT	Total
Installation of replacement windows and doors* in a dwelling where the number of windows/doors does not exceed 20	96.67	19.33	116.00	Inc	Inc	Inc	96.67	19.33	116.00
Underpinning with a cost not exceeding £30,000	300.83	60.17	361.00	Inc	Inc	Inc	300.83	60.17	361.00
Controlled Electrical Work* to a single dwelling (not carried out in conjunction with work being undertaken that falls within Table B)	195.00	39.00	234.00	Inc	Inc	Inc	195.00	39.00	234.00
Renovation of a thermal element (excluding cavity wall insulation) i.e. work involving recovering of a roof or renovation of an external wall to which Regulation L1b applies	115.00	23.00	138.00	Inc	Inc	Inc	115.00	23.00	138.00
Formation of a single en suite bathroom/shower room or cloakroom within an existing dwelling (excluding electrical work)	238.33	47.67	286.00	Inc	Inc	Inc	238.33	47.67	286.00
Removal or partial removal of chimney breast	238.33	47.67	286.00	Inc	Inc	Inc	238.33	47.67	286.00
Removal of wall and insertion of beam(s) maximum span 4 metres (If more than one opening formed use schedule E)	145.83	29.17	175.00	Inc	Inc	Inc	145.83	29.17	175.00
Converting two existing dwellings into a single dwelling where no	331.67	66.33	398.00	Inc	Inc	Inc	331.67	66.33	398.00

BUILDING REGULATION CHARGES – CURRENT CHARGES FROM 1 APRIL 2022

Proposal	Full Plans Application						Building Notice Application		
	Plan Charge	VAT	Total	Inspection Charge	VAT	Total	Building Notice Charge	VAT	Total
alterations are necessary) Otherwise use table E									
Heating Appliance Installation Installation of a multi fuel heating appliance including associated flue to a single dwelling by a person not registered under a Competent Persons Scheme. (Where new chimney use schedule E)	176.67	35.33	212.00	Inc	Inc	Inc	176.67	35.33	212.00
Installation of a sewage treatment tank in connection with a private dwelling	283.33	56.67	340.00	Inc	Inc	Inc	332.50	66.50	399.00

*Not carried out under a Competent Person Scheme

Where it is intended to carry out additional work internally within a dwelling at the same time as undertaking alterations as defined in Table B then the charge for all of the internal work (including work as defined in table C) may be assessed using the total estimated cost of work as set out in table E. All other work within dwellings will be charged as set out in table E.

TABLE D
EXTENSIONS AND NEW BUILD – OTHER THAN TO DWELLINGS
(i.e. shops, offices, industrial, hotels, storage, assembly etc.)

Note – **must be submitted as a full plans application** (other than application for replacement windows)

Category of Work	Proposal	Full Plans Application					
		Plan Charge	VAT	Total	Inspection Charge	VAT	Total
1	Internal floor area not exceeding 6m²	420.00	84.00	504.00	Inc	Inc	Inc
2	Internal floor area over 6m² but not exceeding 40m²	221.67	44.33	266.00	310.00	62.00	372.00
3	Internal floor area over 40m² but not exceeding 80m²	221.67	44.33	266.00	495.00	99.00	594.00
4	Shop fit out not exceeding a value of £50,000	441.67	88.33	530.00	Inc	Inc	Inc
5	Replacement windows a) Not exceeding 10 windows b) Between 11-20 windows	a) 137.50 b) 234.17	a) 27.50 b) 46.83	a) 165.00 b) 281.00	Inc	Inc	Inc

TABLE E
STANDARD CHARGES FOR ALL OTHER WORK NOT IN TABLES A, B, C & D
(Excludes individually determined charges)

Estimated cost		Full Plans Application						Building Notice Application		
From:	To:	Plan Charge	VAT	Total	Inspection Charge	VAT	Total	Building Notice Charge	VAT	Total
£0.00	£1,000.00	145.83	29.17	175.00	Inc	Inc	Inc	176.67	35.33	212.00
£1,001.00	£2,000.00	242.50	48.50	291.00	Inc	Inc	Inc	291.67	58.33	350.00
£2,001.00	£5,000.00	283.33	56.67	340.00	Inc	Inc	Inc	332.50	66.50	399.00
£5,001.00	£7,000.00	310.00	62.00	372.00	Inc	Inc	Inc	364.17	72.83	437.00

BUILDING REGULATION CHARGES – CURRENT CHARGES FROM 1 APRIL 2022

Estimated cost		Full Plans Application						Building Notice Application		
From:	To:	Plan Charge	VAT	Total	Inspection Charge	VAT	Total	Building Notice Charge	VAT	Total
£7,001.00	£10,000.00	355.00	71.00	426.00	Inc	Inc	Inc	424.17	84.83	509.00
£10,001.00	£20,000.00	429.17	85.83	515.00	Inc	Inc	Inc	505.83	101.17	607.00
£20,001.00	£30,000.00	552.50	110.50	663.00	Inc	Inc	Inc	665.00	133.00	798.00
£30,001.00	£40,000.00	326.67	65.33	392.00	384.17	76.83	461.00	774.17	154.83	929.00
£40,001.00	£50,000.00	358.33	71.67	430.00	450.83	90.17	541.00	892.50	178.50	1071.00
£50,001.00	£75,000.00	410.83	82.17	493.00	546.67	109.33	656.00	1025.83	205.17	1231.00
£75,001.00	£100,000.00	446.67	89.33	536.00	689.17	137.83	827.00	1250.83	250.17	1501.00
£100,001.00	£150,000.00	512.50	102.50	615.00	782.50	156.50	939.00	1390.83	278.17	1669.00
£150,001.00	£200,000.00	575.00	115.00	690.00	910.83	182.17	1093.00	1680.00	336.00	2016.00

Where it is intended to carry out additional work on a dwelling at the same time as undertaking an extension within table B then the charge for this additional work (as indicated in Table E) shall be discounted by 50% subject to a maximum estimated cost of less than £30,000.

In respect of domestic work, the above charges are on the basis that any controlled electrical work is carried out by a person who is a member of a registered Competent Person Scheme, if this is not the case an additional charge may apply.

Where the estimated cost of work exceeds £200,000 Ribble Valley Borough Council will individually assess the charge.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

meeting date: 19 OCTOBER 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 September 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 September		0
Remaining Budget as at the end of September 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 September.

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 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).

3.6 As the purpose of the scheme is now only for the provision of upgrades until the new 'Software Upgrade for Regulatory Services' scheme is undertaken in 2025/26, the scheme name has now been changed from "Introduction of Planning Portal Link to the Planning Application System and Planning System Update" to "Residual Planning System Upgrades"

4 CONCLUSION

4.1 At the end of September 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 September can be summarised as shown below:

Current Position	Current Status	Scheme Count	Full Year Budget £	Spend and Commitments to end of September £	Remaining Budget as at end of September £
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

PD12-23/LO/AC
6 OCTOBER 2023

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

Planning and Development 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 September 2023 £	Remaining Budget as at end of September 2023 £	Percent of Budget Spent at end of September 2023 %	Current Status
PLANN	Residual Planning System Upgrades		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%	

Planning and Development Committee – Capital Programme 2023/24

PLANN: Residual Planning System Upgrades

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.

As the purpose of the scheme is now only for the provision of upgrades until the new 'Software Upgrade for Regulatory Services' scheme is undertaken in 2025/26, the scheme name has now been changed from "Introduction of Planning Portal Link to the Planning Application System and Planning System Update" to "Residual Planning System Upgrades"

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 September 2023	0
Remaining Budget as at end of September 2023	26,420

Budget Holder Comments:

September 2023: No upgrades to the current system have been needed over the first half of the year. However, an order has been placed against this budget in October for £6,050 in respect of upgrade works.

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.

Planning and Development Committee – Capital Programme 2023/24

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 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.

Planning and Development Committee – Capital Programme 2023/24

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.

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.

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- 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.
- 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.

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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.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

meeting date: 19 OCTOBER 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 September 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 September. You will see an overall underspend of £20,157 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 £30,256.

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	-106,045	-101,786	4,259	A
BCNON	Building Control Non Fee Earning	88,480	695	1,463	768	G
CONSV	Conservation Areas	7,930	0	0	0	G
COUNT	Countryside Management	61,750	17,211	15,547	-1,664	G
ECPLA	Economic Development and Planning Dept	0	709,302	653,649	-55,653	R
LPLAN	Local Plan	273,040	50,916	42,158	-8,758	R
PLANG	Planning Control & Enforcement	280,200	-245,996	-202,938	43,058	R
PLANP	Planning Policy	95,690	1,466	250	-1,216	G

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	
PLSUB	Grants & Subscriptions - Planning	11,650	11,650	10,698	-952	G
	Sum:	842,810	439,199	419,042	-20,157	

Transfers to/from Earmarked Reserves					
	Building Regulation Reserve	-5,360	106,045	101,786	-4,259
	Local Plan Reserve	-101,780	-50,916	-56,755	-5,839
	Total after Transfers to/from Earmarked Reserves	735,670	494,328	464,072	-30,256

- 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 the end September 2023 £
<p data-bbox="337 306 1193 365">Economic Development & Planning Department (ECPLA) Staffing Budgets</p> <p data-bbox="337 401 1193 554">Salary, National Insurance and Superannuation departmental budgets are underspent by £68k for the April to September period, partly because national pay negotiations are ongoing and partly because vacancy underspends are higher than the 4% turnover estimate built into the budgets.</p> <p data-bbox="337 590 1193 779">Whilst some of this variance will resolve following the completion of national pay negotiations and the payroll processing of any backpay due, the salary forecasts will need to be reviewed and updated at revised estimate to incorporate both vacancy underspends and the national pay award (that is expected to be around 2% higher than the 5% increase estimated in the budgets).</p> <p data-bbox="337 814 1193 873">These underspends are partially offset by overspends on recruitment advertising (£4k) and consultants (£7k after movements in reserve).</p>	<p data-bbox="1295 590 1390 617">-67,972</p>

3 CONCLUSION

3.1 The comparison between actual and budgeted expenditure shows an underspend of £20,157 to September 2023 of the financial year 2023/24. After allowing for transfers to/from earmarked reserves there is an underspend of £30,256.

SENIOR ACCOUNTANT

DIRECTOR OF RESOURCES
AND DEPUTY CHIEF EXECUTIVE

PD10-23/VT/AC
9 October 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	527,624	476,128	-51,496	The salary estimates assume a pay award of 5% for the 2023/24 financial year. As the pay award has yet to be agreed this is causing an underspend for the period. The remainder is caused by vacancy underspends that are higher than the 4% turnover estimate built into the budgets.	The variance will partially resolve later on in the financial year when pay negotiations are concluded and backpay has been processed. Turnover will continue to be monitored against the 4% allowed for within the budget estimates.		
ECPLA/0109	Economic Development and Planning Dept/ Superannuation Salaries	155,060	77,562	69,005	-8,557				
ECPLA/0108	Economic Development and Planning Dept/ National Insurance Salaries	104,980	52,510	44,591	-7,919				
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 understaffing 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 (above).
PLANG/3261	Planning Control & Enforcement/ Statutory Notices	28,380	14,824	6,371	-8,453			The frequency and size of planning application newspaper notices has reduced.	The estimate will be reviewed when the budgets are revised later on in the financial year.

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
LPLAN/ 3085	Local Plan/ Consultants	97,780	48,908	42,158	-6,750	The cost of engaging consultants to produce the evidence based documents that are required to progress the local plan is lower than the budget available for the period. Actuals for the period include an order of £35k for the engagement of consultancy services to produce the Sustainability Appraisal and Habitats Regulation and expenditure of £6k for the Strategic Housing and Employment Land Availability assessment. It has been difficult to progress with procuring evidence because of recruitment issues in the Planning Policy Team.	The budget profile for the Local Plan Programme will be reviewed and updated at revised estimate.
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.

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
BCFEE/8405n	Building Control Fee Earning/ Building Regulation Fees	-205,010	-110,786	-103,004	7,782	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.
PLANG/8404u	Planning Control & Enforcement/ Planning Fees	-540,000	-270,108	-226,601	43,507	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 continuing 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.
PLANG/8495n	Planning Control & Enforcement/ Pre Application Advice	-38,500	-19,256	-13,631	5,625		

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	9,440	5,000	-4,440	The cost of grants awarded for countryside management grant assistance are 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 this committee on an ad-hoc basis.
ECPLA/1020	Economic Development and Planning Dept/ Advertising	940	472	4,090	3,618	Expenditure on recruitment advertising during the period. To be funded from underspends within the direct employee cost budgets.

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Agenda Item 9

APPEALS UPDATE P & D Committee 19 October 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
3/2022/0263 R (planning permission)	06/02/2023	Crow Hill Cottage, West Lane, Worston BB7 1QA	WR			Awaiting Decision
3/2022/0491 R (listed building consent)	06/02/2023	Crow Hill Cottage, West Lane, Worston BB7 1QA	WR			Awaiting Decision
3/2022/0619 R	23/02/2023	Water Tank and Valve House off Vicarage Lane, Wilpshire BB1 9HY	WR	Appellant Costs application refused		Appeal Dismissed 15/09/2023
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
3/2022/0903 R	27/04/2023	Land SW of Garthpool 27 Whalley Old Rd York	WR			Appeal Dismissed 05/10/2023
3/2022/0451 R	21/02/2023	77 Mitton Road Whalley Clitheroe BB7 9JN	WR			Awaiting Decision
3/2022/0778 R LBC	13/09/2023	32 Parson Lane, Clitheroe BB7 2JP	WR			Statement due 18/10/2023 BT
3/2022/0987 R	04/06/2023	4 The Green, Osbaldeston Lane, Osbaldeston BB2 7LY	WR			Appeal Dismissed 20/09/2023
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	06/09/2023	Oakleigh, Longsight Road, Copster Green BB1 9EX	WR			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			Awaiting Decision
3/2023/0059 R	09/08/2023	94 Ribchester Rd, Clayton le Dale BB1 9HQ	WR	Yes – costs app received		Awaiting Decision
3/2023/0046 R	01/09/2023	15 York Street, Clitheroe BB7 2DH	WR			Awaiting Decision

R = Refusal C = Condition U = Undetermined

3/2023/0106 R	12/09/2023	The Deer House, Woodfold Park, Mellor BB2 7QA	HH			Awaiting Decision
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	04/10/2023	Land off Shire Lane, Hurst Green BB7 9QR	WR			Statement due 8/11/2023
3/2023/0226 R	03/08/2023	Land adj to Miles Hill Moor Lane Billington BB7 9JH	Hearing		10/10/2023 Meeting Rm Level D	Awaiting Decision
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)			
3/2023/0246 R	Awaiting start date from PINS	Land adj Southport House, Hollins Syke, Sawley BB7 4LE	WR (to be confirmed by PINS)			
3/2023/0327 R	Awaiting start date from PINS	19 Abbey Road, Whalley BB7 9RP	WR (to be confirmed by PINS)			
3/2022/1176 R	Awaiting start date from PINS	Flat 3 Hodder Court Knowles Brow Hurst Green BB7 9PP	WR (to be confirmed by PINS)			
3/2023/0163 R	13/09/2023	2 The Walled Garden, Woodfold Park, Mellor BB2 7QA	HH			Awaiting Decision
3/2022/0650 R	Awaiting start date from PINS	Mill House Chipping Road Chaigley BB7 3LS	WR (to be confirmed by PINS)			
3/2022/0722 R	Awaiting start date from PINS	Mayfield Slaidburn Road Waddington BB7 3JJ	WR (to be confirmed by PINS)			
3/2023/0464 C	Awaiting start date from PINS	107 Whalley Road, Read BB12 7RP	HH (to be confirmed by PINS)			
3/2022/0945 R	Awaiting start date from PINS	Hackings Caravan Park, Elker Lane, Billington BB7 9HZ	WR (to be confirmed by PINS)			
Enforcement appeal ground f 3/2022/0440 R	Awaiting start date from PINS	1 Park Road Gisburn BB7 4HT	WR (to be confirmed by PINS)			