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Ribble Valley
Borough Council

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Dear Councillor

The next meeting of the **PLANNING AND DEVELOPMENT** Committee will be held at **6.30 pm** on **THURSDAY, 8 FEBRUARY 2024** 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 - 16)
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 17 - 18)

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

- i) 3/2023/0833 Unit 26, Mitton Road Business Park, Whalley BB7 9YE (Pages 19 - 24)
- ii) 3/2023/0477 The Vines Preston Road Ribchester (Pages 25 - 32)
- iii) 3/2023/0216 Kitchens Cross Lane Bashall Eaves BB7 3NA (Pages 33 - 42)
- iv) 3/2023/1004 The Hawthorns West Bradford Road Waddington BB7 3JE (Pages 43 - 50)

6. **SAMLESBURY ENTERPRISE ZONE DRAFT LOCAL DEVELOPMENT ORDER AND MASTERPLAN FOR CONSULTATION** (Pages 51 - 106)

Report of the Director of Economic Development and Planning enclosed

7. **SERVICE LEVEL AGREEMENT WITH LANCASHIRE COUNTY COUNCIL ARCHAEOLOGY 2024/25** (Pages 107 - 116)

Report of the Director of Economic Development and Planning enclosed

ITEMS FOR INFORMATION

8. **INFRASTRUCTURE FUNDING STATEMENT** (Pages 117 - 118)

Report of the Director of Economic Development and Planning enclosed

9. **MINUTES OF WORKING GROUPS**

There are no minutes from working groups

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

There are no reports from representatives on outside bodies

11. **APPEALS (IF ANY)** (Pages 119 - 120)

12. **EXCLUSION OF PRESS AND PUBLIC**

13. **EXTERNAL HERITAGE ADVICE** (Pages 121 - 122)

Report of the Director of Economic Development and Planning enclosed

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

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

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Minutes of Planning and Development

Meeting Date: Thursday, 11 January 2024, starting at 6.30 pm
Present: Councillor S Bibby (Chair)

Councillors:

| | |
|-------------|------------|
| T Austin | S Hore |
| I Brown | S O'Rourke |
| S Brunskill | M Peplow |
| L Edge | J Rogerson |
| M French | K Spencer |
| G Hibbert | N Stubbs |

In attendance: Director of Economic Development and Planning, Director of Resources & Deputy Chief Executive, Head of Development Management and Building Control, Head of Legal and Democratic Services and Senior Accountant

553 APOLOGIES FOR ABSENCE

Apologies for absence for the meeting were received from Councillors L Jameson and K Horkin

554 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 7 December 2023 were approved as a correct record and signed by the Chair.

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

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

556 PUBLIC PARTICIPATION

There was no public participation.

557 PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990

(i) 3/2023/0305 - land at former Higher Standen Farm (adj Swardean Way Valley Lane Higher Peak Crescent South Gate Broadfield Street) Pendle Road Clitheroe BB7 1PR

Members noted the late item report.

RESOLVED THAT COMMITTEE:

Deferred and delegated to the Director of Economic Development and Planning for approval subject to the conditions in the report with amendments to condition 2 following confirmation/agreement of the final submitted drawing package:

1. The development hereby approved 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:

List of approved drawings to be confirmed and agreed

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

3. 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.

4. Prior to their installation details of a scheme for any external building mounted or ground mounted lighting/illumination, shall have been submitted to and approved in writing by the local planning authority. For the avoidance of doubt the submitted details shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated.

The lighting schemes(s) be implemented in accordance with the approved details and retained as approved unless agreed in writing by the Local Planning Authority

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

5. Notwithstanding the submitted details, prior to their installation, details of the proposed roof mounted Photovoltaic Panels, including section details, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design and external appearance of the proposal is appropriate to the locality and responds positively to the inherent character of the area.

6. Notwithstanding the submitted details, prior to their installation, details of the provision of proposed Electric vehicle Charging Points, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details. For the avoidance of doubt, the agreed provision(s) shall be installed and made available for use prior to first use or occupation of the development hereby approved.

REASON: In order that the Local Planning Authority may ensure that proposed development includes provisions to encourage sustainable methods of travel.

HIGHWAYS MATTERS:

7. 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.

8. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 25 metres have been provided at the 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.

9. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with the approved details. Thereafter the onsite parking provision shall be retained as such 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.

10. No building or use hereby permitted shall be occupied or the use commenced until a cycle storage plan for the care home has been submitted to the Local Planning Authority, in consultation with the Local Highway Authority. These cycle facilities shall thereafter be kept free of obstruction and be made available for the parking of bicycles only at all times.

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

11. Within 6 months of occupation the submitted Interim Travel Plan should be developed into a Full Travel Plan containing the details listed below and be submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Full Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.

For the avoidance of doubt the Full Travel plan when developed needs to include the following as a minimum:

- Contact details of Travel Plan coordinator
- Travel survey results
- Details of cycling, pedestrian and public transport links to and within the site
- Details of the provision of cycle parking
- SMART Targets
- Action plan of measures to be introduced and appropriate funding
- Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years

REASON: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling

LANDSCAPE AND ECOLOGY:

12. The landscaping proposals hereby approved shall be implemented in the first planting season following occupation or first use of the development, and shall be maintained thereafter for a period of not less than 15 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. 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.

DRAINAGE AND FLOODING:

13. 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 (February 2023 / KRS.0635.006.R.001.A / KRS Enviro).

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.

14. Prior to the installation of any drainage infrastructure, details of the final surface water sustainable drainage strategy for the site shall be 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 (14th June 2023 / 220018-JPS-XX-XX-RP-C-001 – Revision 4 / JPS) 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 5l/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 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.

15. 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 greenfield runoff rate from the site.

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

16. 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.

FURTHER CONTROL OVER DEVELOPMENT:

17. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (as amended or re-enacted) the use of the development/building hereby approved shall only be used for the purposes of Use Class C2 (Residential institution).

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

(ii) 3/2023/0801 - Car Park Mardale Road Longridge PR3 3EU

RESOLVED THAT COMMITTEE:

Grant planning permission subject to the following conditions:-

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 (1:1250)
Proposed Development (1:500)
Proposed Development (1:200)
Proposed Elevations (1:50)

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

3. Notwithstanding the submitted details, details 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.

(iii) 3/2023/0767 - Land adj Rush Paddock Farm Osbaldeston Lane Osbaldeston BB2 7LY

RESOLVED THE COMMITTEE:

Refused planning permission for the following reasons:

1. The proposal is considered to be in direct conflict with Policy DMG1 and DMB3 of the Ribble Valley Core Strategy insofar that the proposed development would result in significant harm to the residential amenities of the occupiers of 1 & 2 Ribblesdale Place, Rush Paddock Farm, Paddock Barn and The Bungalow which all have elevations that overlook the site and which would experience adverse loss of privacy and increased noise and disturbance impacts caused by parking and access arrangements associated with the development. This is also in conflict with the National Planning Policy Framework which requires planning decisions to avoid noise giving rise to significant adverse impacts on health and quality of life.

2. The proposal is considered to be in direct conflict with Key Statement EN2 and Policies DMG1 and DMB3 of the Ribble Valley Core Strategy in that the proposed lodges, by virtue of their overall scale, design and cramped form of development would fail to be in keeping with the character of the landscape, being of significant harm to the character and visual amenity of the area.

3. The proposal would result in the introduction of an incongruous, anomalous and discordant form of development by virtue of the cramped layout, design and materials proposed that would significantly visually compromise and undermine the open aspect of the area that defines the inherent character of the immediate and wider area. As such the proposal would result in an unacceptable visual impact to

the character and visual amenities of the open countryside contrary to Policies DMG1, DMG2 and DMB3 of the Ribble Valley Core Strategy 2008-2028.

4. The proposed development is considered to be indirect conflict with Policy DMG3 of the Ribble Valley Core Strategy insofar that the proposed development will have a significant adverse impact on highway safety due to the substandard visibility splay to the south side of the site access along Osbaldeston Lane together with the lack of footways linking the site with bus stops and facilities which could result in potential conflict with other highway users. The lack of footways and poor connectivity to nearby services and facilities would also place increased reliance on the private motor vehicle by occupants of the development, as opposed to encouraging sustainable means of travel, which is in conflict with the National Planning Policy Framework.

(iv) 3/2023/0833 - Unit 26 Mitton Road Business Park Whalley BB7 9YE

Mr Michael Hargreaves spoke in support of the application.

Councillor A Wilkins-Odudu was given permission to speak and spoke in support of the application.

RESOLVED THAT COMMITTEE:

Minded to grant planning permission. The application is to be brought back to a future committee with draft conditions

558 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 90 live planning enforcement matters, of which 32 had submitted planning applications awaiting decisions. Between 12 September 2023 and 02 January 2024, the Council received 37 new complaints.

The proposed amendments to the Council's Planning Enforcement Policy were outlined to Committee, i.e. that when formal enforcement action is taken, ward Councillors and the Chair of Planning & Development Committee will be informed.

In response to a query from Councillor Spencer, the Head of Legal and Democratic Services provided a summary of the action that the Council could take if there had been a breach of planning control.

RESOLVED THAT COMMITTEE

Approve the amendments to the Planning Enforcement Policy.

559 REVISED REVENUE BUDGET 2023/24

The Director of Resources and Deputy Chief Executive submitted a report seeking for Members to agree a revised revenue budget for 2023/24 for this Committee.

Members were reminded that the original estimate for this current financial year was set in March 2023 but there could be numerous variations to the budget as the year progressed, particularly through the budget monitoring process. At this time of year,

the Council revise the estimates for the current financial year to predict the likely outturn.

It was noted that 5% had been originally allowed for pay increases and 7.5% for price increases. The pay award for 2023/24 had now been settled and the overall cost for the Council was 6.5%, which was approximately £170,000 above what had been allowed for. The changes to the level in inflation had also been taken into account.

The Director of Resources and Deputy Chief Executive summarised some of the substantial movements for members' information. She advised that the total movement from the Original Estimate to the Revised Estimate was a decrease of £50,010, or £34,350 after movements to and from earmarked reserves.

RESOLVED:

Agree the revenue revised estimate for 2023/24.

560

ORIGINAL REVENUE BUDGET 2024/25

The Director of Resources and Deputy Chief Executive submitted a report asking Members to agree the draft revenue budget for 2024/25, for consideration as Special Policy and Finance Committee.

The Council's three-year budget forecast had been presented to Policy and Finance Committee in September 2023 when it predicted that there would be the following budget gaps: £877k in 2024/25, £2.261m in 2025/26 and £2.740m in 2026/27, after allowing for use of general fund balances. The biggest factors affecting the forecast were the:

- threat of losing the New Homes Bonus
- assumption that the 'One-off Funding Guarantee' was indeed a one-off for 2023/24
- Level of interest rates and inflation

The key updates to the September 2023 forecast were summarised as follows:

- The continuation of the 'One-off Funding Guarantee' where required
- The New Homes Bonus and the Rural Delivery Grant will both continue for 2024/25
- The Revenue Support Grant will increase in line with CPI with no negative RSG
- Business rates will not be reset and Business Rate Pooling will continue
- A council tax referendum principle of up to 3% or £5 for district councils
- Ribble Valley's Core Spending Power is set to increase by 4.7%

The Director of Resources and Deputy Chief Executive highlighted some of the main variations to net expenditure for this Committee, which included inflationary increases and the 25% national increase in planning fees. However planning fee income was expected to be lower than the inflated base mainly due to a reduction in the number of major planning applications being received.

The total movement from the Original Estimate in 2023/34 to the Original Estimate 2024/25 was an increase of £93,880, or £41,680 after movements to and from earmarked reserves.

RESOLVED THAT COMMITTEE:

Approve the revenue original estimate for 2024/25 and submit this to the Special Policy and Finance Committee

561

REVISED CAPITAL PROGRAMME 2023/24 AND FUTURE CAPITAL PROGRAMME REVIEW AND NEW BIDS

The Director of Resources and Deputy Chief Executive submitted a report asking for approval of the 2023/24 revised estimate for this Committee's capital programme.

£26,420 had originally been approved for one capital scheme, namely for residual planning system upgrades. It was proposed that this sum be left within the 2023/24 revised capital programme.

For this Committee's future capital programme, there were no previously approved capital schemes for 2024/25 to 2027/28 to review and no new capital scheme bids were submitted for 2028/29.

RESOLVED THAT COMMITTEE:

Approve the 2023/24 revised estimate of £26,420 for this Committee's capital programme

562

CORPORATE PLAN PERFORMANCE REPORTING

The Chief Executive submitted a report informing Committee in relation to year-end reports for 2021/21 and 2022/23 that detail performance against local performance indicators. The report provided an overview of the Council's performance up to 31 March 2023.

Analysis showed that of the 21 Planning Services key performance indicators (KPIs) that could be compared to target:

- 9.5% (2) of the KPIs met target and or were on track.
- 9.5% (2) of the KPIs close to target where delivery was on track and was currently being managed.
- 0% (0) of the KPIs missed target where performance was or was likely to be off track.
- 81% (17) of the KPIs provide data only.

Of the 21 Planning Services KPIs where performance trend can be compared over the years:

- 43% (9) of the KPIs had improved
- 9.5% (2) of KPIs stayed the same
- 47.5% (10) of PIs worsened

Analysis showed that of the 4 Building Control KPIs that could be compared to target:

- 50% (2) met target and or were on track.

- 50% (2) of the KPIs close to target where delivery was on track and was currently being managed.

Of the 4 Building Control KPIs where performance trend can be compared over the years:

- 25% (1) of the KPIs had improved
- 75% (3) of KPIs stayed the same

563 WORKING GROUP MEMBERSHIP

The Chief Executive submitted a report confirming that the membership of the Working Group under the remit of this Committee for the remainder of the Municipal Year 2023/2024 remained unchanged following changes to political groups.

Members noted the contents of the report.

564 APPEALS (IF ANY)

Members noted the contents of the Appeals report.

565 MINUTES OF WORKING GROUPS

There were no minutes from working groups.

566 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

567 EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

The meeting closed at 7.34 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, 8TH FEBRUARY 2024
 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: | | | |
| | 3/2023/0833 | Will Hopcroft | AC | Unit 26, Mitton Road Business Park, Whalley BB7 9YE |
| | 3/2023/0477 | Will Hopcroft | AC | The Vines, Preston Road, Ribchester PR3 3XL |
| C | APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR REFUSAL: | | | |
| | 3/2023/0216 | Ben Taylor | REF | Kitchens, Cross Lane, Bashall Eaves BB7 3NA |
| | 3/2023/1004 | Ben Taylor | REF | The Hawthorns, West Bradford Road, Waddington BB7 3JE |
| D | APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING BEING SATISFACTORILY COMPLETED | | | |
| | NONE | | | |
| E | APPLICATIONS IN 'OTHER' CATEGORIES: | | | |
| | NONE | | | |

LEGEND

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

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RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

REFUSAL

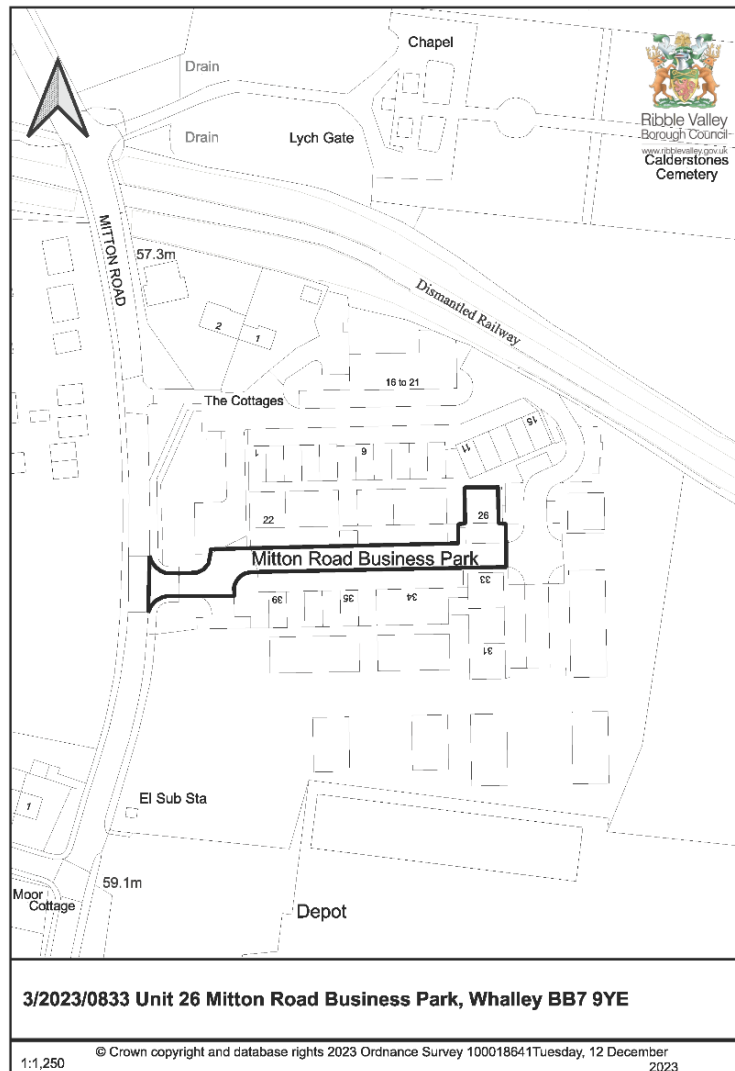
DATE: 11 JANUARY 2024
REF: WH
CHECKED BY: LH

APPLICATION REF: 3/2023/0833

GRID REF: SD 372802 437458

DEVELOPMENT DESCRIPTION:

APPLICATION FOR CHANGE OF USE OF PART OF CLASS B2/B8 UNIT (GENERAL INDUSTRY/STORAGE) TO SUI GENERIS MIXED USE (RETAIL, WAREHOUSE, PHOTO STUDIO, SORTING/OFFICE). RESUBMISSION OF APPLICATION 3/2023/0541. UNIT 26 MITTON ROAD BUSINESS PARK, WHALLEY BB7 9YE



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

WHALLEY PARISH COUNCIL:

The Parish Council object and remain concerned over businesses on the Mitton Road Business Park changing status from industrial to retail and the potential for traffic generation which was never intended when the business park commenced. Whilst the proposals appear to be reduced from the previous application this remains a 7 day per week business and thus would inevitably see a significant increase in traffic. Mitton Road is already heavily trafficked. The applicant refers to similarities with a number of other businesses but the Parish Council challenges this assertion since the business named are generally in established retail outlets in centre locations.

LOCAL HIGHWAYS AUTHORITY (LANCASHIRE COUNTY COUNCIL HIGHWAYS):

No objection, subject to the imposition of conditions relating to:

- The implementation of parking and turning facilities according to plan.
- The development shall only operate by appointments only and shall be restricted to one appointment on site at any one time.
- The retail use approved shall only be used ancillary to the existing commercial unit at the site and shall not be used by way of sale or sub-letting to form separate commercial enterprises.

ADDITIONAL REPRESENTATIONS:

No letters of representation have been received.

The application was subject to a call-in request from Cllr Wilkins-Odudu.

1. Site Description and Surrounding Area

- 1.1 The site is comprised of Unit 26 at Mitton Road Business Park, used until recently as a B2/B8 (general industry / storage) unit and now occupied by Old Coach House Antiques for the storage, display and retail sale of furniture, household goods and antiques (the use applied for in this application). The unit is located directly off the main spine road within the business park and incorporates 2no. entrances to the front elevation – 1 being a vehicular/loading access and the other being a pedestrian access. In front of the unit lies an area of hardstanding suitable for car parking.
- 1.2 Mitton Road Business Park sits adjacent to an area of predominately housing referred to as Nethertown and approximately 1.1km north/north-west of Whalley.

2. Proposed Development for which consent is sought

- 2.1 Whilst no external changes are proposed, the application seeks to change the use of the unit so that it can accommodate a retail area (26sqm) and a 'photo' area (approximately 35sqm) on half of the ground floor, with the other half of the ground floor being retained as industrial/warehouse space (99sqm). The mezzanine floor would comprise of industrial/warehouse space (60sqm) to include the sorting of goods and an office.
- 2.2 The proposed hours are Monday-Friday 8am to 6pm, Saturdays 9am to 4:30pm and Sundays and Bank Holidays 10am to 4pm. The application is a resubmission of previously refused application reference 3/2023/0541.

2.3 It should be noted that officers are aware that, at present, the use of the areas labelled 'retail area', 'photo area' as well as approximately half of the space of the 'industrial/warehouse space' on the ground floor are being used for the retail sale of goods. Whilst the plans submitted with this application does not reflect the above use, given the open plan layout of the unit it would be difficult to ensure that retail sale activities did not stray into other areas.

3. **Relevant Planning History**

3/2023/0541: Application for change of use of class B2/B8 unit (general industry/storage) to Sui Generis Mixed Use (retail, warehouse, photo studio, sorting/office). Proposed opening hours Monday - Friday 8.00am - 6.00pm, Saturdays 9.00am to 4.30pm, Sundays and Bank Holidays 10.00am to 4.00pm (Refused)

4. **Relevant Policies**

Ribble Valley Core Strategy:

Key Statement DS1: Development Strategy

Key Statement DS2: Sustainable Development

Key Statement EC1: Business and Employment Development

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

Policy DMG1: General Considerations

Policy DMG2: Strategic Considerations

Policy DMG3: Transport & Mobility

Policy DMB1: Supporting Business Growth and the Local Economy

Policy DMR1: Retail Development in Clitheroe

Policy DMR2: Shopping in Longridge & Whalley

National Planning Policy Framework (NPPF)

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 The wider site at Mitton Road Business Park is allocated within the Local Plan as a committed employment site, with the existing units being granted planning permission for B1 (now Class E(g)), B2 and B8 employment generating uses.

5.1.2 The submitted details propose a Sui Generis use which would deviate from that of the originally consented use because it would allow for retail functions to occur at the premises online and from visiting members of the public.

5.1.3 As per CS Policy DMB1, proposals for the development, redevelopment or conversion of sites with employment generating potential in the plan area for alternative uses will be assessed with regard to the following criteria:

1. *The provisions of policy DMG1, and*
2. *The compatibility of the proposal with other plan policies of the LDF, and*
3. *The environmental benefits to be gained by the community, and*

4. *The economic and social impact caused by loss of employment opportunities to the Borough, and*
 5. *Any attempts that have been made to secure an alternative employment generating use for the site (must be supported by evidence (such as property agents details including periods of marketing and response) that the property/business has been marketed for business use for a minimum period of six months or information that demonstrates to the council's satisfaction that the current use is not viable for employment purposes.)*
- 5.1.4 It is acknowledged that the plans, compared to the previously refused application, reduce the area of floorspace titled "retail" to approximately a quarter of the ground floor unit only. However, the area titled "photo area" also effectively serves as a retail function and as previously indicated the open plan layout means it is difficult to distinguish between the different areas at ground floor meaning that effectively a larger portion of the building, particularly at ground floor, would essentially be for retail use.
 - 5.1.5 It is understood that the unit would be open for members of the public to visit anytime during opening hours either to pick up goods they have seen and bought online or to come into the shop to browse or buy. The supporting information and photographs supplied including the business flyers that were distributed to local residents recently suggest that retail is the primary activity, and this is not a compatible use within the business park. It also prevents the unit being let for employment generating uses that require a business park location e.g. due to noise, odour, away from passing trade.
 - 5.1.6 Policy DMB1 considers material considerations which might exist to justify the loss of employment generating uses. However, there are no identified environmental benefits gained by the community, and the economic impact of losing this unit for its intended employment purpose is considered more harmful than the benefits of allowing this business to operate here. It is understood that the unit was not vacant for a significant period of time before the new use began to operate and so there is no evidence that no demand exists for a Class B1(g), B2 or B8 use or that the unit is not viable for such uses.
 - 5.1.7 There is some sympathy with the applicant who feels this location is better suited to their business needs due to size, space to unload furniture and parking availability, and it was these things that their previous premises did not have which prompted them to move. However, whilst that particular location was unsuitable that does not mean all town centre locations are unsuitable, or that premises with unrestrictive uses outside of town centres could not be utilised by the applicant. Many retail operators particularly in town centres experience similar challenges. Nor does it justify the loss of an employment unit for alternative purposes.
 - 5.1.8 There are no specific merits of this particular case that justify allowing this activity on the site, and indeed allowing this retail activity outside of a town centre, or even edge of centre, which Policies DMR1 and DMR2 aim to achieve. The overall function of the unit is considered to be in conflict with the ambitions of the business park.

5.1.9 Therefore it is considered that the principle of the use of the building for this purpose would result in a significant direct conflict with the adopted development plan for the borough and is not acceptable in principle.

5.2 Impact on Residential Amenity

5.2.1 Due to the location of the unit within the business park away from neighbouring residential properties there are no concerns in this regard.

5.3 Highways and Parking

5.3.1 Following consultation with LCC Highways, no objection was raised subject to the imposition of a number of conditions as below:

- The implementation of parking and turning facilities according to plan.
- The development shall only operate by appointments only and shall be restricted to one appointment on site at any one time.
- The retail use approved shall only be used ancillary to the existing commercial unit at the site and shall not be used by way of sale or sub-letting to form separate commercial enterprises.

5.3.2 An updated Proposed Site Plan has been provided which shows that the unit forecourt can provide 5 car parking spaces (the forecourt is currently not marked out). However, based on the actual area of forecourt available and considering that it is likely for these spaces to be taken up by larger vehicles or by vehicles needing manoeuvring space for furniture, the amount of space available is considered to realistically accommodate four vehicles. This is a shortfall in spaces when applying the LHAs parking guidance as defined within the Joint Lancashire Structure Plan, and on this basis LCC Highways are requesting a condition limiting customers by appointment only.

5.3.3 LCC Highways are also requesting a condition limiting the retail use to ancillary only. However as previously stated in this report, it is considered that retail is the primary activity. Whilst theoretically both aspects (appointment only and ancillary retail use) could be conditioned, having regard to the nature of the business it is considered that neither condition would be appropriate or suitable to impose.

5.3.4 However, even without limiting these activities, having regard to the parking available to the front of the unit and the presence of other spaces nearby within the business park, it is not considered that the proposed use would result in overriding highway safety concerns sufficient to justify a refusal of the application on this basis, and the development is not considered to be in conflict with Policy DMG3 of the Ribble Valley Core Strategy.

6. Observations/Consideration of Matters Raised/Conclusion

6.1 For the reasons outlined above the proposed development is considered to be in direct conflict with Policies DMB1, DMR1 and DMR2 of the Ribble Valley Core Strategy insofar that approval would result in the loss of an employment generating uses within a defined employment site through the introduction of a use which is considered to be primarily retail. There are no material considerations in this case to justify the harm resulting from a loss of employment use or allowing a retail use in an out-of-centre location.

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

1. The proposal would result in the loss of an employment generating uses within a defined employment site through the introduction of a use which is primarily retail. There are no material considerations in this case to justify the harm resulting from a loss of employment use or allowing a retail use in an out-of-centre location. As such the application fails to satisfy Ribble Valley Core Strategy Policies DMB1, DMR1 and DMR2.
7. **UPDATE FOLLOWING PLANNING AND DEVELOPMENT COMMITTEE MEETING OF THE 11 JANUARY 2024**
 - 7.1 Following the Planning and Development Committee of the 11 January 2024, Members were minded to approve the proposed development, contrary to officer recommendation.
 - 7.2 In this respect the application is being brought back before the Committee for determination with suggested conditions set out below:

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

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

Proposed Site Plan 6926-SK02 REV A Received 02/01/2024
Proposed Floor Plans 6926-SK01

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

2. The use hereby approved shall only be open for business between the following hours:

08:00 to 18:00 Monday to Friday
09:00 to 17:00 Saturday
10:00 to 16:00 Sunday and Bank Holidays

Deliveries, trade and waste collections to and from the site shall only be made during these opening hours.

REASON: In the interests of protecting the residential amenities of nearby residents.

3. The onsite parking facilities shown on the drawing titled Proposed Site Plan 6926-SK02 REV A Received 02/01/2024 shall be made available for vehicle use at all times during the lifetime of the development.

REASON: To ensure that adequate off-street parking provision is retained to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

BACKGROUND PAPERS

https://webportal.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2023%2F0833

RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

REFUSAL

DATE: 8 FEBRUARY 2024

REF: LH

CHECKED BY:

APPLICATION REF: 3/2023/0477

GRID REF: SD 364519 435737

DEVELOPMENT DESCRIPTION:

RETROSPECTIVE APPLICATION FOR EXTENSION AND USE OF LOG CABIN AS HOLIDAY LET WITH PATIO AND ADDITIONAL STRUCTURES INCLUDING HOT TUB AND PIZZA OVEN TOGETHER WITH ASSOCIATED ACCESS TRACK AND PARKING AT THE VINES PRESTON ROAD RIBCHESTER PR3 3XL

CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

RIBCHESTER PARISH COUNCIL:

No response received.

LANCASHIRE COUNTY COUNCIL HIGHWAYS (LOCAL HIGHWAYS AUTHORITY):

No objection.

ADDITIONAL REPRESENTATIONS:

3 letters of representation have been received. 2 letters objecting to the application on the following grounds:

- Development including access track is intrusive in a rural location and detrimental to wildlife
- Concern about track potentially linking to development on adjoining land
- Noise complaints during construction and from holiday use

1 letter raising no objection to the development but raising concerns about undisclosed future plans for this site and the adjoining site.

1. **Site Description and Surrounding Area**

- 1.1 The application relates to an area of land outside of the settlement of Ribchester and to the rear of a ribbon development of properties fronting Preston Road. Aerial images suggest the land to the rear has been used in association with the property as domestic curtilage since approx. 2013 and that a small cabin has been in existence in a small wooded area since approx. 2015. This cabin understood to have been used for ancillary purposes to the host property.
- 1.2 The land falls away to the rear meaning the proposed development is set at a lower level to the host property, neighbouring properties and Preston Road. Boyce's Brook is situated beyond the proposed development to the north-east and there is a small wooded area surrounding the development to the north and west .

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

2.1 The application seeks retrospective consent for:-

- an extension of the cabin building to the west and east to provide additional accommodation and a patio/veranda and use of the extended building for holiday accommodation purposes. Total building measures 9.8m x 5.6m with an eaves height of 2.45m and a ridge height of 3.35m (original building measured 3.75m x 5.6m);
- the erection of a timber structure to house a hot tub measuring 4m x 3.6m x 3.8m high;
- the erection of a timber structure to house a pizza oven measuring 3.7m x 2.7m x 3.1m high;
- the erection of a timber structure to house a picnic table measuring 2.4m x 1.6m x 2.5m high;
- the erection of a storage shed measuring 2.2m x 1.2m x 2.5m high;
- the erection of a 1.2m high timber fence and gate enclosure;
- the provision of a hardstanding area around the buildings comprising loose stones; and
- the construction of an access track measuring approx. 140m in length to include parking area

2.2 The access track runs beyond the applicant's existing garage at the front of the site extending along the eastern and northern boundary of the rear garden to the proposed buildings and associated structures which are clustered together in the northern corner of the site just beyond the maintained garden area, between woodland and Boyce's Brook.

3. **Relevant Planning History**

None.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy
Key Statement DS2 – Sustainable Development
Key Statement DMI2 – Transport Considerations
Key Statement EC3 – Visitor Economy
Key Statement EN3 – Sustainable Development
Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport & Mobility
Policy DMB3 – Recreation of Tourism Development
Policy DME1 – Protecting Trees and Woodland
Policy DME3 – Site and Species Protection and Conservation
Policy DME6 – Water Management

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

5. **Assessment of Proposed Development**

5.1 Principle of Development:

5.1.1 The application lies within open countryside as such, the principle for the development of the site for holiday purposes results in Key Statement EC3 and Policies DMG2 and DMB3 being engaged for the purposes of assessing the application.

5.1.2 Key Statement EC3 lends general support for the creation of additional holiday accommodation stating that *'Proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged, including the creation of new accommodation and tourism facilities through the conversion of existing buildings or associated with existing attractions'*.

5.1.3 Policy DMG2 aims to resist inappropriate development within the tier 2 villages and outside the defined settlement areas, requiring new development to meet at least one of the criteria listed. One such criteria is that *'The development is for small-scale tourism or recreational developments appropriate to a rural area'*. Being for one holiday accommodation unit with associated paraphernalia, the proposal is considered to be small-scale tourism development as such this part of policy DMG2 is satisfied with regards to the principle of development.

5.1.4 Policy DMB3 is generally supportive of proposals that seek to enhance the range of tourism and visitor facilities within the borough stating that:

Planning permission will be granted for development proposals that extend the range of tourism and visitor facilities in the borough. This is subject to the following criteria being met:

- 1. The proposal must not conflict with other policies of this plan;*
- 2. The proposal must 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 and there are no suitable existing buildings or developed sites available;*
- 3. The development should not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design;*
- 4. The proposals should be well related to the existing highway network. It should not generate additional traffic movements of a scale and type likely to cause*

undue problems or disturbance. where possible the proposals should be well related to the public transport network;

5. *The site should be large enough to accommodate the necessary car parking, service areas and appropriate landscaped areas; and*
6. *The proposal must take into account any nature conservation impacts using suitable survey information and where possible seek to incorporate any important existing associations within the development. failing this then adequate mitigation will be sought.*

5.1.5 In respect of the above, both policy DMB3 and Key Statement EC3 are generally supportive of the creation of new holiday accommodation. However, the first criterion of Policy DMB3 requires that not only should proposals not result in conflict with the inherent criterion of the policy itself, but additionally should not result in any conflict with other policies within the development plan.

5.1.6 As such, where such conflict exists or is identified, either through direct conflict with DMB3 or by virtue of conflict with other policies within the development plan, the general support afforded by Policy DMB3 is considered to be fully disengaged.

5.1.7 In a similar vein, Policy DMG2 is generally supportive of small-scale tourism development outside of settlement boundaries, however the policy goes on to outline requirements for protecting the character of the countryside landscape. As such where such conflict exists, the general support afforded by Policy DMG2 is also considered to be fully disengaged.

5.1.8 In this respect, the development as a whole would need to be acceptable in terms of impact on the character and visual amenity of the area by virtue of its scale, siting, materials and design as well as additional traffic movements in order to accord with the aims, objectives, and criterion of Policies DMG2 and DMB3.

5.2 Impact upon Residential Amenity:

5.2.1 To the east of the application site lies a number of residential dwellings, as such consideration must be given in respect of the potential for the proposal to result in undue impacts upon existing or future residential amenities.

5.2.2 Regard must be given in particular to Eversley and High Field which are nearby dwellings located to the south-east of the proposed access track and whose rear elevations overlook the track and, indirectly, the remaining development.

5.2.3 The submitted details indicate that the proposed holiday unit and associated paraphernalia would be sited approximately 90m from the rear elevation of the closest dwelling, Eversley, and approximately 60m from the rear garden of this property at the closest point.

5.2.4 Taking into account the above distances, the small-scale use proposed, the levels difference (the proposed buildings/structures are set at a lower level) and the applicant's garden area positioned in between, it is not considered that the proposed built form nor holiday use would compromise or undermine the sense of privacy afforded to these properties and their private garden areas.

- 5.2.5 Turning to the proposed parking and access provision, the access track is partly along the eastern boundary adjacent to neighbouring property 'Eversley'. There is one holiday unit and the proposed plans indicate one bedroom inside. Additional activity and comings and goings of people/vehicles is considered to be generally low. On this basis there are no undue concerns about noise and disturbance impacts caused by parking and access arrangements associated with the development to nearby residents.
- 5.2.6 Taking account of the above matters, the proposal is considered to be in accordance with Policy DMG1 of the Ribble Valley Core Strategy insofar that the proposed development would not result in harm to residential amenities of nearby occupiers.
- 5.2.7 The proposal is also considered to be in accordance with the aims, objectives, and criterion of Policy DMB3 as well as the National Planning Policy Framework, which requires planning decisions to mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life.

5.3 Visual Amenity/External Appearance

- 5.3.1 Given that the proposal lies within an undeveloped area set within the open countryside consideration must be given in respect of the potential for the proposal to result in undue impact upon the character or visual amenities of the immediate area and landscape.
- 5.3.2 In this respect, the criterion of DMG1 requires the proposal to 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. Consideration must also be given to Policies DMG2 and DMB3 and as to whether the proposal would undermine the character, quality or visual amenities of the area by virtue of its scale, siting, materials or design.
- 5.3.3 The proposed development is situated at a significantly lower level to Preston Road, beyond a small woodland area and the host property 'The Vines' has solid entrance gates on Preston Road. As such the proposal, including access track, is not visible from the public highway nor from any key public vantage points.
- 5.3.4 The proposed buildings/structures are contained by the woodland and brook beyond, small-scale and typically of timber construction, as such they do not appear incongruous in their rural setting. The proposed access track has over time blended into the landscape with sections of grass seeds breaking through the hardcore to reduce its visual impact. The limited views mean that it is only apparent in the immediate vicinity within and adjacent to the site as seen from neighbouring properties, and it is seen in a residential setting including maintained garden and domestic paraphernalia.
- 5.3.5 Taking account of the above the proposal is considered to satisfy Policies DMB3, DMG2 and DMG1 in that it is keeping with the character and visual amenity of the area and sympathetic to existing and proposed land uses.

5.4 Landscape and Ecology:

5.4.1 The proposed access track is contained within maintained grassland as part of a domestic garden. The proposed building and structures are in close proximity to a number of trees however they are low level underneath the canopy spread and the trees are considered to enhance the setting meaning future pressure to fell is considered low. The trees and brook are likely to provide a good habitat for wildlife and whilst there may be some recreational disturbance when the accommodation is in use, this is considered to be minimal. It is noted that lighting levels have been kept to a minimum, As such it is not considered that the proposal will have any direct measurable detrimental impacts upon trees and woodland, protected species, ecology or biodiversity in accordance with polices DME1 and DME3. No additional landscaping is considered to be necessary to mitigate the impact of the development.

5.5 Highway Safety and Accessibility:

5.5.1 The proposed development would be accessed from an existing access on Preston Road which serves the host property 'The Vines'. LCC Highways are satisfied with this access arrangement. The nearest bus stops are along Preston Road, approximately 500m walking distance.

5.5.2 In this respect the proposal would accord with Policy DMG3 of the Ribble Valley Core Strategy which requires that all development proposals 'provide adequate car parking and servicing'. Furthermore the presence of footways link the site to Ribchester and public transport options, reducing reliance on the private motor vehicle for visitors staying at the site.

5.6 Flood Risk

5.6.1 The site is outside of a defined flood risk area, within flood zone 1 (lowest risk of flooding) as such it has not been necessary to request a flood risk assessment. The Council's mapping system shows the area where the buildings/structures are proposed is at risk of surface water flooding although at 0.1% (1 in 1000) it is the lowest risk of the three categories listed (the others being 1% and 3.3%). The additional hard surfacing within this area is kept to a minimum as such the development is not considered to exacerbate any issues with flooding in accordance with policy DME6.

5.7 Other Matters

5.7.1 Third party representations express concerns about potential for future development within the site and linkages to adjacent land/development. Historic imagery suggests engineering works were undertaken to fork the track towards the far south-eastern boundary of the application site (beyond which lies an adjacent site known locally as 'The Snail Farm'). This section of track is not apparent nor is there any sign of use at the current time and it does not form part of this application. The applicant has verbally indicated that he has no intention of connecting his site to the adjacent land. Regardless, a track along this section of the site for purposes other than being incidental to the residential use of the site would require planning permission. Any future development on

this site and on the adjacent site that requires planning permission and has not already been consented would be the subject of assessment against relevant planning policies. For the avoidance of doubt this Committee must make a decision on the planning merits of the development before them and not on events that may happen in the future.

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

- 6.1 Taking account of the above, it is considered that the proposed development represents a small-scale tourism use in a rural area that is compatible with its surroundings, both visually and in terms of impact upon neighbouring residential properties. No technical issues have been identified that would result in harm to the development or surrounding area. As such the proposal is considered to be in accordance with Policies DMG1, DMG2, DMB3, DMG3, DME1, DME3 and DME6 of the Ribble Valley Core Strategy.
- 6.2 It is for the above reasons and having regard to all material considerations and matters raised that I recommend accordingly.

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

1. The development hereby approved shall be used for holiday accommodation only and shall not be occupied as a person's permanent, sole or main place of residence. The unit shall not be occupied (by the same occupant/s) for periods of more than 28 days in any 3 month period. The owner/operator shall maintain an up-to-date register of the names of all holiday owners and/or occupiers of the accommodation and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

At no time shall the accommodation hereby permitted be operated, managed or sold separately from 'The Vines' which is identified within the blue edge of the site location plan submitted.

Reason: To ensure the use remains appropriate in a rural area and compatible with the adjacent land uses.

2. 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 building(s) hereby approved shall not be altered or extended, nor shall any new building, structure or enclosure be erected, nor new hardstanding provided, within the red edge of the application site without express planning permission first being obtained.

Reason: In the interest of the visual amenity of the rural area and flood risk.

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

Location Plan PHA/122

Existing Floor Plans, Elevation, Site Plan and Location Plan PHA/122 REV A

Proposed Plan and Elevations Pizza Oven Timber Canopy PHA/122

Proposed Plan and Elevations Hot Tub Timber Canopy PHA/122

Proposed Parking Plan PHA/122

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

4. Prior to the installation of any new external lighting associated with the development hereby approved, a lighting scheme together with an Artificial Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that the lighting has been designed to minimise any illumination of nearby habitats and will be installed in accordance with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 (or any subsequent replacement guidance).

The lighting shall be installed and operated in accordance with the approved scheme details, which shall be maintained and retained thereafter.

Reason: To safeguard residential amenity, visual amenity and biodiversity.

BACKGROUND PAPERS

https://webportal.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2023%2F0477

RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

REFUSAL

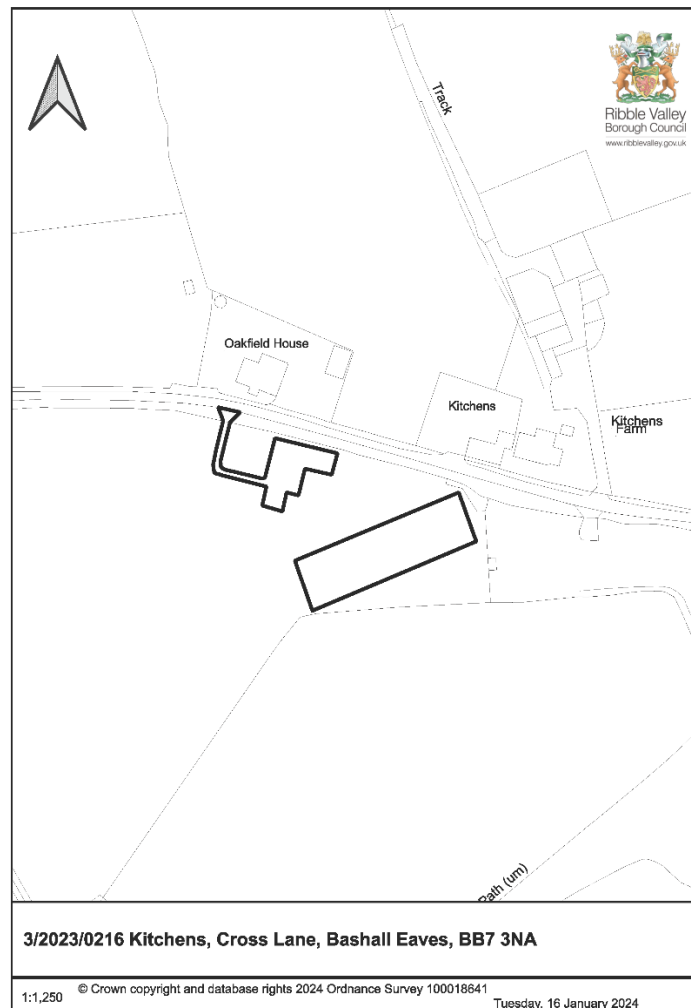
DATE: 8 FEBRUARY 2024
REF: BT
CHECKED BY: LH

APPLICATION REF: 3/2023/0216

GRID REF: SD 369836 444284

DEVELOPMENT DESCRIPTION:

ERECTION OF NEW STABLE BLOCK AND CHANGE OF USE OF LAND FOR ALL-WEATHER MANEGE FOR PRIVATE USE. PREVIOUSLY DISMISSED AT APPEAL APP/T2350/W/21/3281836. KITCHENS CROSS LANE, BASHALL EAVES BB7 3NA



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

BASHALL EAVES AND MITTON PARISH COUNCIL:

Consulted 20/6/23 – no response received.

LANCASHIRE COUNTY COUNCIL HIGHWAYS:

No objections subject to conditions.

LANCASHIRE FIRE AND RESCUE SERVICE:

Require adherence to standing advice.

UNITED UTILITIES:

Initially requested for the provision of a detailed site layout plan which overlays the proven location of an affected water main in relation to the proposed development. No further response provided following additional consultation on amended plans.

ADDITIONAL REPRESENTATIONS:

Two letters of objection have been received in relation to the proposal. The concerns raised are summarised as follows:

- Large development in open countryside separate from the applicant's property
- Scale of development seems excessive for intended private equestrian use and larger than similar developments in local area
- Clearly visible from the road and will fail to conserve the landscape
- Impact of the proposal upon flood risk
- Close proximity to neighbouring properties and concerns around impact upon residential amenity (odour emissions from muck store)
- Prominent and incongruous development in an open and undeveloped landscape
- Impact of the proposal upon highway safety

1. Introduction

- 1.1 The application was submitted as valid on 31 May 2023 with an eight week target date for determination of 10 July 2023. Following comments received from United Utilities on 14 July 2023 the applicant submitted additional information to the case officer in August 2023 and amended plans, but no time extension was agreed.
- 1.2 Once the target date has expired and where no extension of time is secured, applicants can exercise the right to appeal non-determination, which is the case here. Now that the Local Planning Authority (LPA) has received confirmation of this appeal being lodged, no decision can be made on the application. Instead, the LPA is required to assess the application and form a view / make a resolution on what decision it would have reached, and then duly notify the Planning Inspectorate of the resolution.

- 1.3 In accordance with the Council's Scheme of Delegation, any application with an appeal against non-determination is required to be brought before Committee where timescales allow. Members are asked to consider whether or not they agree with the officer's assessment and recommended resolution to be presented to the Planning Inspectorate which is set out at the end of this report.

2. **Site Description and Surrounding Area**

- 2.1 The application relates to a land parcel comprising a grassed field situated in Bashall Eaves within the Forest of Bowland Area of Outstanding Beauty (National Landscape). The land parcel in question roughly comprises a triangular shaped piece of land bordered by a mixture of mature trees and hedgerows.
- 2.2 Access to the application site is from Cross Lane via an existing field gate access. The site is void of any development and is largely viewable within the public realm.
- 2.3 The residential property of Oakfield House lies directly opposite the application site on the Northern side of Cross Lane with the properties of Kitchens and Kitchen Farm sited adjacent to Oakfield House opposite to the North-eastern corner of the site.

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

- 3.1 Planning consent is sought for the construction of a stable building comprising four stables, a tack room and a feed store. The stable building would be 'L-shaped' measuring 15.1m x 13.2m. Additional works proposed include the construction of a 60m x 20m manège and the creation of a hardstanding area to facilitate access between the proposed stable building and the site's existing access on Cross Lane which is also to be widened to improve access and egress to and from the site.

4. **Relevant Planning History**

3/2021/0697: Erection of new stable block and change of use of land for all-weather menage for private use. Resubmission of 3/2020/0482. (Refused and Appeal Dismissed Ref: APP/T2350/W/21/3281836)

3/2020/0482: Erection of new stable block and change of use of land for all-weather menage for private use. (Refused)

5. **Relevant Policies**

Key Statement DS1: Development Strategy
Key Statement DS2: Sustainable Development
Key Statement EN2: Landscape
Key Statement EN4: Biodiversity and Geodiversity
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

6. Assessment of Proposed Development

6.1 Principle:

6.1.1 The application site lies outside of the Borough's defined settlements. Policy DMG2 of the Ribble Valley Core Strategy allows for the provision of development outside the Borough's defined settlement areas subject to a number of exceptions with one such exception being small scale recreational developments appropriate to a rural area.

6.1.2 In this instance the proposal relates to the keeping of horses for private use which could fall within the realm of a recreational development appropriate to a rural area.

6.1.3 However, the proposal would involve the addition of a sizeable stable building and hardstanding area to the site in addition to the construction of a manège comprising a ground area of 1200 square metres, all of which when taken collectively are considered to exceed the threshold of a small scale development.

6.1.4 In addition, with respect to development within National Landscapes (formerly known as Areas of Outstanding Natural Beauty) Policy DMG2 further states:

'The most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area...development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, design, use of material, landscaping and siting.'

6.1.5 Given the scale and cumulative visual impact of the proposed development to be located within a greenfield site within the AONB/National Landscape, it is considered that the proposed development would read as an anomalous and harmful addition to the site that would fail to conserve or enhance the character of the surrounding National Landscape.

6.1.6 Further assessment with respect to the visual impact of the proposed development is covered in more detail in section 6.3 of this report.

6.1.7 Taking account of the above, the proposal fails to satisfy the requirements of Policy DMG2 and is therefore considered to be unacceptable in principle.

6.2 Residential amenity:

6.2.1 The applicant intends to utilise the site for private recreational use, which could be secured by condition on any permission granted. No concerns are raised with respect to private recreational use of the site however residential receptors lie within close proximity to the Northern boundary of the application site therefore appropriate controls with respect to noise management, odour and lighting would need to be secured by conditions on any permission granted.

6.3 Visual amenity:

6.3.1 Paragraph 135 (c) of the NPPF states:

'Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting'.

- 6.3.2 Policy DMG1 of the Ribble Valley Core Strategy provides additional general design guidance as follows:

'All development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing and style...particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character.'

- 6.3.3 With respect to development within the AONB, Paragraph 182 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty...development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'

- 6.3.4 Key Statement EN2 of the Core Strategy provides similar guidance:

'The landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced. 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.'

- 6.3.5 In this instance, the application site lies outside of the Borough's defined settlement areas and comprises a largely open field parcel void of any built form with the site being predominantly viewable within the public realm from Cross Lane and several other viewpoints on Rabbit Lane.

- 6.3.6 Numerous undeveloped field parcels equally void of any discernible built form encompass the application site which along with the application site collectively underpin the rural and unspoilt character of the surrounding National Landscape.

- 6.3.7 The proposed development would involve the addition of a stable building and hardstanding area to the site in addition to the construction of a manege. There would also be an additional requirement to widen the site's existing vehicle access which would involve the loss of some hedgerow along the Northern perimeter of the site.

- 6.3.8 The proposed stable building would be relatively modest in terms of height and whilst it is noted that the footprint of the building has been reduced from the previously refused scheme, the building (which comprises a footprint of almost 100m²) would nonetheless read as an incongruous addition to the site in the context of the site's openness. Furthermore, the stable building would be publicly viewable from Cross Lane and Rabbit Lane therefore its visual impact would not be inconspicuous.

- 6.3.9 In addition, the hardstanding area proposed would extend approximately 10 meters into the site from the site's access at a width of approximately 9 metres with the hardstanding area further extending South-east into the site for an additional 35 – 40 metres to adjoin with the proposed stable building. As such, the overall area of hardstanding proposed to facilitate use of the site would have a further urbanising impact.
- 6.3.10 The proposed manège area would be a significant addition to the site covering a ground floor area of approximately 1200m² and occupying the large majority of the site's North-eastern corner.
- 6.3.11 Moreover, the site would accommodate vehicles and trailers and the removal of hedgerow required to facilitate access and egress to and from the site would carry an additional visual impact whilst increasing permeability into the site.
- 6.3.12 Whilst it is acknowledged that equestrian uses are generally befitting in rural locations, careful consideration still needs to be given with respect to their siting, scale and cumulative visual impact, particularly in areas such as the application site which forms part of the Forest of Bowland National Landscape.
- 6.3.13 Taking account of the above, it is considered that the proposed development, by virtue of its siting, scale and cumulative visual impact arising from the proposed stable building, areas of hardstanding, manège and loss of hedgerow would compromise the openness and unspoilt character of the application site which in turn would be harmful to the visual amenities of the area and character of the Forest Of Bowland National Landscape.
- 6.3.14 The proposed development would therefore fail to satisfy the requirements of Paragraphs 135 (c) and 182 of the National Planning Policy Framework and Key Statement EN2 and Policy DMG1 and EN2 of the Ribble Valley Core Strategy.

6.4 Highways and Parking:

- 6.4.1 Lancashire County Council have reviewed the proposal and have raised no issues with the proposed development, subject to the site's existing access being widened in order to achieve a safe access into the site. They have also deemed the proposal to be acceptable with respect to manoeuvrability for vehicles within the site.
- 6.4.2 As such, conditions have been recommended with respect to widening the site access and use of the site being solely restricted to private recreational use.
- 6.4.3 Notwithstanding the position of the local highways authority, the removal of a section of hedgerow is considered to exacerbate the visual harm as previously referred to in this report.

6.5 Landscape / Ecology:

- 6.5.1 The application site is encompassed by hedgerows which provide connectivity to an adjacent Biological Heritage Site known as Braddup Wood South. It is noted that one of the grounds on which previous planning application 3/2021/0697 was refused on was that the impact upon habitat fragmentation and biodiversity had

not been considered. In addition, proposals for biodiversity enhancements had not been offered.

- 6.5.2 A preliminary ecological appraisal has been provided in support of the application which proposes 155m of hedgerow planting along the Southern boundary of the application site in addition to 32m of reinforcement hedgerow planting along the site's Eastern boundary, creating a total of 187m of hedgerow.
- 6.5.3 The above measures would adequately compensate for the estimated 5m loss of hedgerow proposed for removal at the site's access and would ensure that connectivity with the adjacent Biological Heritage Site is maintained. The compensatory measures proposed are therefore considered to be acceptable with respect to biodiversity enhancement.
- 6.5.4 The findings from the ecological survey also show that the proposed development would likely have no undue impacts upon any protected species, subject to appropriate measures being in place during works of construction. Mitigation measures in the form of onsite bird and bat boxes have also been proposed.
- 6.5.5 Undue impacts to the adjacent Biological Heritage Site Braddup Wood South arising from the proposed development have also been deemed as highly unlikely.
- 6.5.6 It was originally proposed to site the proposed manège closer to the South-eastern boundary of the application site which in turn presented potential implications with respect to the impact of the proposal upon mature trees which line the site's South-eastern boundary. The proposed manège has since been relocated further into the site by approximately 8 metres in order to avoid conflict with a water main which runs along the South-eastern boundary of the application site.
- 6.5.7 Subsequent analysis shows that the relocated manège would be sited at a sufficient distance from the root protection areas of the aforementioned mature trees therefore no further concerns are raised with respect to impacts upon trees.
- 6.5.8 Taking account of the above, it is not considered that the proposed development would have any undue impact upon the ecology of the area and the development would satisfy policy DME3 of the Ribble Valley Core Strategy.

6.6 Other Matters:

- 6.6.1 Constraint analysis shows the presence of a water main which runs along the South-eastern boundary of the application site in close proximity to the location proposed for the manège.
- 6.6.2 United Utilities requested the provision of a detailed site layout plan showing the proven location of the affected water main overlaid in relation to the proposed development. Further correspondence was subsequently undertaken between the applicant and United Utilities in August 2023 which has been submitted in support of the application.
- 6.6.3 The aforementioned correspondence from United Utilities states that there will be a requirement for the applicant to locate the exact position of the water main

through the use of hand dug witnessed trial holes which in turn would then allow the applicant to create a minimum buffer of 3 metres between the water main and proposed manège.

- 6.6.4 A revised site plan has since been submitted which shows the proposed manège as being sited at a minimum of 8 metres away from the affected water main. This was submitted to United Utilities for further consultation however no further response has been received to date. Nonetheless, as the plan indicates the development would not be in conflict with this water main, then this matter is considered to have been addressed from a planning perspective.

6.7 Observations/Consideration of Matters Raised/Conclusion:

- 6.7.1 The proposed development is not considered to be small scale and would fail to conserve or enhance the character of the surrounding National Landscape. The proposal would therefore fail to satisfy the requirements of Policy DMG2 and as such is considered to be unacceptable in principle.
- 6.7.2 In addition, the proposed development, by virtue of its siting, scale and cumulative visual impact would compromise the openness and unspoilt character of the application site which in turn would be harmful to the visual amenities of the area and character of the Forest of Bowland National Landscape.
- 6.7.3 The proposed development would therefore fail to satisfy the requirements of Paragraphs 135 (c) and 182 of the National Planning Policy Framework and Key Statement EN2 and Policy DMG1 of the Ribble Valley Core Strategy.
- 6.7.4 It is for the above reasons and having regard to all material considerations and matters raised, that should the authority have been in a position to make a decision on the application, that it would have recommended refusal on the basis of the conflicts with the development plan as outlined above.

RECOMMENDATION: The Local Planning Authority resolution is that had it been in a position to determine the application, the application would have been REFUSED for the following reason(s):

1. The proposed development is not considered to be small scale and would fail to conserve or enhance the character of the surrounding National Landscape. The proposal would therefore fail to satisfy the requirements of Policy DMG2 of the Core Strategy and as such is considered to be unacceptable in principle.
2. The proposed development, by virtue of its siting, scale and cumulative visual impact arising from the proposed stable building, areas of hardstanding, manège area and loss of hedgerow would compromise the openness and unspoilt character of the application site which in turn would be harmful to the visual amenities of the area and character of the Forest of Bowland National Landscape. The proposed development would therefore fail to satisfy the requirements of Paragraphs 135 (c) and 182 of the National Planning Policy Framework and Key Statement EN2 and Policy DMG1 of the Ribble Valley Core Strategy.

BACKGROUND PAPERS

Planning Application - Ribble Valley Borough Council

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RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

REFUSAL

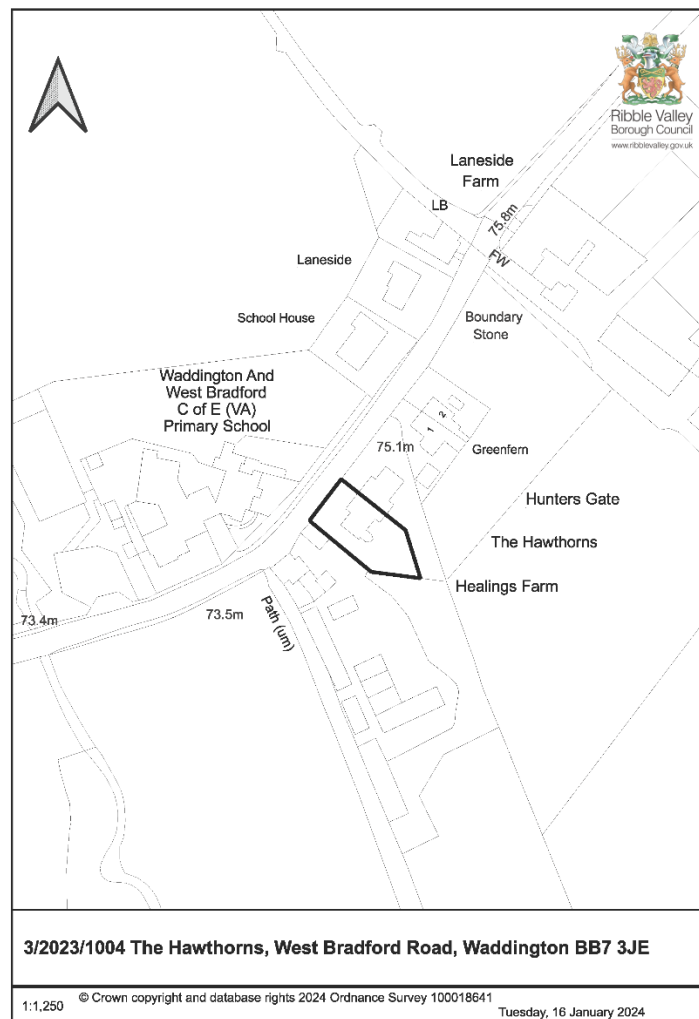
DATE: 8 FEBRUARY 2024
REF: BT
CHECKED BY: LH

APPLICATION REF: 3/2023/1004

GRID REF: SD 373563 444056

DEVELOPMENT DESCRIPTION:

DEMOLITION OF EXISTING DWELLING. CONSTRUCTION OF REPLACEMENT TWO-STOREY DWELLING WITH ROOMS IN THE ROOFSpace, SINGLE-STOREY ANNEX AND RELOCATION OF SITE ACCESS. RESUBMISSION OF 3/2023/0759. THE HAWTHORNS, WEST BRADFORD ROAD, WADDINGTON. BB7 3JE



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

WADDINGTON PARISH COUNCIL:

Consulted 21/12/23 – no response received.

LANCASHIRE COUNTY COUNCIL HIGHWAYS:

No objections subject to conditions.

UNITED UTILITIES:

No objections subject to adherence with standing advice.

ADDITIONAL REPRESENTATIONS:

One representation received citing the drainage details as being incorrect and expressing concerns about foul water disposal from the proposed dwelling.

The application is before this Committee following a ward member request from Councillor S Cowman.

1. Site Description and Surrounding Area

1.1 The application relates to a link-detached property in Waddington. The property comprises a slated gabled roof, stone and rendered elevations and timber and UPVC windows. The North-eastern portion of the property comprises a single storey flat roof integral garage which adjoins to an identical integral garage feature serving the adjoining neighbouring property of Hunters Gate which largely bears the same physical appearance as the application property.

1.2 The front North-western elevation of the property faces into West Bradford Road with a front driveway providing off-street parking. The property comprises a sizeable rear garden area which extends South-eastwards towards open countryside. The application property sits amongst a small cluster of residential dwellings on the Eastern outskirts of Waddington with the wider area comprising a mixture of woodland, agricultural land and open countryside.

2. Proposed Development for which consent is sought

2.1 Consent is sought for the demolition and replacement of the application property with a new three storey four bedroom dwelling with integral single garage and detached annex. Additional works include the creation of two parking bays to the front of the proposed dwelling and associated landscaping works.

3. Relevant Planning History

3/2023/0759: Demolition of existing dwelling. Construction of replacement two-storey dwelling with rooms in the roofspace, single-storey annex and relocation of site access (Refused)

3/2023/0142: Demolition of existing dwelling. Creation of two new semi-detached dwellings with associated access, parking and garden areas (Refused)

4. **Relevant Policies**

Ribble Valley Core Strategy (Adopted Version)

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 DME3: Site and Species Protection and Conservation
Policy DMH3: Dwellings in the Open Countryside and AONB
Policy DMB5: Footpaths and Bridleways

National Planning Policy Framework

National Planning Practice Guidance

5. **Assessment of Proposed Development**

5.1 **Principle:**

5.1.1 The application property is situated outside of the defined settlement of Waddington and as such lies within the open countryside. Policy DMH3 of the Core Strategy regards the rebuilding or replacement of existing dwellings within the open countryside as permissible provided that the residential use of the existing property has not been abandoned and that there are no adverse impacts to the surrounding landscape or requirements to extend an existing curtilage as a result of the development.

5.1.2 In this instance, the proposal involves the replacement of an existing dwelling of which the residential use has not been abandoned. In addition, it is not considered that there would be any adverse impacts upon the surrounding landscape and no extension of the site's existing curtilage is proposed.

5.1.3 As such, the proposal satisfies the requirements of Policy DMH3 of the Core Strategy and is therefore considered to be acceptable in principle subject to an assessment of additional material planning considerations.

5.2 **Residential amenity:**

5.2.1 The North-eastern side elevation of the proposed dwelling would face towards the adjacent South-western side elevation of Hunters Gate however the North-eastern side elevation of the proposed dwelling would comprise a featureless gable and as such would not provide any new opportunities for overlooking towards the adjacent neighbouring property.

- 5.2.2 A sufficient separation distance would otherwise be in place between the North-eastern and South-western elevations of the proposed dwelling and Hunters Gate respectively so as to ensure no loss of outlook to the adjacent neighbouring property.
- 5.2.3 In addition, the proposed annex building would be sited well away from the adjacent neighbouring property and would solely provide views into the rear garden area of the application site.
- 5.2.4 The original conception of the proposal included a dormer and projecting balcony element to the rear of the proposed dwelling. It was conveyed to the applicant that this aspect of the proposal would not be supported due to the fact that the projecting balcony feature would likely compromise the privacy of the adjacent neighbouring property of Hunters Gate.
- 5.2.5 A revised scheme has since been agreed with the applicant with the previously proposed dormer and balcony component removed from the rear roof slope of the proposed dwelling.
- 5.2.6 Accordingly, it is not considered that the proposed development as shown on the revised plans would have any undue impacts upon neighbouring amenity.

5.3 Visual amenity:

- 5.3.1 Paragraph 135 (c) of the NPPF states:

'Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.'

- 5.3.2 In addition, Policy DMG1 of the Ribble Valley Core Strategy states:

'All development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing and style...particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character.'

- 5.3.3 The proposed development would involve the demolition and replacement of the application property with a detached three storey dwelling. A detached annex building is also proposed for the rear garden area of the replacement dwelling.
- 5.3.4 A similar development was proposed under previous planning application 3/2023/0759 which was partially refused on the basis of cumulative visual impact arising from the collective scale, bulk and massing of the dwelling and annex building proposed.
- 5.3.5 Amendments have been made to the design of the development previously refused under application 3/2023/0759. These changes include a reduction to the height of the replacement dwelling previously proposed and the omission of previously proposed projecting front and rear gable features. The footprint of the previously proposed annex building proposed has also been reduced.

- 5.3.6 Notwithstanding these changes, the original conception of the current proposal retained a front porch feature previously proposed under application 3/2023/0759 which was deemed to exacerbate the bulk and massing of the previously refused dwelling. The original conception of the current proposal also included a dormer and projecting balcony element to the rear of the proposed dwelling.
- 5.3.7 It was conveyed to the applicant that the aforementioned aspects of the proposal would not be supported as proposed due to their collective bulk, massing and incongruity within the existing street scene. Further concerns were also raised with respect to the footprint size of the proposed annex building.
- 5.3.8 A revised scheme has since been agreed with the applicant with the previously proposed dormer and balcony component removed from the rear roof slope of the proposed dwelling.
- 5.3.9 Further reductions have also been made to the width and projection of the proposed front porch feature and the footprint of the proposed annex building has also been further reduced.
- 5.3.10 Removal of the previously proposed rear dormer and projecting balcony feature along with the reduction of the proposed front porch feature has subsequently reduced the collective bulk and massing of the proposed dwelling.
- 5.3.11 The additional reduction to the footprint of the annex building has further reduced the cumulative visual impact of the proposed development and the annex building as revised is now considered to fall within the threshold of modest accommodation that would be capable of integration into the host dwelling in the event of changes to future circumstances.
- 5.3.12 Furthermore, the height of the proposed dwelling has been reduced from the previously refused scheme and the application's street scene drawing shows that the dwelling as proposed would appropriately integrate into the existing street scene with respect to its height, width and spatial layout.
- 5.3.13 Moreover, the proposed dwelling and annex building would be detailed in stone, slate and timber casement windows which would largely reflect the rural vernacular of dwellings and other built form within the locality.
- 5.3.14 Taking account of the above, it is not considered that the proposed development would be harmful to the visual amenities of the immediate or wider area. The proposed development would therefore satisfy the requirements of Paragraph 135 (c) of the NPPF and Policies DMG1 and DMH5 of the Core Strategy.

5.4 Highways and Parking:

- 5.4.1 Lancashire County Council have reviewed the proposal and have raised no issues with the proposed development subject to the imposition of conditions with respect to the site's access, visibility splays and materials. A condition has also been recommended with regards to the maintenance of the Public Right Of Way adjacent to the application site.

5.4.2 Notwithstanding the above, it is not considered that the proposed development would have any undue impacts upon highway safety.

5.5 Landscape / Ecology:

5.5.1 Preliminary bat roost surveys carried out at the application property on 19/8/21 and 7/2/23 found no evidence of any bat related activity and the application property was observed to hold a low level of bat roost potential however a recommendation was made to carry out a precautionary emergence survey between the months of May and August prior to works on the property's roof and soffits to confirm absence of roosting bats.

5.5.2 Notwithstanding this, no further bat survey work has been provided in support of the current proposal.

5.5.3 Policy DME3 of the Ribble Valley Core Strategy states that development proposals that are likely to adversely affect protected wildlife species will not be granted planning permission. Paragraph 186a) of the NPPF states that if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. In addition, Regulation 9 of the Conservation of Habitats and Species Regulations 2017 places a duty on local planning authorities to deliberate as to whether there is a reasonable likelihood of protected species being present and affected by a proposed development.

5.5.4 Whilst the preliminary bat surveys submitted to date indicate that the application site has low roosting potential for bats, it nonetheless recommends that a further survey be carried out during the bat season (typically April – September, potentially extending into March and October dependent on weather). The initial survey that was conducted is two and a half years old and so is considered out of date. The second survey that was conducted was outside of the bat season. Therefore neither can be relied upon which is why a new survey is required.

5.5.5 Under these circumstances the Council's advice to applicant's as set out within the adopted local validation checklist on page 40 is as follows:

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

5.5.6 In light of the risk presented by the proposal, the strict protection afforded to bats, and that additional surveys needed are not submitted, officers are not satisfied that the regulations would not be breached by the proposal. Circular 06/2005 advises that ecological surveys should only be left to a planning condition in exceptional circumstances, which do not exist here. Without them, the true impact of the proposal on bat species is unknown and therefore, the acceptability of any suggested mitigation may not be sufficient. This same conclusion was reached by a Planning Inspector in a recent Ribble Valley BC appeal decision.

5.5.7 For the above reasons, in the absence of the necessary survey, it cannot be determined that the proposal would not adversely affect protected species, specifically bats. The proposal would therefore conflict with policy DME3, paragraph 186 of the NPPF and Regulation 9 of the Conservation of Habitats and Species Regulations 2017. Should this application be refused, the applicant has the right to submit a new application with the further survey once this has been carried out to address these concerns.

5.6 Other Matters:

5.6.1 It is noted that public footpath FP0343023 is currently routed along the South-western boundary of the site. The proposed replacement dwelling and annex building would not directly impact on this route.

5.6.2 The proposed site plan indicates the public footpath would be 2m wide, suggesting this is a proposed widening of the existing footpath. This was also picked up by LCC Highways. In the event of any works to the public footpath, details of the surface construction will need to be submitted for approval and they will need to tie into the existing construction and provide adequate edge restraint along the site boundary.

5.6.3 These works will require the temporary closure of the footpath for the safety of the users. This must be agreed with Lancashire County Council Public Rights of way team in advance of any works.

5.7 Observations/Consideration of Matters Raised/Conclusion:

5.7.1 The provision of a replacement dwelling for the proposal site accords with Policy DMH3 of the Core Strategy and as such is considered to be acceptable in principle.

5.7.2 The replacement dwelling would not unduly impact upon the amenity of any neighbouring residents and would sufficiently integrate into the application site without harming the visual amenities of the immediate area or wider landscape.

5.7.3 Notwithstanding the above, there is insufficient information submitted on the roosting potential of the site for bats, therefore it cannot be established that the proposed development would have no adverse impact upon protected species. As this information is required prior to making a decision on the application, and cannot be provided at the current time, officers are unable to support the development proposed.

RECOMMENDED: That planning permission be refused for the following reason:

1. The proposal is in conflict with Policy DME3 of the Ribble Valley Core Strategy, paragraph 186 of the NPPF and Regulation 9 of the Conservation of Habitats and Species Regulations 2017 insofar that the applicant has failed to provide adequate information in relation to the potential impact of the proposed development upon protected species. There are no material considerations in this instance to justify allowing the proposal which is in conflict with this policy/legislation.

BACKGROUND PAPERS

Planning Application - Ribble Valley Borough Council

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**RIBBLE VALLEY BOROUGH COUNCIL
REPORT TO PLANNING AND DEVELOPMENT COMMITTEE**

meeting date: THURSDAY, 8 FEBRUARY 2024
title: SAMLESBURY ENTERPRISE ZONE MASTERPLAN AND LOCAL DEVELOPMENT ORDER CONSULTATION
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING
principal author: HEAD OF DEVELOPMENT MANAGEMENT & BUILDING CONTROL

1 PURPOSE

1.1 To seek authority from Committee to proceed with public consultation on a revised draft Masterplan and new Local Development Order document at the Lancashire Advanced Engineering And Manufacturing Enterprise Zone (Samlesbury).

1.2 Relevance to the Council's ambitions and priorities:

- Community Ambitions-

- To sustain a strong and prosperous Ribble Valley
- To protect and enhance the existing environmental quality of our area.

- Corporate Objectives –

- To encourage economic development throughout the borough with specific focus on tourism, the delivery of sufficient land for business development, and supporting high growth business opportunities
- To work with our partners to ensure that the infrastructure in the Ribble Valley is improved
- To conserve our countryside, the natural beauty of the area and enhance our built environment
- To be an environmentally sustainable area, prepared for the future

2 BACKGROUND

2.1 In 2011 land at BAE Samlesbury and Warton sites was designated as Lancashire's first Enterprise Zone (EZ). In order to support the development of the sites a simplified planning regime in the form of a Local Development Order (LDO) and accompanying Masterplan was adopted for each. LDO's automatically grant planning permission for certain forms of development subject to certain conditions.

2.2 As the Lancashire Advanced Engineering and Manufacturing (Samlesbury) EZ site lies within Ribble Valley and South Ribble Borough Council areas, both Council's adopted separate but identical LDOs in 2014 along with a Masterplan, following public consultation. These documents had a lifetime of 10 years.

2.3 The adopted LDO has to date facilitated delivery of the Master Plan, with much of the basic infrastructure (e.g. main highway improvements, archaeology, ecological mitigation measures, drainage etc) having already been completed. There remains however capacity for continued development of existing and new parcels of land within the EZ boundary. As the current LDO will expire in February 2024, it has been necessary to revise and update the LDO and Masterplan documents to address the current situation.

2.4 The LDO, Masterplan and subsequent revisions result from a collaborative relationship between Lancashire County, Ribble Valley and South Ribble Councils. The County Council as lead developer and landlord of the site remains responsible for the

development and delivery of the site alongside all related commercial matters. The County Council will also continue to assess each proposed development to ensure that the displacement of existing Lancashire based companies does not occur and that any development is genuine growth in, and support to the Advanced Engineering and Manufacturing, science and technology and cyber sectors. Activity will focus on inward investment which will further strengthen the UK's AEM capabilities, building upon BAE Systems significant operations in Lancashire as well as the aerospace capabilities in the Northwest and UK. It will also support opportunities to significantly develop Lancashire's Sci-tech and Cyber sectors establishing a strategic cluster of activity linked to a widening network of growth.

3 PROPOSAL

3.1 A new Local Development Order (LDO) and revised Master Plan is needed for Lancashire Advanced Engineering and Manufacturing Enterprise Zone (Samblesbury). These documents have been drafted by Lancashire County Council (Appendix 1 and 2 of this report), with input from Ribble Valley and South Ribble BC officers, and are ready for public consultation. A minimum four-week period of consultation is required. This report seeks Committee's approval to embark on that consultation period for Ribble Valley.

3.2 The new LDO and revised Masterplan should enable build out on the EZ site to be completed. It should be noted that the level of development will not increase but will remain the same as set out in 2014. The updated Masterplan vision is focused on transformational growth in the Advanced Engineering and Manufacturing (AEM), Sci-tech and Cyber sectors, with potential for further associated technology spin-out businesses, new business starts and small-medium sized enterprises (SME's).

3.3 The LDO as drafted automatically grants planning permission for these uses subject to satisfying relevant conditions, including the need to submit a 'fast-track' prior approval application to the respective local planning authority (either Ribble Valley or South Ribble), which is a continuation of the existing provisions made under the 2014 LDO. In addition, as drafted it allows for some ancillary uses to come forward in the same way to support these significant inward investment opportunities.

3.4 In this case, prior approvals will seek confirmation of factual compliance with set rules, rather than a balanced approval or refusal of a scheme. They are assessed against pre-determined criteria for the LDO area, such as approved drainage, highways or ecological mitigation, heights, uses, floorspace etc. Where proposals comply with these criteria, agreement to proceed is automatically granted. The assessment is made by Officers, but is not a 'decision' as such, and cannot be heard at this Committee.

3.5 South Ribble approved a Cabinet report on 17th January 2024 for their Council to go out for public consultation on the updated draft masterplan and LDO. Should Committee also agree for this Council to go out for consultation on the draft documents then further discussion will take place with South Ribble BC and Lancashire County Council to finalise consultation arrangements, however the proposed strategy (which complies with the legislative requirements) is as follows:-

- Email to all statutory consultees (Ribble Valley and South Ribble to do this separately but request that the same response is sent back to each authority)
- Letter drop to local residents (Ribble Valley to issue letters to its own residents, South Ribble to issue letters to their residents, based on an agreed catchment)
- Site notices to be displayed along the site's road frontages
- A notice in the local newspaper
- The proposals will be published on the Ribble Valley website and available on the Planning Register

3.6 The consultation will run for 28 days in accordance with legislative requirements, after which time Ribble Valley and South Ribble will both collate the responses. Following consultation, representation received will be carefully considered, and any changes considered necessary will be made to the documents. The new LDO and revised Masterplan will then be brought back before this Committee for adoption, which will include a summary of the consultation responses.

3.7 There will be a short gap between the original LDO expiring and the new LDO being adopted, which will mean that during this time any development on the EZ site would be subject to the usual planning controls, and an application for planning permission would be needed. Undertaking a public consultation early in 2024 and moving onto the adoption stage shortly after will ensure that new inward investment projects on the EZ can continue to benefit from the LDO process.

4 RISK ASSESSMENT

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

- Resources – There are no direct financial implications arising from the report at this stage other than the consultation costs, but the consultation strategy is for targeted and cost-effective engagement.
- Technical, Environmental and Legal – In preparing the draft LDO, consulting on / publicising it and in considering the representations received, regard has been had (and will be had) to the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Development Management Procedure) (England) Order 2015 which outline statutory provisions for LDOs. Ribble Valley and South Ribble Borough Councils issued Screening Opinions in relation to the 2014 Local Development Order stating that an Environmental Impact Assessment (EIA) is not necessary for the development of the EZ site. As the site is now partially built out and this LDO is seeking to complete the same level of development the Local Planning Authorities have concluded that an EIA is not required to enable site completion.
- Political - N/A
- Reputation – The adoption of an updated LDO and Masterplan following public consultation will improve confidence in inward business investment at the EZ site.
- Equality and Diversity – N/A

5 RECOMMEND THAT COMMITTEE

5.1 Authorise the Council to proceed with the statutory consultation on the new Local Development Order (LDO) and revised Masterplan for the Lancashire Advanced Engineering and Manufacturing Enterprise Zone (Samlesbury).

LYNDSEY HAYES

HEAD OF DEVELOPMENT
MANAGEMENT AND BUILDING
CONTROL

NICOLA HOPKINS

DIRECTOR OF ECONOMIC
DEVELOPMENT AND PLANNING

**THE LANCASHIRE ADVANCED ENGINEERING AND
MANUFACTURING ENTERPRISE ZONE (SAMLESBURY)
LOCAL DEVELOPMENT ORDER NO. 3 (2024)**

**STATEMENT OF REASONS AND
LOCAL DEVELOPMENT ORDER**

ADOPTED XXXX

THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER NO. 3 (2024)

STATEMENT OF REASONS

THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER No. 3 (2024) has been prepared with a supporting Masterplan that establishes a framework for long-term strategic development objectives for the Enterprise Zone. This LDO was adopted by Ribble Valley Borough Council and South Ribble Borough Council on xxxx following confirmation that the Secretary of State did not wish to exercise their pre-adoption intervention powers. This LDO is active for a period of 10 years unless it is revoked or replaced within this period. This LDO replaced THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER No. 2 (2014) upon adoption.

1.1 INTRODUCTION

- 1.1.1 Local Development Orders (LDOs) were introduced in the Planning and Compulsory Purchase Act 2004 and allow local planning authorities to extend permitted development rights for certain forms of development. The Planning Act 2008 removes a former requirement that LDOs should implement policies set out in adopted local development documents.
- 1.1.2 THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER No. 2 (2014) was adopted by Ribble Valley Borough Council and by South Ribble Borough Council on 7th February 2014. This was supported by the Masterplan adopted on the 15th January 2014
- 1.1.3 The LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER No. 3 (2024) is supported by the Master Plan for the site which establishes a framework for long term strategic development objectives for the EZ.
- 1.1.4 The boundary between Ribble Valley Borough Council and South Ribble Borough Council runs through the LDO area. Ribble Valley and South Ribble Borough Councils jointly carried out a public consultation on the draft LDO from xxxxx. The adopted LDO has been finalised having regard to the Master Plan and the representations received during consultation on the LDO. Ribble Valley and South Ribble Borough Councils adopted separate but identical LDOs on xxxx following confirmation that the Secretary of State did not wish to exercise their pre-adoption intervention powers. The adopted LDO will facilitate delivery of the Master Plan and guide its implementation. The LDO will be active for a period of 10 years from the day of adoption.

- 1.1.5 Article 34 paragraph (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 states that the statement of reasons shall contain a description of the development which the order would permit and a plan or statement identifying the land to which the order would relate. This document is the statement of reasons for making the LDO. A plan identifying the land to which the LDO relates is at Appendix 4.

1.2 Background

- 1.2.1 In Autumn 2011 the Chancellor of the Exchequer granted Enterprise Zone status to Lancashire on BAE Systems Samlesbury and Warton sites, which together form the company's Warton Unit.
- 1.2.2 Since gaining Enterprise Zone status and adopting a Masterplan and LDO for the site, significant infrastructure and utilities have been brought forward enabling a number of key developments to be delivered. These include BAE's Academy for Skills and Knowledge, AEM Defence Logistics and Asset Management Facilities and the University of Sheffield's Advanced Manufacturing Research Centre North West. The Enterprise Zone is therefore supporting genuine additional growth, creating new businesses and has built a strong base from which transformational growth in the Advanced Engineering and Manufacturing (AEM), Sci-tech and Cyber sectors is anticipated to come forward at pace. The site is currently on track to deliver around 2,528 high value new jobs on site with current enquiries suggesting potential to exceed this. The potential for further associated technology spin-out businesses, new business starts and SME's is significant with the potential to deliver a further 5,000-6,000 high value jobs in the long term. Strategically the site plays a key role in anchoring and developing an AEM, Sci-tech and Cyber enterprise corridor linking to Lancashire's key universities and extensive AEM capabilities. This will capitalise on new and emerging market opportunities and will strengthen and grow local supply chains through inward investment and modernisation of the sectors. Lancashire forms a key part of the national cyber arc linked to Manchester and is positioned as a national core of expertise across AEM, Sci-tech and Cyber sectors.
- 1.2.3 The project will continue to be reported to the Enterprise Zone Governance Committee in accordance with current governance protocols. The county council as lead developer and landlord of the site remains responsible for the development and delivery of the site alongside all related commercial matters. The county council will continue to assess each proposed development to ensure that the displacement of existing Lancashire based companies does not occur and that any development is genuine growth in and support to the Advanced Engineering and Manufacturing, science and technology and cyber sectors. These sector developments will be supported by identified and appropriately scaled ancillary uses to enable the site to function as a high quality and attractive destination for key employers. Any existing Lancashire based companies considering the Enterprise Zone would have to demonstrate that their growth is currently constrained and that locating on the Enterprise Zone would achieve significant growth for

their business. Activity will focus on inward investment. This will further strengthen the UK's advanced engineering and manufacturing capabilities, building upon BAE Systems significant operations in Lancashire as well as the aerospace capabilities in the North West and UK. It will also build upon opportunities to significantly develop Lancashire's Sci-tech and Cyber sectors establishing a strategic cluster of activity linked to a widening network of growth.

- 1.2.4 Key to Lancashire being able to maximise the contribution of its Advanced Engineering and Manufacturing, Sci-tech and Cyber workforce to the Lancashire and national economy will be the availability of a flexible, agile and highly-skilled workforce. It is highly likely that during average working life the existing and new workforce will need to retrain and re-skill more than once to exploit emergent technologies and markets. In support of this, BAE Systems has established the Academy for Skills and Knowledge on the site in line with the 2014 LDO and associated Masterplan. Further facilities to support training and skills may be appropriate during the lifetime of this LDO.

1.3 Why a LDO?

- 1.3.1 Ribble Valley and South Ribble Borough Councils have been working jointly to produce a LDO covering Advanced Engineering and Manufacturing, Sci - Tech and Cyber and some supporting ancillary uses (and associated) development at Samlesbury.

- 1.3.2 The purpose of the LDO, supported by the associated Masterplan is to:

- (1) Authorise development within Classes E(g)(i), E(g)(ii), E(g)(iii) of the Town and Country Planning (Use Classes) Order 1987 as amended in so far as it is for advanced engineering and manufacturing, science and technology and cyber (defined in Schedule A);
- (2) Authorise development within Classes B2 (other than Use Class E(g)), and B8 of the Town and Country Planning (Use Classes) Order 1987 as amended in so far as it is for advanced engineering and manufacturing, science and technology and cyber (defined in Schedule A);
- (3) Authorise development within Class F1(a) of the Town and Country Planning (Use Classes) Order 1987 as amended for a development of a non-residential education and training centre; and
- (4) Authorise development within Class E(b) (café) (restricted to 1 unit and subject to size threshold of 250sqm) E(d) (gym) (restricted to 1 unit and subject to 75% of users being employees on the EZ site) and E(f) (creche/nursery) (restricted to 1 unit and subject to 75% of users being employees on the EZ site) of the Town and Country Planning (Use Classes) Order 1987 as amended.

- (5) Authorise development within use class F2(a) for 1no 280sqm convenience store of the Town and Country Planning (Use Classes) Order 1987 as amended.
- (6) Authorise development that is ancillary to such purposes;
- (7) Authorise the development of associated infrastructure¹:
- temporary development associated with construction works, if the works are not permitted development
 - security fences and gates;
 - land remediation (where required);
 - internal access roads;
 - street lighting;
 - cycling and pedestrian routes;
 - vehicle parking
 - vehicle refuelling facilities
 - HGV turning areas;
 - foul and surface water drainage infrastructure;
 - utilities infrastructure (telecommunications including superfast broadband, electricity, gas and water), if the works are not permitted development ;
 - CCTV and associated masts; and
 - hard and soft landscaping.
 - technologies associated with carbon reduction and sustainability

1.3.3 Development for purposes described above is automatically within the scope of the LDO. However, advanced engineering or manufacturing or science or technology or cyber purposes which fall outside the definition in Schedule A, or for complementary or supporting or ancillary uses, would potentially also be acceptable. Where such purposes are proposed the local planning authority, following a recommendation of the Enterprise Zone Governance Committee or equivalent, will make an assessment of each such proposed development to ensure that they are within the permitted uses under the LDO. Depending on the location of the proposed development, notification should be made to either Ribble Valley Borough Council or to South Ribble Borough Council using the Prior Notification of Development Form (Appendix 1). The relevant local planning authority will confirm in writing within 28 days of receipt of the completed form that:

- 1.the proposed development is permitted and can proceed without the requirement for a planning application, or
- 2.whether a separate planning application is required as the proposed development is beyond the scope of the LDO, or
- 3.whether further information is required, specifying the required details and the reasons for them.

¹ The LDO authorises development that fall outside the scope of the Town and Country Planning (General Permitted Development Order) 1995 (as amended).

Failure of the local planning authority to respond in writing within the 28 day period will be deemed as confirmation that the proposal is compliant with the provisions of the LDO.

1.3.4 Development outside the scope of the LDO will require the submission of a planning application. The local planning authority will prioritise all proposals for development within the Enterprise Zone.

1.3.5 There are a number of key drivers behind the LDO in that it will:

- provide a comprehensive outline of all development that is permitted in the Enterprise Zone without the need for further planning permission;
- enable and facilitate economic development and allow sustainable economic growth to happen rapidly without further planning constraint allowing the developer to react quickly to economic growth opportunities;
- enable the Enterprise Zone to rapidly respond accordingly to the requirements of advanced engineering and manufacturing and science and technology and cyber firms;
- continue a framework for the overall development of the Enterprise Zone, which can promote and communicate a clear policy to stakeholders and potential investors;
- build up confidence in and inform the community of future development in the Enterprise Zone;
- improve investor and occupier clarity, certainty and confidence;
- realise the Enterprise Zone's full economic potential as a major centre for advanced engineering and manufacturing and science and technology and cyber activity;
- reduce the burden on the local planning authority, parish councils and consultees; and
- demonstrate a positive approach to planning.

1.4 LDO Process

1.4.1 The process governing the preparation and implementation of LDOs is set out in guidance contained in DCLG Circular 01/2006 '*Guidance on Changes to the Development Control System*²'. The image (Appendix 2) provides a summary of the process to be followed.

² This circular is amended by virtue of section 188 of the Planning Act 2008 and associated changes to the Town and Country Planning (General Development Procedure) Order 1995. These removed the requirement that Local Development Orders must implement local development plan policies.

The Growth and Infrastructure Act 2013 removes the need for local development orders to be submitted to the Secretary of State for Communities and Local Government, who will consider whether there is a need to exercise pre-adoption intervention powers. Article 2 of the Growth and Infrastructure Act 2013 (Commencement No. 5 and Transitional and Saving Provisions) Order 2013 (SI 2013 No. 2878) states that repeal of pre-adoption intervention powers of the Secretary of State came into force on 9 December 2013. As public consultation on this LDO commenced on 15

1.5 Development within the Enterprise Zone

- 1.5.1 The LDO, which will facilitate delivery of the Master Plan and guide its implementation, provides an opportunity to permit development across the Enterprise Zone in line with the Town and Country Planning (Use Classes) Order 1987 as amended for Classes E(g)(i),(ii) and (iii), F1(a),B2(other than Use Class E(g)); and B8 as amended in so far as it is for advanced engineering and manufacturing, science, technology and cyber purposes F1(a) is for the development of a non-residential education and training centre, Class E(b),(d) and (f); Class F2(a) subject to restrictions set out in paragraph 1.3.2 The LDO is contained in Appendix 3.
- 1.5.3 The LDO is designed to be flexible and responsive to change, but it is not open-ended and has a number of conditions which need to be discharged by the relevant local planning authority. Development is permitted by the LDO provided that the following conditions are met:
1. Development is permitted by the LDO falling within Use Classes E(g)(i), E(g)(ii) and E(g)(iii) of the Town and Country Planning (Use Classes) Order 1987 (as amended) for advanced engineering and manufacturing science and technology and cyber (defined in Schedule A). Prior to the commencement of development the developer shall provide copies of plans to the local planning authority for information at the scale set out on the Prior Notification of Development form.
 2. Development is permitted by the LDO falling within Use Classes B2 (other than Use Class E(g) of the Town and Country Planning (Use Classes) Order 1987 (as amended) for advanced engineering and manufacturing and science and technology and cyber (defined in Schedule A). Prior to the commencement of development the developer shall provide copies of plans to the local planning authority for information at the scale set out on the Prior Notification of Development Form.
 3. Development is permitted by the LDO falling within Use Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) for advanced engineering and manufacturing and science and technology and cyber (defined in Schedule A). Prior to the commencement of development the developer shall provide copies of plans to the local planning authority for information at the scale set out on the Prior Notification of Development form.
 4. Development is permitted by the LDO falling within Use Class F1(a) of the Town and Country Planning (Use Classes) Order; (as amended) for a non-residential education and training centre. Prior to the

November 2013, it had to be submitted to the Secretary of State prior to adoption (to comply with Article 3(2) of the Order).

commencement of development the developer shall provide copies of plans to the local planning authority for information at the scale set out on the Prior Notification of Development form.

5. Development is permitted by the LDO falling within Use Class E(b) (café) (restricted to 1 unit and subject to size threshold of 250sqm) E(d) (gym) (restricted to 1 unit and subject to 75% of users being employees on the EZ site) and E(f) (creche/nursery) (restricted to 1 unit and subject to 75% of users being employees on the EZ site)) of the Town and Country Planning (Use Classes) Order 1987 as amended.
6. Development is permitted by the LDO falling within Use Class F2(a) for 1no 280sqm convenience store of the Town and Country Planning (Use Classes) Order 1987 as amended.
7. Authorise development that is ancillary to such purposes;
8. Authorise the development of associated infrastructure;
9. Development for advanced engineering or manufacturing purposes or science and technology or cyber or for ancillary, complementary or supportive uses which fall outside the definition in Schedule A referred to in Condition 1 is permitted by the LDO, provided that full details and plans of the proposed development shall be submitted to the Council using the Prior Notification Form. No development shall commence until the Council, advised by the Enterprise Zone Governance Committee, has confirmed that the proposed development falls within the scope of this Order or the expiry of 28 days from the submission of the Prior Notification Form, whichever is the sooner.
10. Development shall take place in accordance with the Master Plan.
11. A scheme for the disposal of foul and surface waters for each stage of the proposed development shall be in accordance with the approved drainage strategy for the site. Any scheme varying from the approved strategy shall be submitted by the developer to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving the details of the drainage arrangements and if no response is received from the Local Planning Authority within this 28 day period the arrangements shall be deemed to be approved.
12. Access arrangements for proposed development under the LDO shall be submitted by the developer to the local planning authority for approval (in consultation with the local highway authority) and the development shall proceed in accordance with the approved details. The local planning authority shall respond within 28 days of receiving the details of the access arrangements and if no response is received from the local planning authority within this 28 day period, then the arrangements shall be deemed to be approved.

13. All highway works on and off site shall be implemented pursuant to appropriate agreements entered into under the Highways Act 1980 and in accordance with details and any mitigation measures submitted to and approved by the local planning authority in consultation with the local highway authority.
14. Construction vehicles associated with development will be managed. Management provisions will include endeavouring not to enter or leave the site during peaks of the local network or peaks of the existing BAE Systems site. Construction vehicles must not wait on the local highway network prior to accessing the site.
15. Appropriate landscaping measures to avoid or mitigate detrimental visual impacts on Samlesbury Hall shall be submitted by the developer to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving the details and if no response is received from the Local Planning Authority within this 28 day period then the landscaping measures shall be deemed to be approved.

1.6 Environmental Impact Assessment

- 1.6.1 Ribble Valley and South Ribble Borough Councils issued Screening Opinions in relation to the 2014 Local Development Order stating that an EIA is not necessary for the development of the EZ site. As the site is now partially built out and this LDO is seeking to complete the same level of development the Local Planning Authorities have concluded that an EIA is not required to enable site completion.

1.7 How does the LDO relate to other planning documents?

Ribble Valley Core Strategy (Adopted December 2014)

- 1.7.1 Key Statement EC1 (Business and Employment Development) identifies the BAE Samlesbury site as a regionally significant employment site with considerable potential to accommodate a variety of advanced knowledge based industries in the future.

- 1.7.2 Key Statement DMG2 (Strategic Considerations) requires development to be compatible with the Enterprise Zone designation.

Key Statement DS1 (Development Strategy) Strategic employment opportunities will be promoted through the development of Samlesbury Enterprise Zone.

- 1.7.3 Ribble Valley Housing and Economic Development Plan Document (Adopted 2019)

- 1.7.4 Key Statement DS1 (Development Strategy) Strategic employment opportunities will be promoted through the development of Samlesbury Enterprise Zone.
- 1.7.5 Central Lancashire Local Development Framework Adopted Core Strategy (July 2012)
- 1.7.6 Policy 9: Economic Growth and Employment identifies Samlesbury as a location for regionally significant employment.
- 1.7.7 South Ribble Local Plan (adopted July 2015)
- 1.7.8 Policy C5 (BAE Systems, Samlesbury) The Council continues to support the specialised activity at BAE Systems, Samlesbury, in line with the company's operations. The boundary of the Strategic Site is identified on the Policies Map. This includes both the BAE Core Area and the Enterprise Zone.
- 1.7.9 The designation of the Enterprise Zone at Samlesbury will help create more businesses, jobs and attract international investment, with positive benefits across the wider economic area. It will help improve the local economy and also increase the contribution to national growth.
- 1.7.10 The Council supports the delivery of the Enterprise Zone and has produced a Local Development Order to aid the delivery process. Subsequent Local Development Orders will be produced when necessary. An agreed Masterplan must also be produced as a key part of the overall delivery of the Enterprise Zone. To enable the Enterprise Zone to be delivered at Samlesbury, the Green Belt boundary is amended as identified on map Appendix 2 (Map of Samlesbury Aerodrome) of the South Ribble Local Plan
- Adopted Samlesbury EZ Master Plan (xxxx)
- 1.7.11 The Master Plan provides a strategic context for the preparation of the consultation draft LDO and establishes a framework for the long-term strategic objectives for the Enterprise Zone. Public consultation on the draft Master Plan commenced on xxx and concluded on xxx. Following consideration of the representations received, Ribble Valley Borough Council and South Ribble Borough Council adopted the Master Plan on xxx and xxx respectively. Preparation of the adopted LDO took account of the adopted Master Plan.
- 1.7.12 The vision outlined for the site was established in the 2014 Masterplan and is carried forward into the 2024 Masterplan. Delivery of this vision is being progressed via a set of overarching development principles which in turn inform more detailed principles relating to the delivery of built form, infrastructure, ecology and landscaping.

The overarching development principles are as follows:

- Support the development of the site in a way that maximises the opportunities for Lancashire to grow and deliver its national and international sector priorities.
- Develop the site in a way that promotes its strategic role in anchoring, attracting and expanding sector capabilities and strengthening the local supply chain.
- Seek to ensure that the development of the site supports its high profile and provides a high-quality environment to attract high value businesses, employers and investment

1.7.13 This LDO does not revisit the aspirations and overall conclusions of the Master Plan, but instead will act as a tool to facilitate delivery and to guide its implementation.

1.8 Other Statutory Requirements

1.8.1 Whilst the LDO grants planning permission for certain types of development, it will remain the responsibility of the developers to ensure that all other statutory requirements beyond the scope of the planning system are adhered to.

1.8.2 The LDO does not remove the requirement for consent obtainable under other legislation such as Building Regulations, Hazardous Substances Consent or Advertisement Consent, and licences from bodies such as Natural England.

1.9 Area Covered by LDO

1.9.1 The LDO has been prepared to cover all land within the Enterprise Zone at the Samlesbury site (72.5 hectares).

1.10 Consultation on the LDO

1.10.1 A fundamental principle of LDOs is that they represent a partnership approach to development management. This requires an approach to consultation which seeks support for the concept of the LDO and its objectives, both among the direct participants; the communities affected; and wider stakeholders.

1.10.2 **As part of the preparation of this LDO the following consultation arrangements were put in place:**

- **The draft LDO, a plan and the statement of reasons were placed on the websites of Ribble Valley and South Ribble Borough Councils. Consultation was undertaken - dates and description of consultation to be set out in agreed LDO.**

- Following the expiry of the consultation all responses were recorded, analysed and assessed in a Statement of Community Involvement report which informed the preparation of the adoption version of the LDO.

1.11 Structure of LDO

1.11.1 The LDO sets out, for Classes E(g)(i), E(g)(ii), E(g)(iii), B2 (excluding Use Class E(g)), B8, F1(a), E(b) (subject to restrictions), E(d) (subject to restrictions), E(f) (subject to restrictions), F2(a) (subject to restrictions) of the Town and Country Planning (Use Classes) Order 1987 as amended:

- Development to be permitted by the LDO
- Development falling outside the scope of the LDO and therefore requiring the submission of a planning application.
- Conditions pertinent to all specified Classes.

2. SUMMARY OF THE LOCAL DEVELOPMENT ORDER

2.1.1 The LDO seeks to grant permission for development for advanced engineering and manufacturing and science and technology and cyber uses; ancillary, complementary and supporting uses, and associated infrastructure (including temporary development associated with construction works) in the Enterprise Zone subject to a number of conditions.

Schedule A

"Advanced engineering and manufacturing" is defined as falling within the following SIC Codes:

- Aerospace (30.3, 28.4, 33.16, 52.24)
- General Aviation Services (52.23)
- High-end automotive including motorsport, electric/alternative energy vehicles, (29.1, 29.3)
- Computing, systems engineering and autonomous systems (62.01, 72.1)
- Nuclear (35.1)³
- Advanced flexible materials (13.96, 20.6)
- Renewable Energy (27.1).
- Other research and experimental development on natural sciences and engineering (72.19, 72.10)
- Pre-primary education (85.10)
- Child day care activities (88.91)
- Unlicensed restaurants (56.10/2)

³ The use of the land for the production, enrichment, storage, or disposal of nuclear fuel, falls within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations (Statutory Instrument 2011/1824) and would, therefore, fall outside the remit of this Local Development Order.

PRIOR NOTIFICATION OF DEVELOPMENT FORM

| | |
|---|--|
| Ribble Valley Borough Council, Council Offices, Church Walk, Clitheroe, Lancashire BB7 2RA | South Ribble Borough Council, Civic Centre, West Paddock, Leyland, Lancashire PR25 1DH |
| <p>To download a form go to: http://www.ribblevalley.gov.uk/info/200175/planning/357/welcome_to_development_control/3</p> | |

The Lancashire Advanced Engineering and Manufacturing Enterprise Zone (Samlesbury) Local Development Order No. 3 (2024) (LDO): Prior Notification of Development

Purpose of Form

By submitting this form you are requesting confirmation as to whether the development you are proposing constitutes permitted development under the Local Development Order. Following consideration of your request by the Lancashire Enterprise Partnership, the Council will complete the notification section (Section 6) thereby certifying whether the proposals are or are not permitted development. This will constitute the formal response of the Council.

Section 1a: Applicant Name, Address and Contact Details

| | |
|-------------------|-------|
| Title: | Name: |
| Company Name: | |
| Address: | |
| Telephone Number: | |
| Email: | |

Section 1b: Agent (if applicable): Name, Address and Contact Details

| | |
|---------------|-------|
| Title: | Name: |
| Company Name: | |
| Address: | |

| |
|-------------------|
| Telephone Number: |
| Email: |

Section 2: The Development Proposal

| | | | |
|---|---------------------------------|-------------------|-----|
| 2a. Description of development. | | | |
| Erection of a building and / or structure | | Yes: | No: |
| Proposed Use Class: | E(g)(i) | Yes: | No: |
| | E(g)(ii) | Yes: | No: |
| | E(g)(iii) | Yes: | No: |
| | B2 (other than use class E(g)) | Yes: | No: |
| | B8 | Yes: | No: |
| | F1(a) | Yes: | No: |
| | E(b) (subject to restrictions) | Yes: | No: |
| | E(d) (subject to restrictions) | Yes: | No: |
| | E(f) (subject to restrictions) | Yes: | No: |
| | F2(a) (subject to restrictions) | Yes: | No: |
| | Other (please state which) | Yes: | No: |
| | | | |
| | | | |
| | | | |
| | Yes: (Go to 2b) | No: (Go to 2c) | |
| Associated infrastructure or other development: | | | |
| 2b. Associated or Other Development: | | Yes: | No: |
| •Internal Access Roads: | Yes: | No: | |
| •Plot based vehicle parking and servicing | Yes: | No: | |
| •Hard and Soft Landscaping | Yes: | No: | |
| •Foul and surface water drainage | Yes: | No: | |
| •Utilities infrastructure | | | |
| •Other (please specify) | | | |

Please provide a brief description of and supporting statement for the proposed development including its context:

Note – the following plans and drawings should be submitted:

Location Plan based on an up-to-date Ordnance Survey map, showing the site edged in red, showing 2 street names where possible and a north point

Site/Block Plan at a scale of 1:500 or 1:200

Existing and Proposed Floor Plans at a scale of 1:50 or 1:100

Existing and Proposed Elevations at a scale of 1:50 or 1:100

Existing and proposed site sections and finished floor and site levels plans drawn at a scale of 1:50 or 1:100

Roof plans at a scale of 1:50 or 1:100

Section 3: Justification

Section 4: Declaration

I hereby give notice of my intention to carry out the above development. I also confirm my intention that if it is confirmed that if planning permission is not required as provided for by Lancashire Advanced Engineering and Manufacturing Enterprise Zone (Samlesbury) Local Development Order No. 3 (2024) I shall only carry out the proposed work in accordance with the details included in this form and on the accompanying scaled plans. I understand that any variation from these details may require re-assessment.

Name:

Signature:

Date:

Please send form electronically to relevant Local Planning Authority and to EZ Governance Committee (or equivalent)

Section 5: EZ Governance Committee or equivalent advice and recommendation

5a Compliance with the LDO:

The EZ Governance Committee or equivalent considers that the development described in this form constitutes permitted development under the Lancashire Advanced Engineering and Manufacturing Enterprise Zone (Samlesbury) Local Development Order No. 3 (2024).

Signature:

Date:

5b Non Compliance with the LDO:

The EZ Governance Committee or equivalent does not consider that the development described in this form constitutes permitted development under the

Lancashire Advanced Engineering and Manufacturing Enterprise Zone (Samlesbury) Local Development Order No. 3 (2024) for the reasons set out below.

| | |
|------------|-------|
| Signature: | Date: |
|------------|-------|

Reasons:

Please send form electronically to relevant Local Planning Authority.

Section 6: Relevant LPA determination

6a Compliance with the LDO:

(Ribble Valley Borough Council) / (South Ribble Borough Council) / considers that the development described in this form constitutes permitted development under the Lancashire Advanced Engineering and Manufacturing Enterprise Zone (Samlesbury) Local Development Order No. 3 (2024).

| | |
|-----------|-------|
| Signature | Date: |
|-----------|-------|

6b Non-compliance with the LDO:

(Ribble Valley Borough Council) / (South Ribble Borough Council) does not consider that the development described in this form constitutes permitted development under the Lancashire Advanced Engineering and Manufacturing Enterprise Zone

(Samlesbury) Local Development Order No. 3 (2024) for the reasons set out below.

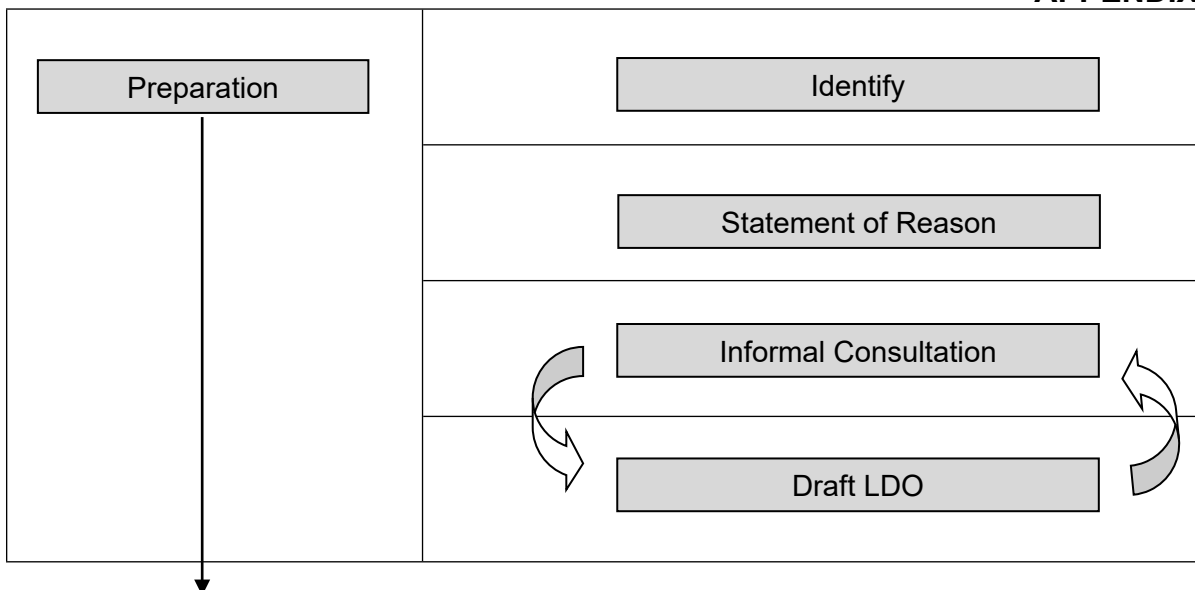
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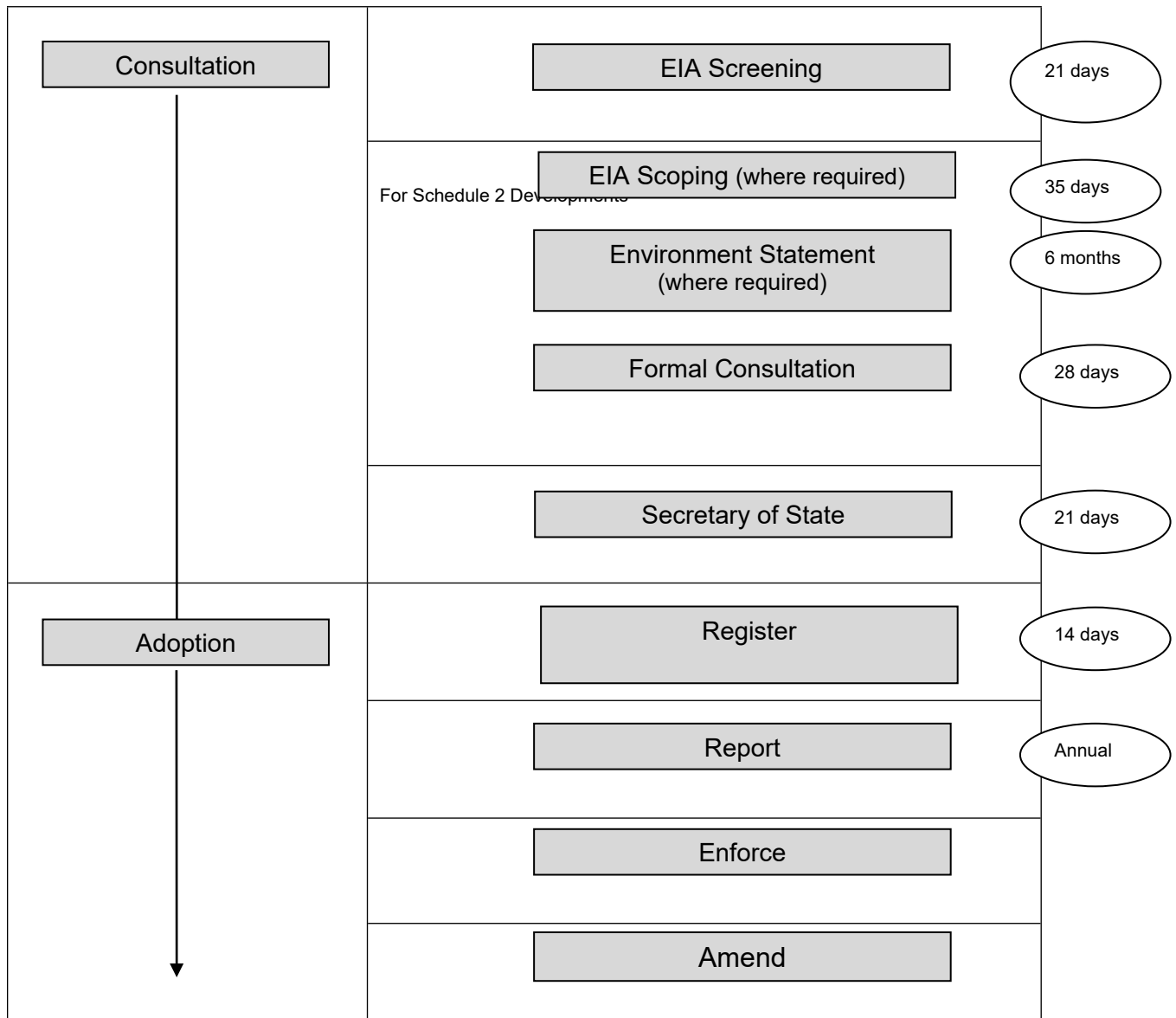
Date:

Reasons

If the proposed development is non - compliant with the LDO, an application for planning permission will be required

APPENDIX 2





APPENDIX 3

THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) LOCAL DEVELOPMENT ORDER NO. 3 (2024)

Lifetime of the LDO and Options following its Expiry

The LDO, and the terms within it, will be active for a period of 10 years following the day of its adoption, and will expire following this period. However, the LDO may be revoked within this period if a replacement LDO for the site is advanced and adopted during that period.

Development which has started under the provisions of the LDO will be allowed to be completed in the event that the LDO is revoked, revised or expires.

Options following its expiry:

- (a) Renew with no revisions; or
- (b) Renew with new terms and conditions.

The LDO does not remove the requirement for consent obtainable under other legislation such as Building Regulations, Hazardous Substances Consent or Advertisement Consent, and licences from bodies such as Natural England.

The LDO does not prevent development taking place which is not covered by the LDO. Where such development is proposed then a planning application will be required. Furthermore the LDO does not prevent development taking place under any existing planning permission, nor does it prevent future applications being made in respect of the area covered by it.

Development Permitted by this LDO

- (1)The carrying out of development (including the erection or alteration of a building) within Use Class E as specified for the purposes of advanced engineering and manufacturing, science and technology and cyber.
- (2)The carrying out of development (including the erection or alteration of a building) within Use Class B as specified for the purposes of advanced engineering and manufacturing, science and technology and cyber.
- (3)The carrying out of development (including the erection or alteration of a building) ancillary to, complementary to, or supporting such purposes;
- (4)The carrying out of development (including the erection or alteration of a building) within Use Class F1(a) for the purposes of a non-residential education and training centre.
- (5)The carrying out of development (including the erection or alteration of a building) within Uses Classes E(b), E(d), E(f) and F2(a) (subject to restrictions)
- (6)Authorise the development of associated infrastructure:
 - temporary development associated with construction works, if the works are not permitted development
 - Boundary security fences and gates;
 - land remediation (where required);
 - internal access roads⁴;
 - street lighting;
 - cycling and pedestrian routes;
 - vehicle parking;

⁴ A planning application for the new access from A59 and access road up to the boundary of the Enterprise Zone was submitted to Lancashire County Council on 20 September 2013. Planning permission for the new access was granted on 15 January 2014.

- vehicle refuelling facilities;
- HGV turning areas;
- foul and surface water drainage infrastructure;
- utilities infrastructure (telecommunications including superfast broadband, electricity, gas and water), if the works are not permitted development ;
- CCTV and associated masts; and
- hard and soft landscaping.
- technologies associated with carbon reduction and sustainability

Development is not permitted:

Development is not permitted by the LDO:

- 1.If it falls within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations (Statutory Instrument 2011/1824);
- 2.If it is not for the purposes of advanced engineering or manufacturing, science and technology or cyber (defined in Schedule A) or Skills Facility or ancillary uses as specified or deemed not to be permitted development by the Enterprise Zone Governance Committee.

Conditions

- 1.Development is permitted by the LDO falling within Use Classes E(g)(i), E(g)(ii) and E(g)(iii) of the Town and Country Planning (Use Classes) Order 1987 (as amended) for advanced engineering and manufacturing science and technology and cyber (defined in Schedule A). Prior to the commencement of development the developer shall provide copies of plans to the local planning authority for information.
- 2 Development is permitted by the LDO falling within Use Classes B2 (other than Use Class E(g) of the Town and Country Planning (Use Classes) Order 1987 (as amended) for advanced engineering and manufacturing and science and technology and cyber (defined in Schedule A). Prior to the commencement of development the developer shall provide copies of plans to the local planning authority for information.
3. Development is permitted by the LDO falling within Use Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) for advanced engineering and manufacturing and science and technology and cyber (defined in Schedule A). Prior to the commencement of development the developer shall provide copies of plans to the local planning authority for information.
4. Development is permitted by the LDO falling within Use Class F1(a) of the Town and Country Planning (Use Classes) Order; (as amended) for a non-residential education and training facility. Prior to the commencement of development the developer shall provide copies of plans to the local planning authority for information.
- 5.Development is permitted by the LDO falling within Use Class E(b) (café) (restricted to unit and subject to size threshold of 250sqm) E(d) (gym)

(restricted to 1 unit and subject to 75% of users being employees on the EZ site) and E(f) (creche/nursery) (restricted to 1 unit and subject to 75% of users being employees on the EZ site) of the Town and Country Planning (Use Classes) Order 1987 as amended.

6. Development is permitted by the LDO falling within Use Class F2(a) 1 no 280sqm convenience store of the Town and Country Planning (Use Classes) Order 1987 as amended.
7. Authorise development that is ancillary to such purposes;
8. Authorise the development of associated infrastructure
9. Development for advanced engineering or manufacturing purposes or science and technology or cyber or for ancillary, complementary or supportive uses which fall outside the definition in Schedule A referred to in Condition 1 is permitted by the LDO, provided that full details and plans of the proposed development shall be submitted to the Council using the Prior Notification Form. No development shall commence until the Council, advised by the Enterprise Zone Governance Committee, has confirmed that the proposed development falls within the scope of this Order or the expiry of 28 days from the submission of the Prior Notification Form, whichever is the sooner.
10. Development shall take place in accordance with the Master Plan.
11. A scheme for the disposal of foul and surface waters for each stage of the proposed development shall be in accordance with the approved drainage strategy for the site. Any scheme varying from the approved strategy shall be submitted by the developer to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving the details of the drainage arrangements and if no response is received from the Local Planning Authority within this 28 day period the arrangements shall be deemed to be approved.
12. Access arrangements for proposed development under the LDO shall be submitted by the developer to the local planning authority for approval (in consultation with the local highway authority) and the development shall proceed in accordance with the approved details. The local planning authority shall respond within 28 days of receiving the details of the access arrangements and if no response is received from the local planning authority within this 28 day period then the arrangements shall be deemed to be approved.
13. All highway works on and off site shall be implemented pursuant to appropriate agreements entered into under the Highways Act 1980 and in accordance with details and any mitigation measures submitted to and approved by the local planning authority in consultation with the local highway authority.

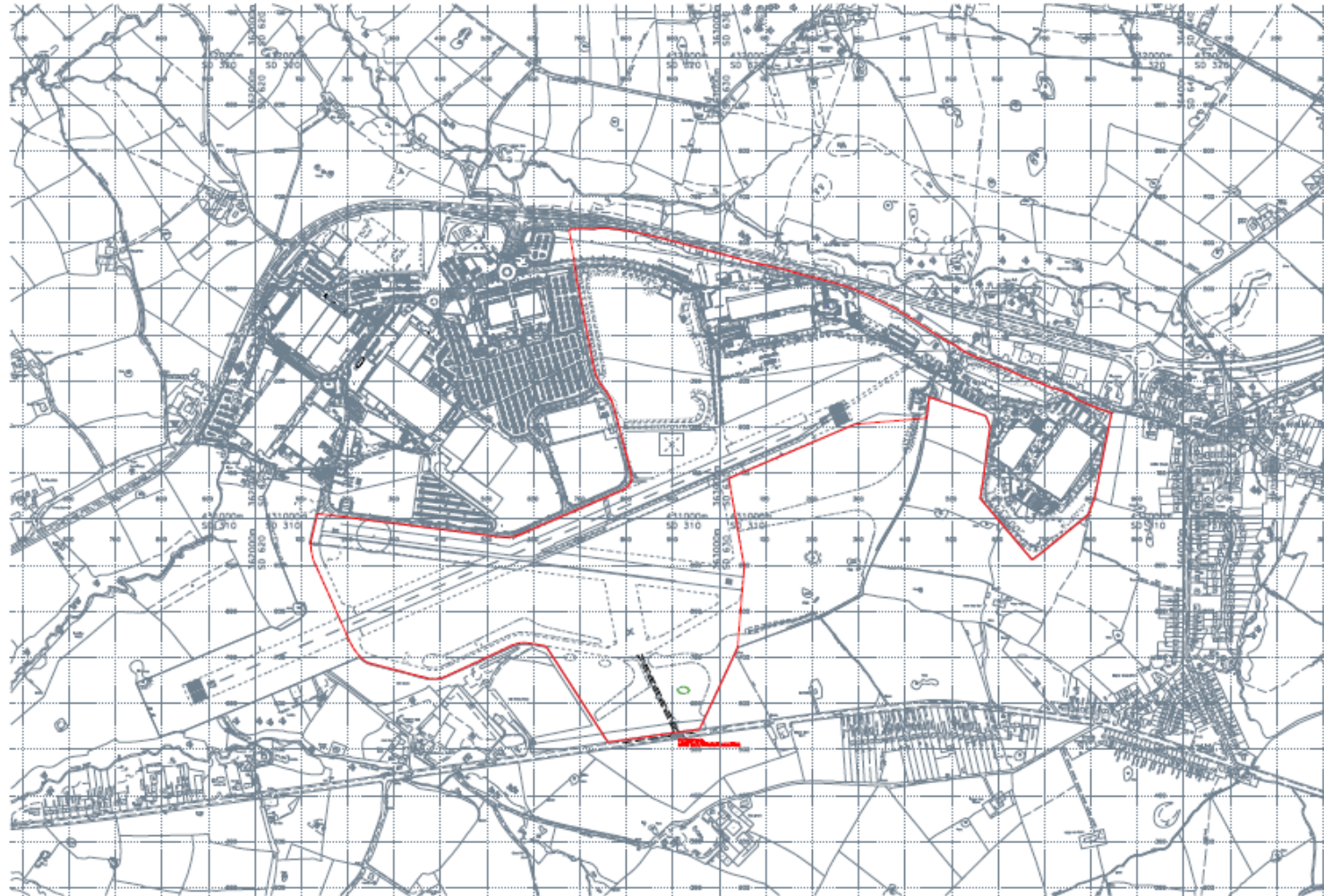
14. Construction vehicles associated with development will be managed. Management provisions will include endeavouring not to enter or leave the site during peaks of the local network or peaks of the existing BAE Systems site. Construction vehicles must not wait on the local highway network prior to accessing the site.

15. Appropriate landscaping measures to avoid or mitigate detrimental visual impacts on Samlesbury Hall shall be submitted by the developer to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving the details and if no response is received from the Local Planning Authority within this 28 day period then the landscaping measures shall be deemed to be approved.

Interpretation

The purpose of the LDO is to authorise development within Classes E and B (as specified) of the Town and Country Planning (Use Classes) Order 1987 as amended in relation to advanced engineering and manufacturing, science and technology and cyber and ancillary uses; to authorise development within Class F1 of the Town and Country Planning (Use Classes) Order 1987 as amended for the purposes of providing a non-residential educational and training centre; and to authorise the development of associated infrastructure.

APPENDIX 4 – Map of Lancashire Enterprise Zone (Samlesbury)



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SAMPLESBURY ENTERPRISE ZONE MASTERPLAN

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CONTENTS

- 1.0 Background and purpose
- 2.0 Vision for the site
- 3.0 Development Principles
- 4.0 Site Layout, Infrastructure and Uses
- 5.0 Design Principles and Landscaping
- 6.0 Landscape and Public Realm
- 7.0 Access and Movement

1.0 BACKGROUND AND PURPOSE

- 1.1.1 In 2011 land at BAE Samlesbury and Warton sites was designated as Lancashire's first Enterprise Zone (EZ). In order to support the development of the sites a simplified planning regime in the form of a Local Development Order (LDO) and accompanying Masterplan was adopted for each.
- 1.1.2 The Samlesbury EZ site LDO and Masterplan were adopted in 2014 with a lifetime of 10 years. The provisions of the LDO allowed for its replacement at any time or renewal with new terms and conditions if development was not completed by the time of its expiry. An updated replacement LDO was adopted on XXXX together with this replacement Masterplan which will support it. Significant progress has been made in bringing forward the site and the updated LDO and Masterplan should enable build out to be completed. It should be noted that the level of development will not increase but will remain the same as set out in 2014.



Fig. 1 - Lancashire County Council advertisement board.

2.0 VISION FOR THE SITE

- 2.1.1 Since gaining Enterprise Zone status and adopting a Masterplan and LDO for the site, significant site infrastructure and utilities have been put in place enabling a number of key developments to be delivered. These include BAE's Academy for Skills and Knowledge, AEM Defence Logistics and Asset Management Facilities and the University of Sheffield's Advanced Manufacturing Research Centre North-West. The Enterprise Zone is therefore supporting genuine additional growth, creating new businesses and is building a strong base from which transformational growth in the Advanced Engineering and Manufacturing (AEM), Sci-tech and Cyber sectors is anticipated to come forward at pace. The site is currently on track to deliver around 2,528 high value new jobs on site. The potential for further associated technology spin-out businesses, new business starts and SME's is significant with the potential to deliver a further 5,000-6,000 high value jobs in the wider Lancashire sub region in the long term.
- 2.1.2 Strategically the site plays a key role in anchoring and developing an AEM, Sci-tech and Cyber enterprise corridor linking to Lancashire's key universities and extensive AEM capabilities. This will capitalise on new and emerging market opportunities and will strengthen and grow local supply chains through inward investment and modernisation of the sectors. Lancashire forms a key part of the North West cyber corridor linking to Manchester and Lancaster and is positioned as a national core of expertise across AEM, Sci-tech and Cyber sectors. Samlesbury EZ now forms part of a cluster of 4 Enterprise Zone sites in Lancashire. These form the Lancashire Advanced Manufacturing and Energy Cluster (LAMEC). Together these sites provide a strategic resource and opportunity for Lancashire to build on national and international strengths in aerospace, advanced engineering, manufacturing, sci-tech, cyber chemicals and energy.



Fig.2 - Aerial view showing SEZ Site.

3.0 DEVELOPMENT PRINCIPLES

3.1.1 The vision outlined for the site was established in the 2014 Masterplan and is carried forward into this Masterplan. Delivery of this vision is being progressed via a set of overarching development principles which in turn inform more detailed principles relating to the delivery of built form, infrastructure, ecology and landscaping. The overarching development principles are as follows:

- Support the development of the site in a way that maximises the opportunities for Lancashire to grow and deliver its national and international sector priorities.
- Develop the site in a way that promotes its strategic role in anchoring, attracting and expanding sector capabilities and strengthening the local supply chain.
- Seek to ensure that the development of the site supports its high profile and provides a high-quality environment to attract high value businesses, employers and investment.

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Fig. 3 - Example masterplan within natural setting (Alderley Park, Cheshire).



Fig. 4 - Parking provision at Birchwood Park, Warrington



Fig.5 - Hard and soft landscaping at Ashford Commercial Quarter.



Fig. 6 - SEZ plot preparations.

3.2 DELIVERY OF THE 2014 MASTERPLAN

3.2.1 The adopted Masterplan that accompanied the 2014 LDO was focused on delivering the key infrastructure required to bring the site forward together with broad principles for site zoning layout and design. The document sought to guide the delivery of:

- Access points and road layout.
- Highways mitigation and travel by public transport and non-motorised means.
- Utilities.
- Ecological mitigation.
- Protection of historical assets.
- Design and landscaping parameters.

3.2.2 The majority of the requirements of the 2014 Masterplan have been successfully established and delivered. These will be summarised in the relevant sections of this document.

3.3 COMPLETING THE BUILD OUT OF THE SITE

3.3.1 This updated Masterplan seeks to build on delivery to date to complete build out of a high-quality attractive environment, capable of serving and attracting companies and organisations that can deliver high value key sector businesses and jobs. This will be achieved through a focus on:

- Site uses and remaining plot layout including place making.
- Design and landscaping principles.
- The completion of highways mitigation and travel by public transport and non-motorised means.

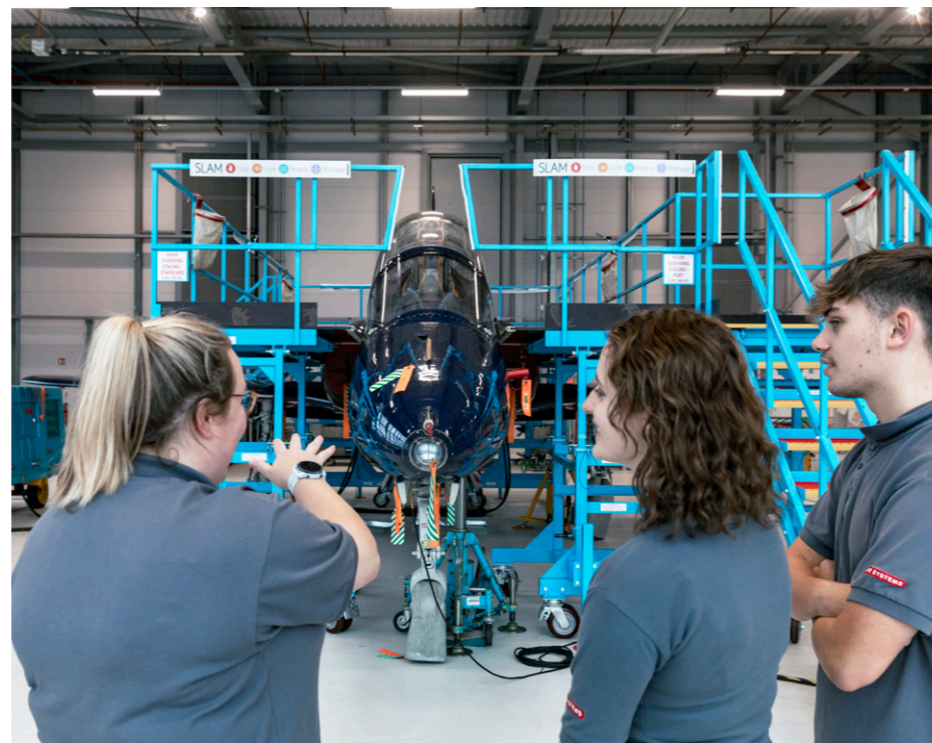


Fig. 7 - BAE apprenticeship students.



Fig. 8 - BAE apprenticeship training.

4.0 SITE LAYOUT, INFRASTRUCTURE AND USES



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Fig. 9 - Existing aerial view of the Samlesbury site.

4.1 PHASING

4.1.1 The Enterprise Zone site was divided into 2 phases for the purposes of the 2014 Masterplan. This phasing is maintained in the updated Masterplan. Phase 1 of the EZ relates to the land adjacent to the BAE Systems Samlesbury site shown on fig. 10. Phase 2 sits within the BAE systems site and may come forward in the future if BAE Systems operational needs allow. If this emerges as a comprehensive opportunity an additional master-planning exercise will be undertaken. Any individual building proposals coming forward in the Phase 2 area will be considered on the same basis as the general principles for the Phase 1 Masterplan.

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KEY

-  SEZ boundary
-  Phase 1
-  Phase 2 (if land/buildings become available)

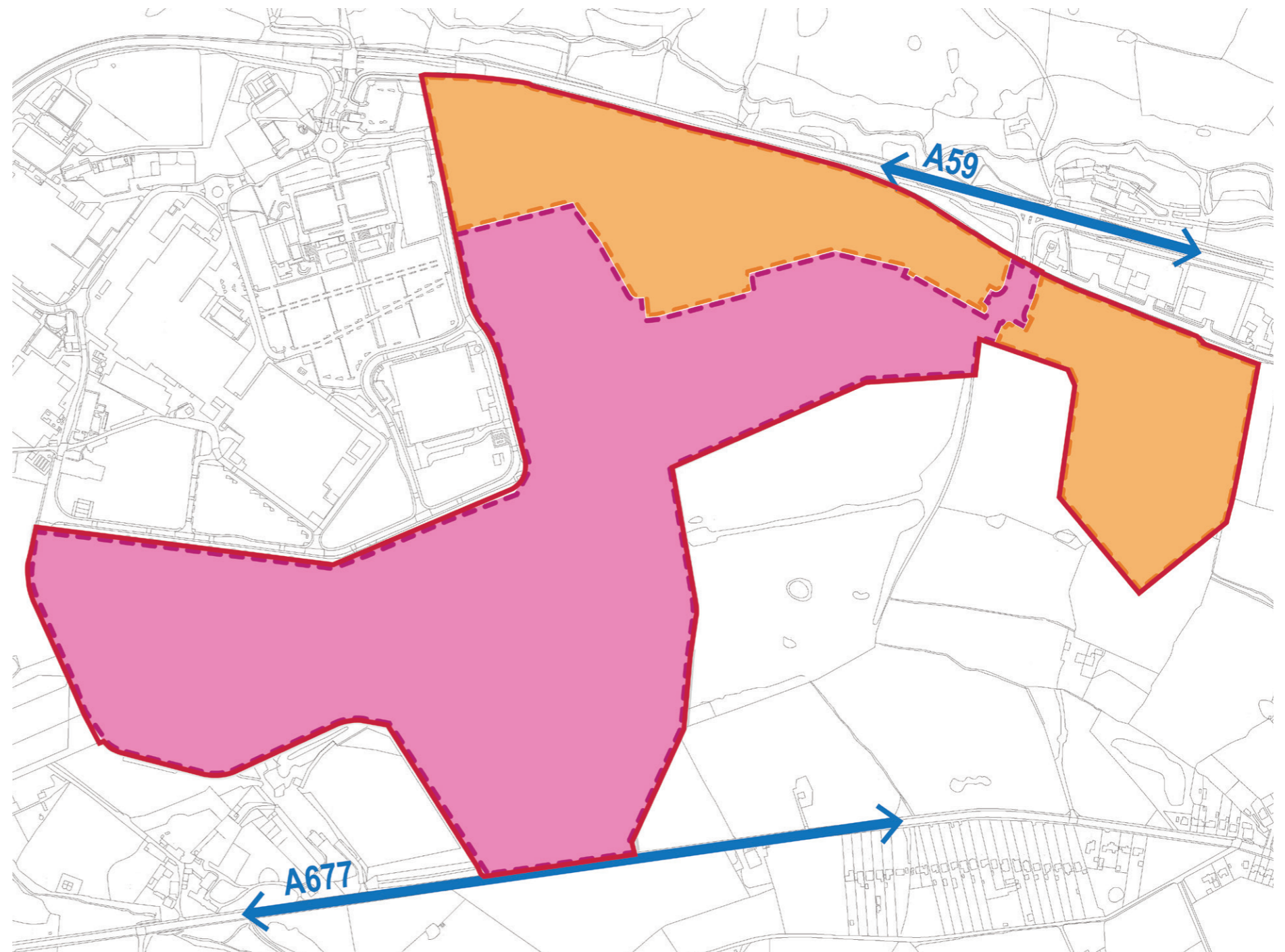


Fig. 10 - Plan illustrating Phases 1 and 2.

4.2 DELIVERY TO DATE

4.2.1 Following the adoption of the 2014 Masterplan land use principles, detailed work was undertaken to understand and agree the optimal layout of the site based on these principles whilst taking into account potential occupier needs. A framework emerged made up of utilities, drainage and ecological requirements, together with the need to provide an appropriate safe route for the site spine road and associated access points from that spine road. This framework was confirmed through the approval and delivery of:

- New access points to the site from the A59 and A677 linked by the main spine road through the site.
- Safe access points from the spine road into plot areas.
- Site wide drainage infrastructure including the provision of a series of swales and balancing ponds.
- Site wide utilities including electricity substation and connections, gas connections, water and sewage treatment, broadband ducting.
- Site wide ecological requirements.

4.2.2 Allowing for the positioning of this essential infrastructure plot areas and configurations were set out. These area configurations seek to accommodate different unit sizes and are flexible to allow for the amalgamation or subdivision of plots. This framework was further established through the development of 4 anchor buildings:

- Academy for Skills and Knowledge (ASK)
- AEM Defence Logistics Facility
- Asset Management Facility (AMF)
- Advanced Manufacturing and Research Centre (AMRC)

4.2.3 Work then continued to remediate the remaining areas of the site to prepare a series of development ready plots.

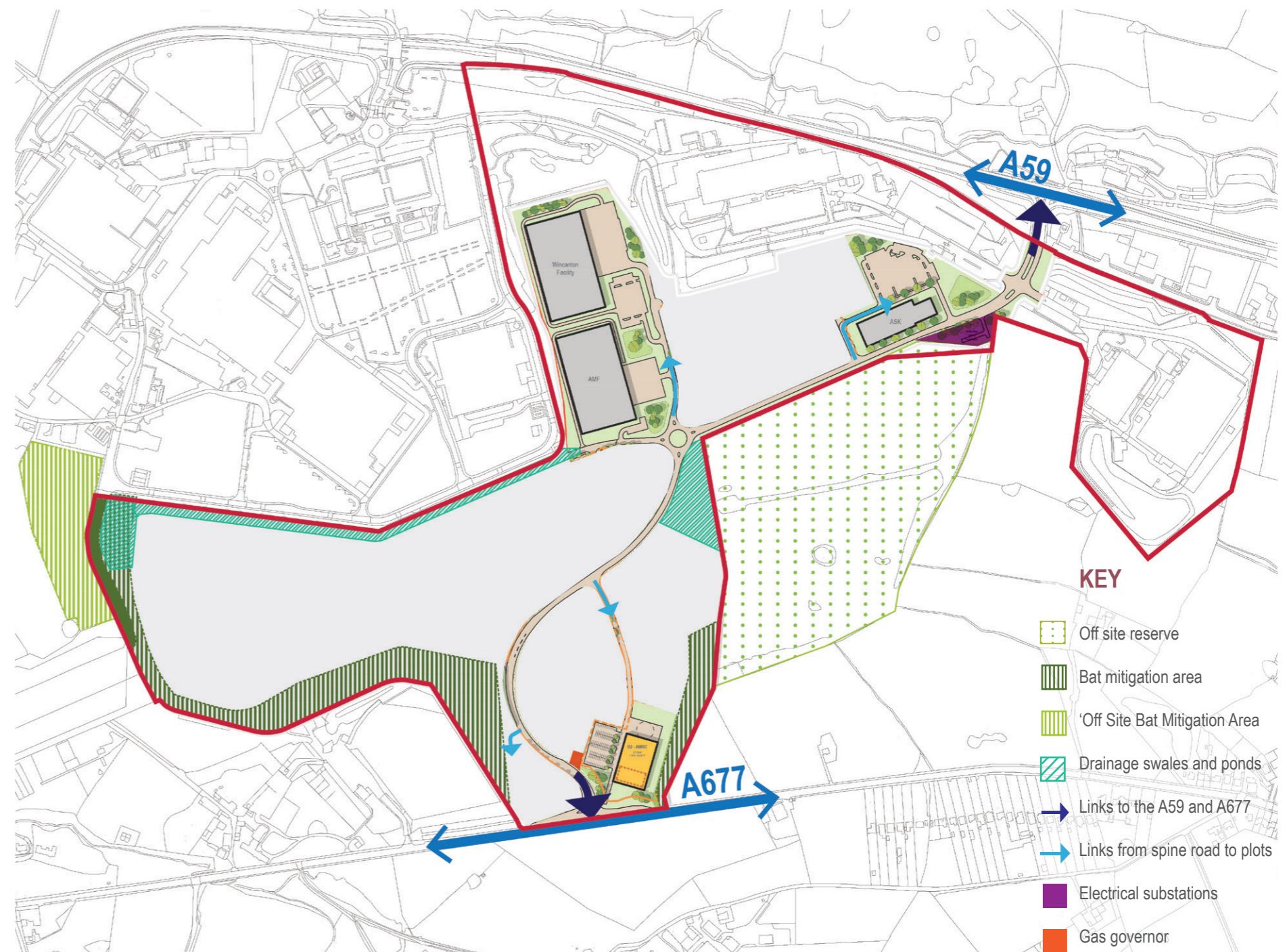
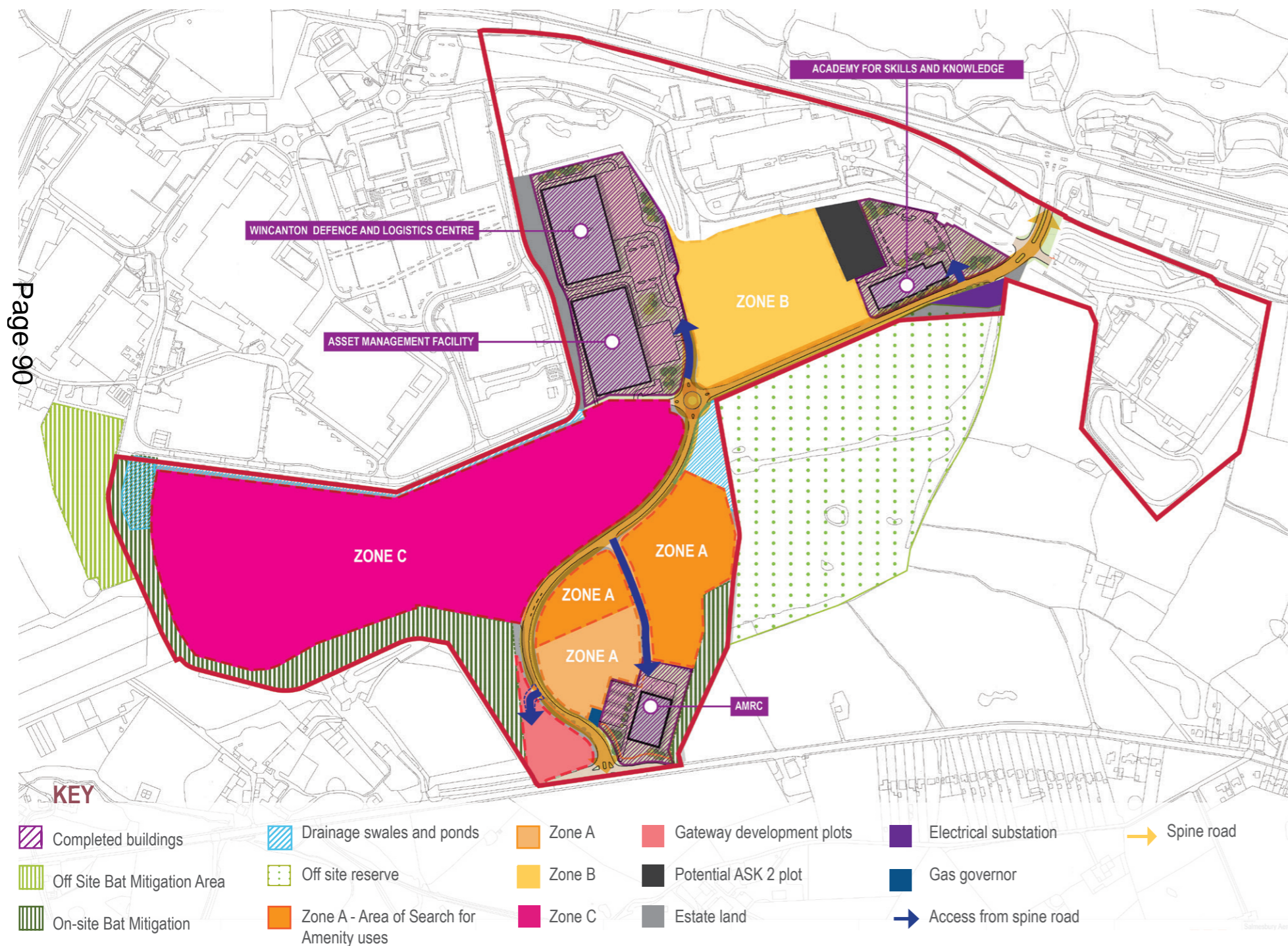


Fig. 11 - Plan illustrating delivered utilities, infrastructure, ecology and buildings.



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Fig. 12 - Masterplan Layout

4.3 PHASE 1 COMPLETION OF SITE BUILD OUT

- 4.3.1 Having delivered all site wide infrastructure, 4 key buildings and completed the remaining plot preparation works, the purpose of this masterplan is to guide the development of these remaining plots to complete the delivery of a high-quality integrated site which will attract and support key sector companies and organisations. The broad potential layout of uses is set out in Fig. 12.
- 4.3.2 The main uses proposed within the LDO remain the same as in the 2014 LDO but with an enhanced provision for research and development, sci-tech and cyber purposes and a reduced provision for storage and distribution.
- 4.3.3 The 2024 LDO recognises the growing opportunity and demand for sci tech and cyber uses and therefore allows for an increased proportion of those uses within the same overall total scale of development. This has been considered through an update to the Transport Assessment for the proposed development site.
- 4.3.4 In addition to the main uses, provision has now been made for a small, central area of amenity uses intended to support users on site and contribute to place making. These uses likely to include gym, crèche, café and convenience store. They would however be closely controlled through the provisions of the LDO and would be limited to a scale that would attract on site users only, and not draw from the surrounding area. This is necessary to ensure that the EZ will be a highly competitive location that functions sustainably as a place and offers companies and organisations the means to provide an attractive and well-resourced working environment to attract and retain skilled employees.

5.0 DESIGN PRINCIPLES AND LANDSCAPING

5.1.1 The overall design rationale for the Samlesbury Enterprise Zone Site reflects its status as a key strategic site. The intention is to provide a cohesive visual appearance, balancing built form and landscape and habitat to provide a high quality, attractive setting befitting a high-profile centre of excellence.

5.1.2 The design principles align with the Central Lancashire Design Guide SPD and with the National Design Guide 2019 and on this basis address the following key areas:

- Built form.
- Materials.
- Landscaping and Public Realm.

5.1.3 Layout and movement are also key components and are addressed as parts of sections 4 and 7 of the Masterplan.



Fig. 13 - Design principles and landscaping - BAE Systems ASK Building.

5.2 BUILT FORM

5.2.1 Well-designed employment areas, workplaces and ancillary amenity uses will be laid out to make efficient use of land and sit comfortably within their built and landscape setting. Siting, layout and scale should be considered so that new buildings respond positively to the site and local landscape and to surrounding buildings.

5.2.2 Consideration should be given to the following principles, and where appropriate new developments should seek to incorporate them within their design rationale:

- Buildings and plot layouts should have a consistent approach to key design elements such as form, massing, scale and fabric and relate to their neighbours.
- Buildings and plot layouts should make a positive contribution to the public realm and local landscape character.
- Designs should respect plot boundaries, access routes and landscape character.
- In principle, where appropriate, higher/larger buildings will be located towards the middle of the site or adjacent to the existing main BAE Systems site rather than the open periphery.
- It may be appropriate to locate some higher/larger buildings on the visible perimeters of the site to promote the development, however where this is the case these would need to be designed and landscaped appropriately.
- The principal elevation of any building should address the main street frontage. Blank façades overlooking the main spine road and main estate roads should be avoided where possible.
- Consideration should be given to providing dual orientation buildings on corner plots.
- Buildings on gateway sites will be designed to emphasise and celebrate the status of the Enterprise Zone Site.
- Back of house facilities including loading areas,

storage yards, and waste disposal should be where possible located in less visible locations, be sensitive to potential impacts on neighbouring uses and be screened appropriately.

- Main pedestrian entrances and inhabited spaces should where possible be close to and visible from the road.
- Hard and soft landscaping should be considered to separate vehicular routes and areas of car parking from building frontages.
- Marker features within the overall form of the building can create design interest.
- Consideration should be given to how the form of the building can be arranged to be visually engaging whilst considering the need for staff and visitor entrances to have a human scale.
- People oriented developments including those in Use classes F and E should be designed to reflect their role and to contribute to placemaking within the EZ.
- Roof form is an important consideration in achieving visual coherence across the site. Where appropriate and practicable the visual effects of large expanses of roof should be mitigated by the use of varying materials, forms and alignment.
- Where appropriate consideration should be given to enabling measures to increase sustainability such as solar panels, green roofing and grey water run-off.
- Where appropriate buildings should be designed having regard to natural surveillance techniques and secured by design principles
- Taking into account individual occupiers branding requirements, company logos and signage where appropriate should be wall mounted on the front elevation of the building to form an integral part of building design.
- Gateway entrance features may include appropriate signage.



Fig. 14 - Recently completed AMRC Facility.

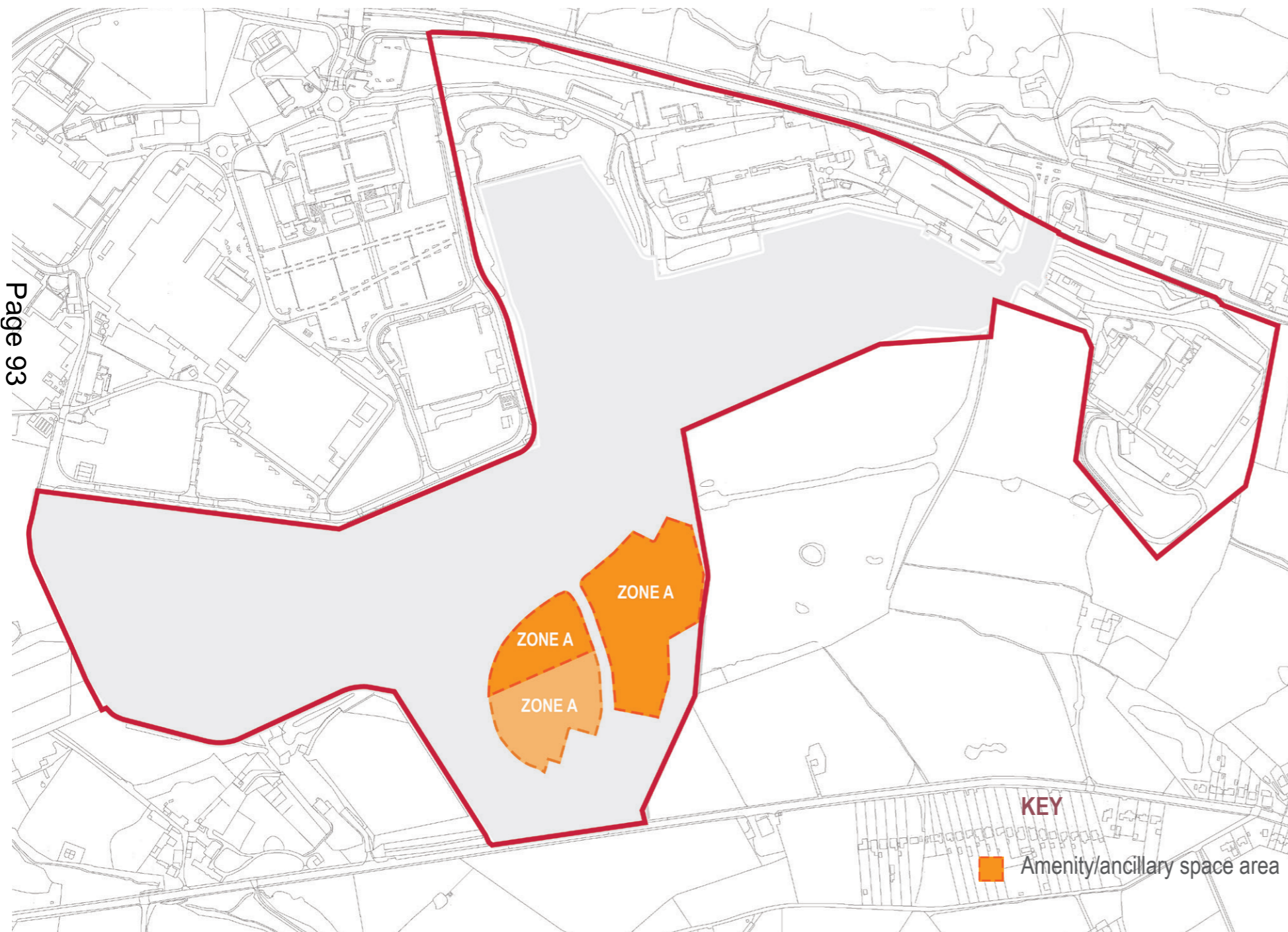


Fig. 15 - Plan illustrating acceptable area for amenity and ancillary uses.

5.3 AMENITY AND ANCILLARY USES AREA

5.3.1 As set out in the Uses section at para 4.3.4 provision is being made for a small area of amenity uses to serve the occupiers and users of the site and to assist in place making.

5.3.2 It is envisaged that these uses should be delivered as part of a small cohesive area located toward the centre of the site. By clustering the activities together centrally they will better serve the site as a whole and help to create a site based gathering area, enabling collaboration between companies/organisations. The general location area considered to be potentially suitable is shown in Fig. 15

5.3.2 The layout and design of the area should respect the overall design principles for the site and have particular regard to:

- Active and animated frontages in relation to key roads.
- Contributing to the overall landscaping network for the site.
- Providing hard/soft landscaping and public realm to support on site collaboration and recreation.



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5.4 MATERIALS

- A mix of materials should be used as appropriate to create interest and improve the visual appearance of buildings.
- Contrasting materials to those used for the main structure should be incorporated where appropriate on entrance, ground floor and office elevations.
- The choice of building materials and colours, particularly for roofs should take account of the site's visibility from surrounding areas.
- Consideration should be given to existing buildings on site and where possible consideration should be given to the use of a consistent palette of materials and colours to create a harmony to the built form across groups of plots and the site as a whole.
- Where appropriate consideration should be given to the use of glazed façades to animate building elevations which face towards landscape and movement corridors.
- Glazing should respond to building specifics such as site location and function and seek to be neutral coloured throughout the site.

Fig. 16 & 17 - Completed AMRC Building on SEZ site.
 Fig. 18 & 19 - Materials precedent: Lifescan, Inverness.
 Fig. 20 Materials precedent: Project Angel, Northampton.
 Fig. 21 Materials precedent: Cambridge Science Park.

5.5 SUSTAINABILITY

5.5.1 A site wide drainage strategy has been approved for the site based on SUDS principles. The main elements of this in the form of balancing pond and swales are now in place. Plot and building drainage should be designed in the context of this.

5.5.2 At the level of proposed buildings, the environmental impact of new development can be minimised by ensuring as efficient use of energy as possible. Building Regulations will set standards for energy efficiency and sustainability.

5.5.3 As recommendations and examples of best practice on low carbon solutions come forward these should be considered for developments coming forward.

5.5.4 The AMRC building on site is a low carbon smart factory demonstrator containing different types of technologies. These include:

- Using solar power to power the building. The building design contains panels in areas such as the roof and walls. Solar panels shaped as sunflowers are also situated around external areas of the building. These are designed to track the sun during the course of the day.
- Waste management systems are in place to analyse all waste coming out of the site and look for areas of improvement to minimise any waste going to landfill.
- The building also contains a range of sensors which help track various elements such as air quality, temporary occupancy, vibration and humidity. These identify areas of the building which are not regularly being used at certain times and can switch power sources off to further reduce carbon emissions.

- Looking at the use of Artificial Intelligence to optimise building management and derive efficiency in all areas.

5.5.5 As part of its operations the University of Sheffield AMRC building on site provides advice and support to Lancashire-based small and medium manufacturers interested in wanting to work towards a sustainable future by lowering manufacturing emissions whilst remaining on the supply chain. They specialise in providing a service helping manufacturers identify savings whilst using low carbon technologies to approach net zero with the ultimate aim to decarbonise their facilities which is the main focus of the facility.

5.5.6 Where buildings will have large expanses of roof, concepts such as rainwater capture and grey water recycling, solar energy and green roofing should be considered and applied as appropriate.



Fig. 22 - Electric vehicle charging point.



Fig. 24 - Existing solar panels installed on SEZ site.



Fig. 23 - Green roof.

6.0 LANDSCAPE AND PUBLIC REALM

6.1.1 An overarching design principle for the EZ is to provide a cohesive visual appearance, balancing built form and landscape to provide a high quality attractive setting befitting a high profile centre of excellence. The site is set within an open Green Belt context which is being carried through into the ecological and landscaping rationale.

6.1.2 Landscaping and public realm are therefore critically important to successful site delivery and should contribute towards:

- Density, function, movement and place making across the site.
- Improving quality of life for employees, visitors and the wider community.
- Addressing biodiversity, climate change and resilience.

6.1.3 Landscaping and public realm features should integrate with the green and blue infrastructure, other infrastructure, plot formation and buildings that have already been delivered.

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Fig. 25 - New tree planting within the SEZ site.

6.2 SITE WIDE LANDSCAPING: ECOLOGY LED LANDSCAPE CHARACTER

6.2.1 The site wide landscape character framework for the site has been established through the delivery of the ecological requirements set out in the 2014 LDO and Masterplan. The ecological measures fulfil a multiple role of providing necessary habitats, providing significant landscape character and also providing appropriate screening for Samlesbury Hall.

6.2.2 A condition attached to the 2014 LDO required measures to avoid, mitigate or compensate for any ecological impacts. In order to fulfil the requirements of the condition, the site as a whole underwent a comprehensive ecological assessment with a full suite of surveys of all relevant habitats and receptors. The findings were then used to agree a set of required measures including on and off-site mitigation. The assessment, findings, proposed measures and mitigation were then set out in an Ecological Statement for the site. This was approved by the Local Planning Authorities and has been used to discharge the ecological condition for the site.

6.2.3 Based on the Ecological Statement, a comprehensive off-site mitigation scheme to compensate for the loss of grassland and ground nesting bird habitat has been implemented at Warton Mires, Lancaster and a series of onsite bat mitigation areas comprising managed tree, grassland and wild flower planting has been created on site. The final phase of the bat mitigation planting has now been completed meaning that the ecological condition for the site has been fully discharged in terms of ecological habitat creation.

6.2.4 For this reason, no new ecological habitat creation is required. However ongoing management of the habitat created will be expected to continue.

6.2.5 The habitat creation has been extensive with circa 4000 trees planted together with grassland and wild flowers. These are essentially linear features located around the periphery of the site. As well as creating the required habitat form, the planting and management has also served to connect to and enhance an existing grassland reserve adjacent to the site. It has also helped to integrate the site into its wider Green Belt setting and provides screening to the neighbouring Samlesbury Hall, a Grade 1 Listed Building. In order to further protect Samlesbury Hall, an

area of mounding was created along the boundary with the grounds of the Hall and a proportion of planting was then undertaken on the mound to create additional screening height.

6.2.6 Building on the ecological measures the drainage strategy for the site has included the provision of extensive SUDS water features including two large balancing ponds and extensive lengths of swales. These have been planted with appropriate plant species increasing the ecological and landscaping value of the site and extending the framework of linear ecological/landscaping features.

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Fig. 26 - Example of soft and hard landscaping. (Precedent: Alliance Manchester Business School)



Fig.27 - Example of a Sustainable Urban Drainage System.

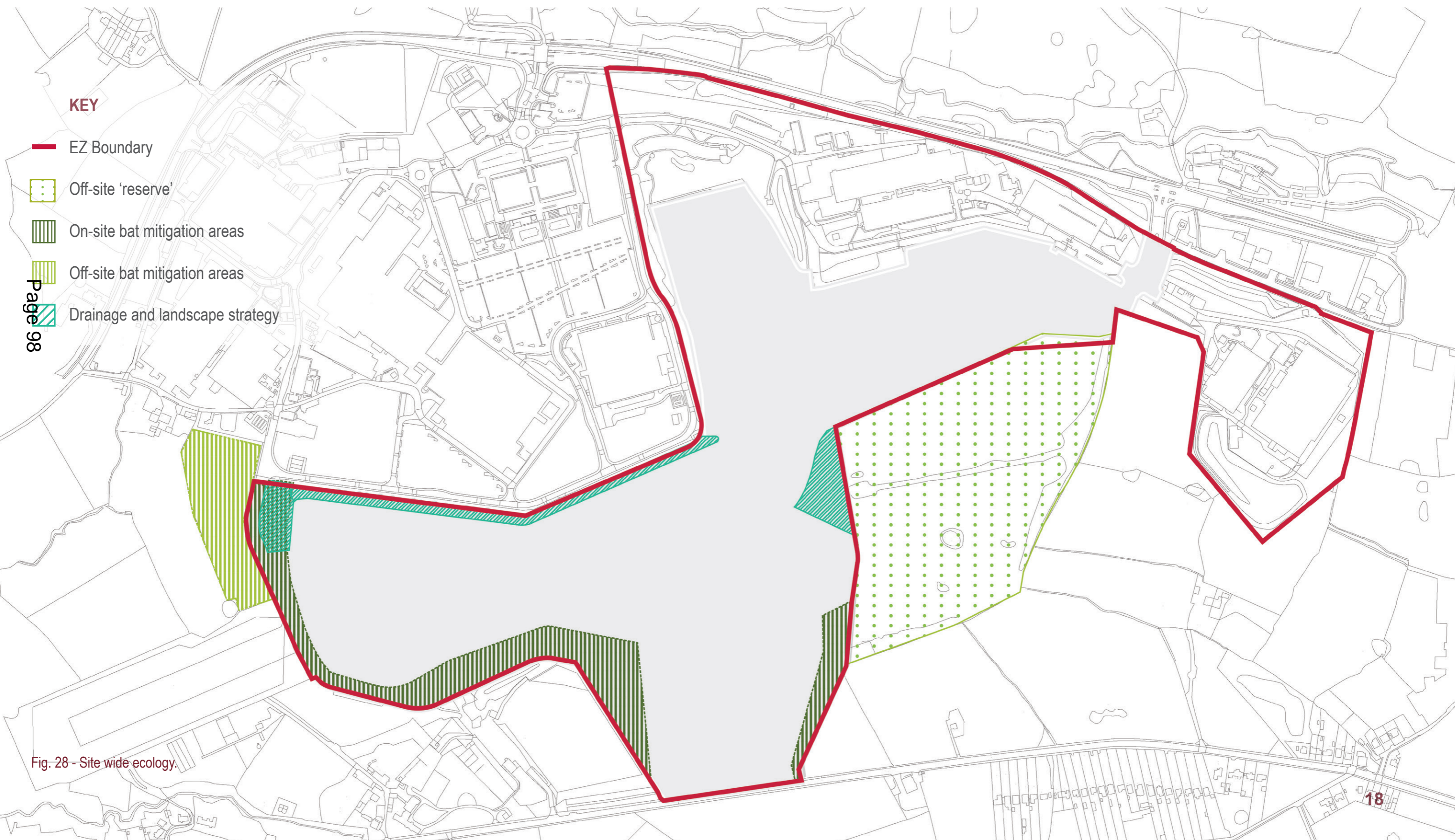


Fig. 28 - Site wide ecology.

6.3 LANDSCAPING OF PLOTS

- 6.3.1 Further landscaping to the site will be undertaken on an individual plot basis building on these site wide features and taking into account the following key principles.
- 6.3.2 Landscaping/green infrastructure should be an integral part of plot design to create an address for individual plots framing views and entrances.
- 6.3.3 Landscaping /green infrastructure should help soften the impact of large building form and hard surfacing associated with commercial and industrial developments.
- 6.3.4 Landscaped strips to plot frontages and around buildings will be planted to provide an attractive boundary between the public and private realms. Native species should be used as appropriate. Where appropriate consideration should be given to inter-connecting these features to create a landscape structure within the development.
- 6.3.5 Planting within and around car parking areas will help soften and break up large areas of hard standing and separate circulation from car parking or vehicular routes.
- 6.3.6 Paving and surfacing materials should be sympathetic with the detailing of the building façade and provide a degree of continuity with materials used in public realm. High quality natural materials should be considered where appropriate.
- 6.3.7 Where appropriate consideration should be given to using paving to differentiate areas with different functions.

- 6.3.8 Areas for public congregation and seating should be considered where appropriate and should be designed to complement and enhance buildings and landscaping.
- 6.3.9 There should be a degree of continuity to the site's street furniture and its use should be limited to avoid excessive visual clutter.
- 6.3.10 In relation to all habitat creation, including woodland, scrub, grassland, wetlands and ponds, the following species guidelines should be applied:
- 6.3.11 All plant species used should be native species appropriate for the location and suited to the conditions on site. Seed and plant material should be of native genetic origin ideally from North West England.
- No rare or uncommon species should be introduced.
 - No invasive non-native species should be introduced.
 - As far as possible the species composition should be based on locally appropriate communities described in the national Vegetation Classification (NVC), such as W6 and W10 woodlands or MG5, MG4 and MG8 grasslands.
 - Habitat creation must not be at the expense of an existing habitat of ecological importance.



Fig. 29 - Example of potential hard landscaping on plots (Precedent: Bright Building, Manchester Science Park).



Fig. 30 - Completed landscaping within plots.



Fig. 31 -Tree planting within the SEZ boundary.



Fig. 32 - SUDS within the SEZ boundary.



Fig. 33 - Aerial view of the SEZ site.

6.4 FENCING AND LIGHTING

- 6.4.1 Specialised security fencing has been installed to segregate the EZ site from the BAE operational site.
- 6.4.2 Any further necessary security fencing should where possible be a low visibility mesh-type fencing of an appropriate colour, with metal posts to match the proposed fencing to the plot boundaries. Consideration should be given to the need for further mitigation in the form of planting.
- 6.4.3 Additional fencing within plots should be kept to a minimum and used only to screen storage areas from the public realm or from neighbouring plots. Fencing for these purposes should be designed as an integral part of the building/plot design and materials used should be consistent with those used for the main building.
- 6.4.4 Except in exceptional circumstances, any additional fencing internally to the plot should not be installed forward of any building line unless there are over-riding security reasons.
- 6.4.5 Lighting on site should take into account the bat mitigation areas that have been created and be sensitive to bat disturbance.

7.0 ACCESS AND MOVEMENT

7.1 BACKGROUND AND DELIVERY TO DATE

7.1.1 The 2014 LDO and Masterplan were supported by a full Transport Assessment for the proposed uses and development of the Enterprise Zone. This assessed access requirements and anticipated traffic generation and movements relating to the EZ together with traffic from other committed development in the area including BAE Systems. A review was undertaken of the layout and operation of the local and strategic junctions in the area and the likely impact on the nearby village of Mellor Brook.

7.1.2 The TA concluded that the EZ development could be accommodated without having an unacceptable impact on the surrounding road network provided that certain mitigation measures were put in place aligned to levels of development and traffic generation.

7.1.3 These mitigation measures included:

- A new access to the EZ site from the A59
- A new access to the EZ from the A677
- A main site spine road linking the new A59 and A677 junctions
- Highway improvement measures in Mellor Brook
- Highway improvement measures to Swallow junction
- Highway improvement measures to M6 junction 31/A59

7.1.4 All of the mitigation measures apart from those to the Swallow junction and M6 junction 31/A59 have now been implemented. The levels of development on the EZ to date have not yet triggered these final 2 measures.



Fig. 34 - Existing photograph of the A677 junction.



Fig. 35 - Highways mitigation measures.

7.2 TRANSPORT ASSESSMENT UPDATE 2023

7.2.1 A review of the Transport Assessment for the site was undertaken during 2023. This has surveyed and measured the levels of growth anticipated by the original TA, assessed traffic movements on the EZ and assessed movements on surrounding junctions. It has also assessed the traffic generation implications of the proposed change to the permitted balance of use types on the site.

7.2.2 The update concludes that the full build out of the EZ development can still be accommodated without adversely affecting the highway network provided that the mitigation measures agreed under the 2013 Transport Assessment are completed in line with previously agreed trigger points. This means that the only mitigation still to be provided comprises the improvement measures at the Swallow Hotel junction and M6 junction 31/A6.



Fig. 36 - Birchwood Park bus stop.



Fig. 37 - Active travel infrastructure at Birchwood Park.

7.3 SUSTAINABLE TRANSPORT MEASURES

7.3.1 The 2013 Transport Assessment considered the site in terms of provision and potential provision for travel to and from the site by walking, cycling and public transport and recommended the following measures:

- Main highway links within EZ to be constructed with shared cycle/pedestrian path alongside.
- Provision of new signalised junctions to include pedestrian/cycling measures as appropriate.
- Cycle routes in the area to be kept under review and extended and improved where possible.
- Consider potential for bus stops adjacent to the proposed access onto the accesses onto the A677 and A59.
- Travel planning.

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7.3.2 The measures relating to the highway links within the EZ and surrounding junctions have now all been implemented. Cycle routes and bus stop provision in the area have also been extended.

7.3.3 The main focus going forward will be through continuing and developing travel planning. As occupation of the EZ increases the potential for more extensive and integrated travel planning measures will also develop.

7.3.4 The provision of EV charging units will be provided in line with local policy and targets to support carbon reduction in motorised travel.

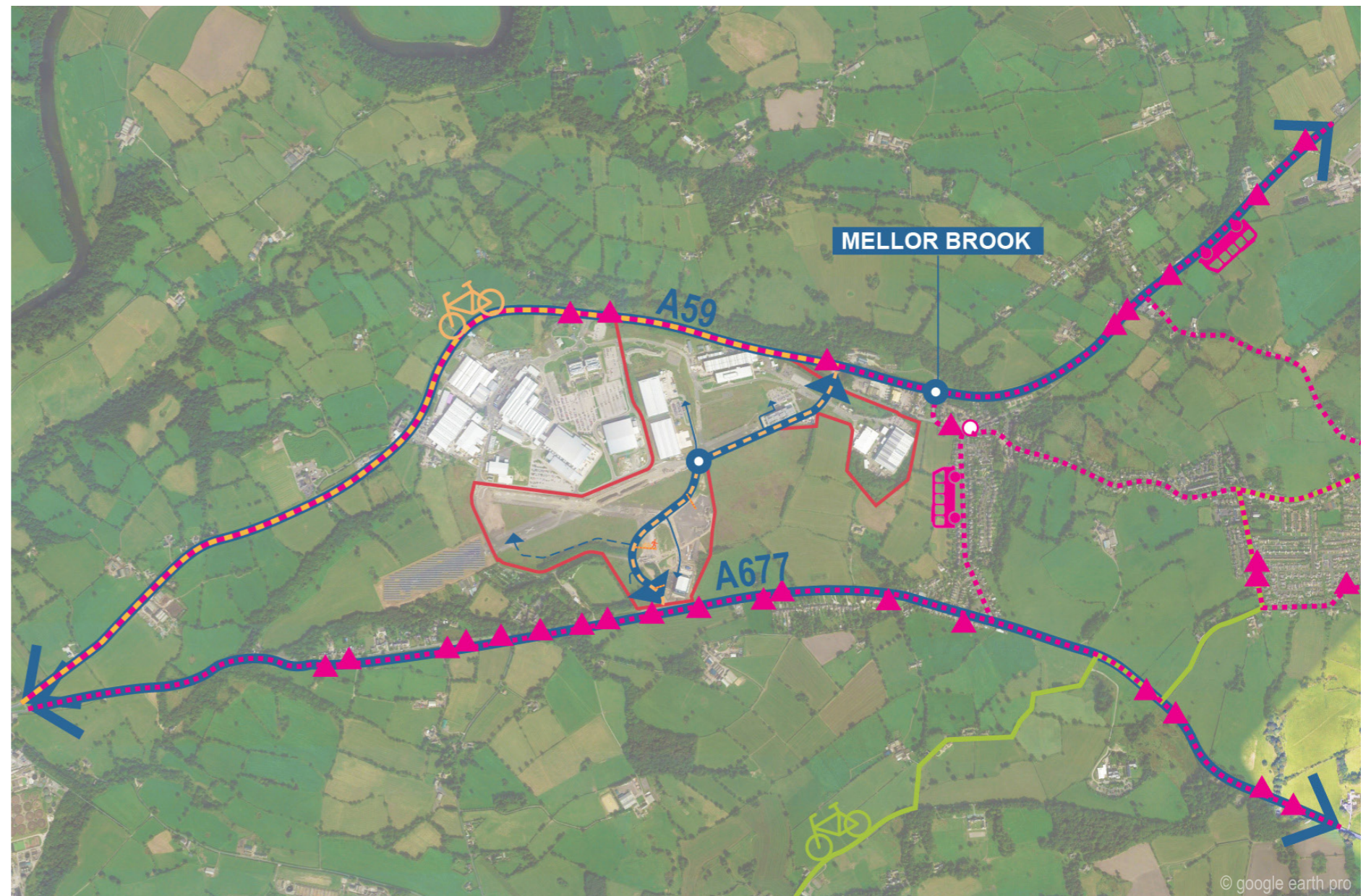
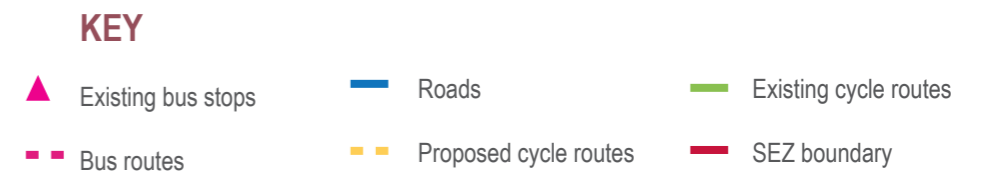


Fig. 38 Sustainable transportation measures.



| Revision | Date | Compiled by | Approved |
|----------|----------|-------------|----------|
| P05 | 30.11.23 | KA | GW |
| P04 | 17.11.23 | KA | GW |
| P03 | 27.09.23 | KA | GW |
| P02 | 25.09.23 | KA | GW |
| P01 | 01.09.23 | KA | GW |

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

meeting date: THURSDAY, 8 FEBRUARY 2024
title: ARCHAEOLOGICAL ADVICE
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING
principal author: HEAD OF DEVELOPMENT MANAGEMENT & BUILDING CONTROL

1. PURPOSE

- 1.1 To seek authority from Committee in respect of a Service Level Agreement with LCC for archaeological advice for the period 2024-25.
- 1.2 Relevance to the Council's ambitions and priorities:
- Community Ambitions-
 - To be a well-managed council providing efficient services based on identified customer needs.
 - To protect and enhance the existing environmental quality of our area.
 - Corporate Objectives –
 - To seek to continually improve, ensuring that council services are fit for purpose and customer focused.

2. BACKGROUND

- 2.1 Committee has previously considered reports on 20th October 2022 and 7th March 2023 seeking approval for the Council to enter into a Service Level Agreement (SLA) with LCC for archaeological advice relating to 2022/23 and 2023/24 and to pay the invoice for those periods. These were agreed.
- 2.2 The cost for 3 years' service to Ribble Valley BC for the last three years has been £32,138, broken down into the following annual fees:
- 2021/22 - **£10,603**; 2022/23 - **£10,837**; 2023/24 - **£10,698**
- 2.3 Thirteen Lancashire authorities received archaeological advice from LCC during that time (this increased to fourteen in 2023/24), and the cost that each authority was charged for this service was proportioned based on anticipated use of service by each authority (calculated by looking at historic trends of responses). Due to the concentration of archaeological interest in the borough, Ribble Valley BC was considered by LCC to be the biggest service user (accounting for over 17% of the total number of planning consultations processed), and as such was charged the highest amount for this service, with Lancaster a close second.
- 2.4 The 7th March 2023 report explained that the archaeology service offered by LCC beyond 31.3.2024 will be reviewed, and a proposal will be presented to the Lancashire authorities for future discussion, based on an up-to-date assessment of response rates and future needs. That work has been carried out and is presented in Section 3 below.
- 2.5 As well as assessing all planning applications requiring ground disturbance via the weekly list, the SLA includes provision for the Historic Environment Team to assess historic building applications, development consent order (DCO) projects, provide input to policy (local plans, land allocations, neighbourhood plans etc) and importantly,

maintain, manage and enhance the Lancashire Historic Environment Record (HER). The latter being a requirement of Paragraph 198 of the National Planning Policy Framework (NPPF) which requires each local planning authority to maintain or have access to an Historic Environment Record (HER).

- 2.6 In terms of local plan support to Ribble Valley, the Historic Environment Team responded to the Regulation 18 emerging Local Plan consultation in 2022. Prior to that they had responded to a consultation on the Strategic Housing and Economics Needs Assessment (SHENA) in 2019. Continuing with the SLA would enable them to respond to future emerging Ribble Valley Local Plan consultations including proposed allocation sites should this be required.

3. PROPOSAL

- 3.1 An updated SLA for 2024-2027 has been issued by LCC to all Lancashire authorities. The cost for this three year service to Ribble Valley BC is proposed at £32,979, broken down into the following annual fees:-

2024/25 - **£10,470**; 2025/26 - **£10,993**; 2026/27 - **£11,516**

- 3.2 To inform the SLA fee proposals for 2024-2027, LCC have compiled statistics on service usage, to ensure the fees paid by each authority are still proportionally fair. These comprised figures from 2010-2016 and 2019-2022, which covered the pandemic years. The period 2016-2019 has been disregarded as the service was provided commercially, and the data was not comparable. The period 2019-2022 has been disregarded as the figures from the pandemic years cannot be relied upon as a typical representation of service usage across the county.

- 3.3 Taking these factors into account, LCC consider it would be more equitable to continue using the 2010-2016 statistics to calculate the new charges. The proportional service use for Ribble Valley BC from 2010 - 2016 is 16.3%. When applying an increase to the current charges of 5% (as an average of inflation over the last 3 years) and including a proportional deduction to take account of Pendle Borough Council's return to the SLA, this would mean the cost to Ribble Valley BC for the new 3-year SLA (2024-2027) is £32,979, which equates to £10,470 for 2024/25.

- 3.4 As requested by Ribble Valley BC, LCC did review more recent Ribble Valley trends of usage. In Q1 and Q2 of 2023/24 the proportional service was 10.2%. This 6-month figure clearly represents success in cutting back on district nominated consultations, but it may also reflect other factors such as a reduction in the number of greenfield housing applications. LCC have explained that data post 2022 is too small to be relied upon which is why it has not been included this time in setting the new SLA fee proposals. They advise they would look to review this towards the end of the next SLA cycle when there should be a longer run of more reliable statistics available.

- 3.5 Whilst there is no commitment by LCC to reviewing Ribble Valley BC's fees for 2025/26 and 2026/27 they have agreed to the 2024-27 period being split into three annual SLAs (as it was last time). A copy of the SLA for 2024-25 is attached at Appendix A. Updated statistics on usage will be monitored by officers to inform the decision on entering into future SLAs for 2025/26 and 2026/27, which will be brought before this Committee at a later date.

- 3.6 In the meantime it is considered that entering into a SLA with LCC for 2024/25 would be the most appropriate course of action to allow Ribble Valley BC to continue to benefit from the archaeology advice it receives from LCC and meet the requirements of the NPPF both in terms of sound decision taking and plan making.

4. RISK ASSESSMENT

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

- Resources – The cost of this service is already included in the budget for 2024/25 and as such there is no need to find additional resources.
- Technical, Environmental and Legal – The Levelling Up and Regeneration Act contains a clause which seeks to make it a statutory requirement for each 'relevant authority' to 'maintain an historic environment record for its area': In the case of Lancashire, the relevant authority would be LCC. LCC are of the view that there is nothing in the Act to prevent the 'relevant authority' from issuing a charging regime to local planning authorities in the form of a SLA in order to support them in delivering this service.
- Political – N/A
- Reputation – N/A
- Equality and Diversity – N/A

5. RECOMMENDED THAT COMMITTEE

5.1 Approve the Council entering into a Service Level Agreement with Lancashire County Council (LCC) for the provision of Archaeological advice for 2024/25 and pay the invoice of £10.470 for that period when issued by LCC.

LYNDSEY HAYES

HEAD OF DEVELOPMENT
MANAGEMENT AND BUILDING
CONTROL

NICOLA HOPKINS

DIRECTOR OF ECONOMIC
DEVELOPMENT AND PLANNING

Service Level Agreement

**Provision of Specialist Archaeological Advice to
Ribble Valley Council, 2024-25**

Terms of Service Level Agreement for Provision of Specialist Advice to Ribble Valley Council by Lancashire County Council in 2024-25

The County Council's Duties

The Historic Environment Record

1.1.1. The County Council shall maintain and manage the Lancashire Historic Environment Record (HER) as defined in Annex 2 of the NPPF and the associated Practice Guide for the area falling under the control of the Local Planning Authority.

1.1.2. No right or licence to the HER or the data within it is acquired by the Local Planning Authority nor granted by the County Council pursuant to this Agreement.

1.1.3. The Historic Environment Record shall be made available for consultation and information shall be provided from it subject to any usage restrictions and scale of charges as may be in effect at the time of consultation. *Information provided to the County or Local Planning Authority for the purposes set out in the agreement below or other agreed internal purposes of the Council will however not attract any separate charge for that provision.*

Local Plans

1.2.1. The County Council will provide upon request advice on the formulation of Local Plan policies and guidance relating to the historic environment.

1.2.2. The County Council will upon request provide advice and information on the identification of local sites of heritage interest in a district context insofar as resources and existing databases allow.

1.2.3. The County Council will upon request identify heritage assets within areas defined in site allocation documents or similar where there may be heritage implications for a change of use or its development insofar as resources and existing databases allow. An outline recommendation for further investigations that may be required will be provided where relevant, but the County Council will not provide a detailed and specific assessment of the heritage value or significance of any heritage asset so identified unless a separate and specific costed agreement is reached for that work.

Development Management

1.3.1. The County Council will screen the weekly planning lists where supplied by the Local Planning Authority or made available on their web sites to identify development or other proposals (such as applications to discharge conditions, prior notifications, etc.) which appear to have the potential to affect heritage assets or their settings. The Local Planning Authority may, if desired, send

notifications or details of individual applications or other schemes (such as scoping assessments, Environmental Statements, etc.) received direct to the County Council.

1.3.2. Where details of development proposals identified under 1.3.1 above are available on a Local Planning Authority's web site they will be accessed and may be downloaded and stored locally. Where details of the development proposal are not available on a web site, they will be requested from the Local Planning Authority within 7 days of the receipt of the application list. Such details may be captured electronically and stored locally.

1.3.3. Details of development proposals accessed as above will be assessed against the known heritage resource, following the guidance in the NPPF, its associated Practice Guide and best professional practice, as well as international, national, regional and local planning policy. Where insufficient information is available for such an assessment to be undertaken the Local Planning Authority will be informed of this and an appropriate course of action recommended.

1.3.4. Where assessment of a detailed proposal does not indicate a significant impact on the heritage resource this may be noted locally but the details of the proposal will not normally be retained by the County Council. The Local Planning Authority will not normally be notified of such an assessment result if the proposal was identified directly from a web site or weekly list.

1.3.5. Where a potentially significant impact on the heritage resource is identified the County Council will provide some or all of the following:

- A statement of the likely heritage implications;
- Advice on further action or mitigation procedures that will be appropriate to safeguard the heritage interest of the site;
- Recommendations for any further investigation required before any planning decision is made;
- Recommendations that some or all of the heritage resource is preserved in situ at the expense of development
- Recommendations that planning conditions or other measures will be required to ensure the recording or protection of the identified archaeological resource.

These items will be provided within 21 days of any consultation being received or the publication of the relevant weekly list (or other timescale which has been prior agreed with the Authority) and where possible sent to the Local Planning Authority by email.

1.3.6. The advice service provided to the Local Planning Authority will **not** include the following:

- Direct provision of advice, specifications or briefs to developers, contractors or other third parties;
- Site visits, meetings and discussions with developers, contractors or other third parties, except where called by and for the benefit of the Local Planning Authority;

- The provision of comments on specifications, written schemes of investigation, draft reports or other documents supplied direct by developers, contractors or other third parties.

1.3.7. Upon request the County Council will screen Hedgerow Removal Notices against the heritage criteria set out in the Hedgerow Regulations 1997 and any succeeding regulations or advice.

Planning Appeals, Public Inquiries and Enforcement Actions

1.4.1. Written support for planning appeals, public inquiries and enforcement actions will be provided where resources allow, but this will need to be agreed in each case (see below). Resource implications are likely to mean that attendance by LCC specialists at planning inquiries, hearings, etc. will require additional funding beyond the fee set for this SLA. This service shall not be provided in the event that the Local Planning Authority's planning decision conflicts with County Council archaeology service advice. The County Council will not obtain specialist legal advice on the validity of any information or evidence provided or supply separate legal representation for any County Council staff and this shall be obtained and provided by the Local Planning Authority directly.

Other Matters

1.5.1. The following matters shall be included in the service provided by the County Council heritage specialists upon request insofar as resources and existing databases allow. Where it appears that it will not be possible to service such a request the County Council will notify the Local Planning Authority as soon as this is apparent and will work with the Local Planning Authority to seek a solution.

- Advice on the formulation of non-statutory policy statements and strategy documents in relation to the historic environment;
- Advice on the management of a Heritage Asset located within the Local Planning Authority's ownership.

1.5.2. Lancashire County Council will provide statistics on the service provided to the Local Planning Authority at six and nine month intervals.

The Local Planning Authority's Duties

Historic Environment Record

2.1.1. Subject to any statutory provisions (including the need to release any information included in a formal planning response) the Local Planning Authority shall not release, publish or otherwise disclose the information provided from or in respect of the Historic Environment Record referred to in section 1 to any person or organisation unless that person or organisation is acting as a servant or agent to the Local Planning Authority and it is a condition of that relationship that that person or organisation is also bound by this condition.

Development Management

2.2.1. The Local Planning Authority will make available on its web site or otherwise promptly supply regular planning application lists and appropriate details of development proposals and other schemes for archaeological appraisal. When a planning decision is reached, a copy of the planning decision notice shall be made available to the County Council archaeology service via the Council's website.

2.2.2. The Local Planning Authority will inform the County Council about any amendments to applications as soon as possible, particularly the reasons for and extent of the amendment. They will also inform the County Council about withdrawn applications as soon as possible and indicate the likely date of determination of applications to help the County Council manage workloads.

2.2.3. Where investigation, recording or other heritage works have been required by planning condition or legal agreement, the Local Planning Authority will consult with the County Council specialists on the acceptability of any written scheme of investigation or other project proposal and on applications to discharge the planning condition or legal agreement. The latter may be facilitated by ensuring that any such application makes it clear that the discharge is for a heritage condition or agreement and/or by making a direct consultation on the application.

2.2.4. Where investigation, recording or other heritage works have been required by planning condition or legal agreement, the Local Planning Authority will consult with the County Council specialists on the discharge of that condition or legal agreement or make the application for discharge available on the Weekly Planning List. They will normally only discharge such a condition or legal agreement when advised that this is appropriate by the County Council. This would normally mean that the heritage project required by that condition or agreement has been completed, including the submission of an acceptable final report and archive.

2.2.5. The Local Planning Authority will direct applicants and developers to contact the County Council to obtain advice and further information on the nature and scale of archaeological works required to inform a development proposal or to discharge any conditions that may be applied to consents granted. They will inform the applicant or developer that a charge may be payable for the provision of such advice, at a scale set by the County Council.

2.2.6. If the Local Planning Authority offers a pre-application advice service, this will not be included within the Service Level Agreement and the Local Planning Authority will direct the prospective developer to approach the County Council for advice. They will inform the applicant or developer that a charge will be payable for the provision of such advice, at a scale set by the County Council.

Planning Appeals, Public Inquiries and Enforcement Actions

2.3.1. A standard or automatic notification of the submission of a planning appeal or similar from the Local Planning Authority will not be deemed to be a formal consultation. It is the Local Planning Authority's responsibility to ensure that a timely and specific consultation is made where advice is required.

Other Matters

2.4.1. The Local Planning Authority will ensure that developers and other third parties that contact them are aware of their responsibilities for obtaining and supplying adequate heritage information. Where appropriate (e.g. 1.3.6 and 2.3.1 above) they shall direct developers and others to the County Council for further information and advice.

Payment, Duration and Liability

- 3.1. The fee payable by the Local Planning Authority for the service is set out below. The invoice will normally be issued in the first quarter of each financial year to which the Agreement applies. All such invoices are payable in one lump sum and within 28 days of receipt.
- 3.2. This Agreement will run from 1st April 2024 to 31st March 2025. When requested, a meeting will be held to review the operation and effectiveness of the Agreement, and to inform any future Agreement. Any proposed variation will not be valid unless subject to a written agreement between both parties.
- 3.3. Any terms which may have previously been agreed either orally or in writing shall not form part of the Agreement unless recorded in this Agreement and the Local Planning Authority confirms that it has not relied upon any representation not recorded in this Agreement.
- 3.4. Neither party shall be liable to the other in respect of any claim, action, damages or losses arising directly or indirectly as a result of any service provided under this Agreement save to the extent that such claim, action, damage or loss is directly attributable to the negligence of that party.
- 3.5. The term development proposal used above shall mean a proposal as defined by the Town and Country Planning Act 1990 and any succeeding regulations or advice.

Period of this Agreement:

1st April 2024 to 31st March 2025

Fee for services as described above:

£10,470 (to be invoiced July 2024)

Signed for Ribble Valley Council:

Name:

Role:

Date:

Signed for Lancashire County Council:

Name:

Role:

Date:

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

meeting date: THURSDAY, 8 FEBRUARY 2024
title: INFRASTRUCTURE FUNDING STATEMENT
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING
principal author: HEAD OF DEVELOPMENT MANAGEMENT & BUILDING CONTROL

1 PURPOSE

1.1 To update Committee on Section 106 Agreements and their implementation, as shown through the annual Infrastructure Funding Statement.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – To maintain a strong and prosperous Ribble Valley.
- Corporate Priorities – To be an environmentally sustainable area, prepared for the future
- Other considerations – Provision of services to all.

2 BACKGROUND

2.1 Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as S106 agreements, are a mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They are focused on site specific mitigation of the impact of development.

2.2 The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 makes it a legal requirement to publish an annual report covering these S106 obligations as well as obligations made through the Community Infrastructure Levy regarding the monies secured, received, held and spent, as well as the provision of certain on-site infrastructure.

2.3 The first of these reports was published in January 2021 for the period 1 April 2019 – 31 March 2020 titled the 'Infrastructure Funding Statement'. Subsequent publications for the period 1 April 2020 - 31 March 2021 and 1 April 2021 - 31 March 2022 were reported to this Committee in January 2022 and January 2023 respectively.

3 PROPOSAL

3.1 Following the three previous Infrastructure Funding Statements (IFS), the fourth annual report for the period 1 April 2022 – 31 March 2023 is now complete.

3.2 This document is available to view through the following link:

<https://www.ribblevalley.gov.uk/downloads/file/3943/infrastructure-funding-statement-2022-23>

3.3 The report highlights that the Council has continued to successfully secure, receive and spend Section 106 monies across the borough, including the delivery of improved public open space and leisure facilities.

3.4 In 2022/23, £144,248.48 was received in financial contributions from S106 agreements. The table below shows a breakdown of these contributions by type.

Off-Site Leisure/Recreation/Public Open Space £123,725.78
Biodiversity £17,000
S106 Monitoring £3,522.70

- 3.5 The Council is committed to ensuring that any contributions received are used expediently to maximise the benefits from consented developments at the earliest stage.
- 3.6 Within the 2022/23 monitoring period, £107,796.64 has been spent using contributions already received to secure additional infrastructure and services within the borough. A significant proportion of this expenditure has been used to continue to deliver improvements to off-site leisure and recreation facilities across the Ribble Valley including Clitheroe, Longridge and Whalley.
- 3.7 Within the 2022/23 monitoring period 149 affordable homes were completed.
- 3.8 The total Section 106 balance (Receipts minus Expenditure) for the period is calculated at £36,451.84. When this figure is added to the balance at the end of previous monitoring periods, the total balance of Section 106 contributions currently stands at £2,582,392.21.
- 3.9 Additional sums have already been received within the current financial year (2023-24) and therefore at the time of publication this balance is likely to be higher, but these sums will be reported upon in the next annual Infrastructure Funding Statement due to be published by December 2024.
- 3.10 The Council is continuing to develop strategies for delivery to ensure that the contributions within the total balance are spent within the specific time limit as set out within each legal agreement, though commonly this is set as 5 years. Members of relevant committees will be kept informed of the Council's progress on this as works are identified for Affordable Housing and Off-Site Leisure / Open Space / Recreation facilities.

4 CONCLUSION

- 4.1 That Committee note the findings of the report.

LYNDSEY HAYES

NICOLA HOPKINS

HEAD OF DEVELOPMENT
MANAGEMENT AND BUILDING
CONTROL

DIRECTOR OF ECONOMIC
DEVELOPMENT AND PLANNING

Agenda Item 11

APPEALS UPDATE P & D Committee 8 February 2024

| Application No and reason for appeal | Date Received/App eal Start Date | Site Address | Type of Appeal Procedure | Costs application received | Date of Inquiry or Hearing if applicable | Progress |
|---|-------------------------------------|--|------------------------------|----------------------------|--|---------------------------|
| Enforcement appeal grounds a, c, f | 03/04/2023 | Land on NW side of Pendleton Road, Wiswell | WR | | | Awaiting Decision |
| 3/2023/0106 R Prior | 12/09/2023 Changed to WR 07/11/2023 | The Deer House, Woodfold Park, Mellor BB2 7QA | WR | | | Appeal Dismissed 25/01/24 |
| 3/2022/1180 R | 13/11/2023 | Pinfold Farm, Preston Road, Ribchester PR3 3YD | WR | | | Statement due 18/12/2023 |
| 3/2022/1011 R | 17/10/2023 | Killymoon, 1 Bennetts Close, Whalley BB7 9AF | WR | | | Awaiting Decision |
| 3/2022/0771 R | 07/11/2023 | Flat 6 35-39 Whalley Road, Clitheroe BB7 1EE | WR | | | Awaiting Decision |
| 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 | 29/11/2023 | 19 Abbey Road, Whalley BB7 9RP | WR | | | Statement due 03/01/2024 |
| 3/2022/1176 R | 28/11/2023 | Flat 3 Hodder Court Knowles Brow Hurst Green BB7 9PP | WR | | | Statement due 02/01/2024 |
| 3/2023/0163 R | 13/09/2023 | 2 The Walled Garden, Woodfold Park, Mellor BB2 7QA | HH | | | Awaiting Decision |
| 3/2022/0650 R | 06/12/2023 | Mill House Chipping Road Chaigley BB7 3LS | WR | | | Statement due 09/01/2024 |
| 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 | 05/12/2023 | 107 Whalley Road, Read BB12 7RP | WR | | | Statement due 11/01/2024 |
| 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) | | | |
| 3/2023/0221 R | 03/01/2024 | Lower Barn Farm Whalley Road Sabden BB7 9DT | WR | | | Statement due 09/02/2024 |

R = Refusal C = Condition U = Undetermined

| | | | | | | |
|------------------------------------|-------------------------------|---|------------------------------|-----|---------------------|---|
| 3/2022/0500 R | 08/01/2024 | Land S of Chatburn Old Road, Chatburn | Hearing | | 16/04/2024 1 day | Statement, SoCG and Suggested Conditions due 12/02/2024 |
| 3/2023/0498 R | Awaiting start date from PINS | Buckley Hall Farm, Preston Road, Ribchester PR3 3YD | WR (to be confirmed by PINS) | | | |
| 3/2023/0687 R | Awaiting start date from PINS | Healings Farm West Bradford Road, Waddington, BB7 3JE | WR (to be confirmed by PINS) | | | |
| 3/2023/0321 R | Awaiting start date from PINS | Land adj 110 Ribchester Road Clayton le Dale BB1 9EE | WR (to be confirmed by PINS) | | | |
| 3/2023/0216 U | Awaiting start date from PINS | Kitchens, Cross Lane, Bashall Eaves BB7 3NA | WR (to be confirmed by PINS) | Yes | | |
| 3/2023/0517 R | Awaiting start date from PINS | Quarry Bank, Abbott Brow, Mellor BB2 7HU | | | | |
| Enforcement Appeal Appeal ground c | Awaiting start date from PINS | 9 Old Road, Chatburn BB7 4AB | WR (to be confirmed by PINS) | | | |
| 3/2023/0928 R | Awaiting start date from PINS | 9 Birtwistle Terrace Langho BB6 8BT | WR (to be confirmed by PINS) | | | |

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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