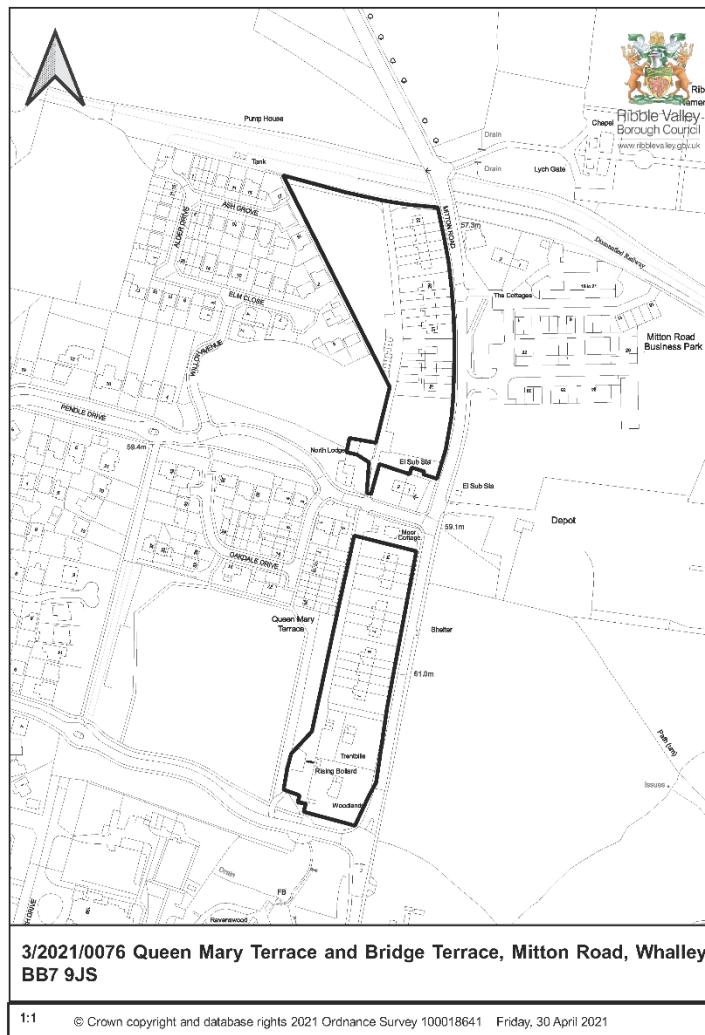


**APPLICATION REF: 3/2021/0076**

GRID REF: SD 372611 437279

**DEVELOPMENT DESCRIPTION:**

PROPOSED DEMOLITION OF 34 EXISTING DWELLINGS AND THE ERECTION OF 50 NEW DWELLINGS WITH VEHICULAR ACCESSES, LANDSCAPING AND OTHER ASSOCIATED WORKS. QUEEN MARY TERRACE AND BRIDGE TERRACE, MITTON ROAD, WHALLEY, BB7 9JS



**CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

**PARISH COUNCIL:**

The Parish Council object to the proposal:

The Parish council are concerned about the cumulative impact of additional traffic, and the formation of additional accesses. They request that traffic calming measures are included within the development.

They feel that the affordable housing offer is inadequate and disappointed that the housing which was originally built for NHS workers will be lost. The proposed offer is not policy compliant.

#### **ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):**

LCC Highways sent initial comments stating that they do not have any objections to the principle of the application. However, there were several concerns that will need to be addressed, in order for the application to receive their full support. These concerns were in relation to:

- the visibility splays should be altered to take account of actual average vehicle speeds on Mitton Road, which are in excess of the speed limit;
- the carriageway should be widened to 5.5m wide with 2m wide footways to accord with Lancashire's Residential Road Design Guide;
- amendments required to various access points;
- amendments required to pavement surfacing;
- traffic calming measures are required;
  - bus stops and bus shelters to be provided and electric vehicle charging points to accord with sustainable travel objectives; and
  - Section 38 and Section 278 agreements between the applicant and highway authority will be required.

Discussions have taken place between the agent and the highway officer which has resulted in agreement to the above and amended plans. The highway officer has confirmed that the proposals are acceptable subject to the relevant legal agreements and suggested planning conditions to ensure that the development will be acceptable in terms of highway issues.

#### **ENVIRONMENT DIRECTORATE (PUBLIC RIGHTS OF WAY):**

Members are advised that LCC Rights of Way have received an application to record a route through the site as a footpath. However, at this stage it is unclear whether this will be successful. The route claimed will be affected by the planning application and the applicant may wish to consider the implications of this.

#### **LANCASHIRE LOCAL LEAD FLOOD AUTHORITY:**

The initial consultation response requested further information; in summary:

- an up-to-date FRA;
- more details of existing and projected surface water flows and sustainable surface water drainage strategy;
- topographical surveys.

This was submitted on 23 March however no further comments from the LLFA have been received.

## **UNITED UTILITIES:**

The Schematic Drainage Layout is not acceptable to United Utilities because they have not seen robust evidence that that the drainage hierarchy has been thoroughly investigated and the proposals are not in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems. They have advised that this issue can be overcome with conditions to ensure that the site is drained on separate systems.

## **RVBC WASTE:**

No objections but the developer should make the buyers aware of the restrictions for waste collection due to the shared access.

## **RVBC COUNTRYSIDE:**

Request a contribution towards off site improvements of the adjacent woodland in the interests of biodiversity net gain.

## **ADDITIONAL REPRESENTATIONS:**

19 objections have been received and the concerns raised are summarised as follows:

- Impact on public rights of way.
- Historic value of the properties.
- Impact on the character of the area.
- Highway safety.
- Loss of privacy, noise and disturbance.
- Impact on wildlife and trees.
- Carbon footprint.
- Loss of housing stock which is suitable for affordable housing.
- More new houses are not needed.
- Disruption during build.
- Loss of recreation land.
- Inadequate developer contributions.

### **1. Site Description and Surrounding Area**

- 1.1 The site is split into two parcels of land which front Mitton Road, Whalley and are separated by Pendle Drive. The Northern Parcel (A) is currently occupied by Bridge Terrace, 18 terraced dwellings, an area of open land adjacent to the houses and a triangular parcel of recreation land to the rear.
- 1.2 The Southern Parcel (B) is occupied by St Mary's Terrace, 14 terraced dwellings and two detached dwellings.
- 1.3 The site forms part of the Calderstones Hospital site which has undergone previous redevelopment for residential purposes. All 34 of the existing properties were originally let to households that worked for the NHS trust, and the rent was at a reduced market rent. Over the past 10 years, there has been gradual deterioration of all the 34 properties which

has forced many tenants to leave due to the lack of security and the reminder that the sale of the units was imminent, most now stand empty.

**2. Proposed Development for which Consent is Sought**

- 2.1 The application seeks consent for the demolition of 34 dwellings and construction of 50 new dwellings, the site will encompass some areas of previously undeveloped recreation land behind and open land adjacent to the row of existing houses on Bridge Terrace.

**3. Relevant Planning History**

None relevant.

**4. Relevant Policies**

Ribble Valley Core Strategy:

Policy DS1: Development Strategy  
Policy DS2: Sustainable Development  
Policy EN3: Sustainable Development and Climate Change  
Policy EN4: Biodiversity and Geodiversity  
Policy H1: Housing Provision  
Policy H2: Housing Balance  
Policy H3: Affordable Housing  
Policy DMI1: Planning Obligations  
Policy DMI2: Transport Considerations  
Policy DMG1: General Considerations  
Policy DMG2: Strategic Considerations  
Policy DMG3: Transport and Mobility  
Policy DME1: Protecting Trees and Woodlands  
Policy DME2: Landscape and Townscape Protection  
Policy DME3: Site and Species Protection and Conservation  
Policy DMH1: Affordable Housing Criteria  
Policy DMB4: Open Space Provision

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

**5. Assessment of Proposed Development**

**5.1 Principle of Development:**

**5.1.1 Background:**

The site is located adjacent to the Calderstones Hospital Site and the proposal seeks to demolish and redevelop the site of 34 houses that were occupied by hospital employees and incorporate some additional areas of previously undeveloped open land to provide a total of 50 new 3 and 4 bedroom dwellings including some affordable units.

All 34 of the existing properties were originally let to households that worked for the NHS trust, and the rent was at a reduced market rent. It is understood at the time of writing the report that only one dwelling remains occupied. The demolition/loss of 34 affordable rent properties, let to key workers in an area of high demand and high income to house price ratio is regrettable. Whilst the houses have provided low-cost accommodation for staff members, they are not considered affordable in planning terms and are not subject to any controls.

Over the past 10 years, there has been gradual deterioration of all the 34 properties and many tenants have left the properties, some have registered on the RVBC housing waiting list and have been rehoused. During this time, the Council have tried to secure a sale of the units to a Registered Provider, to ensure existing tenants could remain and the housing stock could be retained as affordable units. However, this has not been successful. The agent has explained that the demand from hospital employees to live on site has diminished and it does not form part of the NHS's core business to let out residential accommodation. The NHS need to dispose of the site to acquire a capital receipt and this will be discussed further within the report.

#### **5.1.2 Policy Considerations:**

The site is within the Calderstones settlement boundary which is a Tier 2 settlement and forms part of the former hospital estate.

The proposal will introduce new housing and will deliver a small number of affordable units as part of the scheme. The applicant is using the provision of the vacant buildings credit system to offset the requirement for affordable units on this development in accord with Government guidance.

The proposal is to demolish the 34 former staff houses and replace with 50 new dwellings, giving a net gain of 16 units overall. There will be a net gain of 3 affordable units. Most of the new dwellings will be developed on previously developed land.

The scheme was supported by a viability appraisal and an independent assessment of this has been carried out on behalf of the Council which will be discussed in more detail below.

#### **5.1.3 Policy DS1: Development Strategy:**

In terms of the Development Strategy for the area as set out in Policy DS1 of the Adopted Core Strategy, development in Tier 2 settlements will need to meet proven local needs or deliver regeneration benefits to be compliant. The scale of this development will need to reflect existing population size in the settlement, consideration needs to be given to the extent to which development can be accommodated within the local area.

The strategy includes provision for development to deliver regeneration benefits to be considered in all the borough's settlements, including small-scale development in the smaller settlements that are appropriate for consolidation, expansion or rounding-off of the built-up area.

The current housing land supply position as of March 2021 demonstrates that there is no requirement to meet additional housing provisions, however the fact that the Council can demonstrate a five-year supply, it not sufficient reason to warrant a refusal.

In terms of the scale that the additional growth from this proposal would generate the net additional housing would model an increase in population for the Calderstones Settlement of 34 persons, this is not considered to be harmful to the strategy or contrary to the management policies of the plan.

The proposed affordable housing contribution of 2 x 3 bed rental units and 1x 3 bed affordable homeownership unit is the requested tenure mix and best reflects the housing needs of the settlement. In addition, 6 of the units are Lifetime Homes M4(2) compliant as per the policy, the preference would have been for these older persons units to be delivered as bungalows, not 3 bed units however they do meet the requirements of the policy.

Likewise, there was an initial expectation of 5 affordable units on the site to meet the 30% affordable offer and this would have allowed for a greater house type mix of the affordable units being provided. However, Policy H3 allows a reduction to 20% where supported by a viability appraisal, which this application is. Furthermore, the affordable offer is for slightly larger homes for which there is a need within the borough.

#### 5.1.4 Policy DMG2: Strategic Considerations:

Consideration does need to be given to the requirements of Policy DMG2 which is intended to provide a mechanism to assist with implementing the Core Strategy and understanding what is acceptable in terms of the differing settlements. Within the Tier 2 villages development must meet at least one of the given considerations listed in the Policy. This proposal is considered against the first criteria of the Policy that the development should be essential to the local economy or the social wellbeing of the area.

##### *Social wellbeing:*

This proposal would utilise a previously developed site in the main, replacing vacant, underused stock and it would deliver additional affordable units. Whilst the provision of affordable housing is less than would be normally required, the applicant is taking advantage of the Government's vacant buildings credit system due to the scheme redeveloping vacant buildings and has provided viability evidence.

The existing properties are deteriorating and have been subject to vandalism. This is not only becoming a blight on the area but is a drain on NHS resources needed to secure them which could be put to better use. The proposal will deal with an area of derelict vacant properties and bring the land back into use. This is a substantial regeneration benefit of the scheme and supports the social wellbeing of the area.

The capital receipt from the redevelopment of the land, which is discussed in detail in the supporting planning statements, will support mental health services at the Whalley Hospital site as well as wider NHS services across the region.

Mersey Care NHS Foundation Trust (MCFT) current operates the Whalley Hospital Site and it provides specialist learning disability services for the people of Lancashire and the north west. It is a major employer in the area with circa. 400 staff. Many of whom live locally. NHS England policy is that this site can no longer be used for this purpose so MCFT is in the process of moving services away from Whalley.

Lancashire and South Cumbria NHS Foundation Trust (LSCFT) want to maintain and develop the site for mental health services and they are currently in discussions with MCFT.

The agent has advised that subject to the outcome of this application the receipt from the sale of the Mitton Road site will contribute towards the capital programme for MCFT, and the future operation of the site by the LSCFT, by:

- Contributing to the repayment of a £20m COVID loan taken by the MCFT to enable the medium secure service for people with learning disabilities in Lancashire and the north west to be re-located away from Whalley as per NHS England policy;
- Assisting the MCFT in relocating other services for people with learning disabilities in Lancashire and the north west away from Whalley in accordance with NHS England policy;
- Allowing the adaptation and refurbishment of the Whalley site to future proof its operation by LCSFT as a fit for purpose mental health facility for the residents of Lancashire, in line with NHS England policy. This would mean safeguarding the main Whalley site and using it for its original intended purpose as well as allowing patients who are currently treated out of area (outside the county) to be moved back into Lancashire for treatment and closer to their home. This will also enable LSCFT to eradicate dormitory wards across their services and provide single en-suite bedrooms for their Lancashire patients providing dignity to patients as well as a safer more therapeutic environment.

Should the sale not proceed then the agent has advised that MCFT will be left with no other option other than to review the use of the main site and look to sell off other elements of the land to generate income to meet their capital programme requirements.

It is considered that the investment in the site will bring significant benefits in terms of social wellbeing to the residents of the immediate and wider area.

*Economic wellbeing:*

The development will contribute to the local economy as it will make use of properties that are currently empty; introducing new development, the residents of which will contribute to the local economy through spending in the local area and

council tax revenue. There will also be some small economic gain because of the construction phase.

Whilst there will be economic benefits the redevelopment isn't deemed essential to the local economy in the current circumstances.

However, the social benefits demonstrated are considered to satisfy the criteria within DMG2.

#### 5.1.5 Policy DMB4: Open Space Provision:

The open space associated with this development is an area of some 0.4ha but is not part of the designated areas of public open space identified in the local plan, however the scheme does result in the loss of open space and does need to be considered against policy DMB4.

Although not identified in the Council's local plan, it has been available as an informal playing field, remains undeveloped and the provisions of Policy DMB4 need to be addressed. As a principle the policy does allow for the site to be developed in exceptional circumstances where an assessment has been undertaken regarding the loss of the site, and its loss is justified based on social and economic benefit (which is a supporting circumstance in this case). Policy does permit the loss of this space where there are going to be benefits and the loss is justified, and appropriate mitigation made which can include the upgrading of open space that serves the vicinity.

The developer has agreed to contribute to offsite recreation using the council's standard methodology for calculating contributions, which amounts to around £10,000 and can be spent on upgrading existing facilities in the local area.

#### 5.1.6 Other material considerations:

The scheme will support the NHS's operations at a regional level.

The development will be an effective use of land within the tier 2 settlement boundary and 80% of the site is previously developed.

Calderstones does not share the same characteristics as some of the more remote tier 2 settlements and is in a more sustainable location close to good public transport links and local services. It is within 1km of the higher order settlement of Whalley and only 7km from Clitheroe. As such it will not contribute to unsustainable patterns of travel. These considerations weigh in favour of the development.

#### 5.1.7 Principle of Development:

The proposal as a principle does not harm the development strategy for the borough. It will bring previously developed land back into use and reflects national policy to increase the supply of new homes. Core Strategy policy enables open space to be developed with mitigation and where justified.

The scheme includes additional affordable housing and makes provision for lifetime homes that will contribute to the objective of delivering additional older persons accommodation.

The proposal will bring regeneration and social well-being benefits in line with local policy and the overarching objectives of the NPPF.

Therefore, considering local and national planning policy and the other material considerations the proposal is considered to be a sustainable form of development and is acceptable in principle.

5.2 Impact upon Residential Amenity:

- 5.2.1 The site is located adjacent to other housing development and across Mitton Road there is an industrial area. The development is quite low density. Whilst it will bring built form closer to the existing properties located to the rear, adequate facing distances are achieved between the new properties and those on adjacent sites.
- 5.2.2 There is a minimal net increase in dwellings and it is not considered that this will have a detrimental impact on the amenities of existing occupants.

5.3 Visual Amenity/External Appearance:

- 5.3.1 The scheme presented is for 50 detached and semi-detached dwellings on a total site area of 2.421ha which results in a density of approx. 20 per hectare. This is quite a low density in comparison to other housing developments. However, given that this development is in a tier 2 settlement and the low density layout would be in keeping with the surrounding development it is considered to be acceptable.
- 5.3.2 The proposed dwellings are two-storey arranged around cul-de-sacs with frontages facing onto the internal access road. They will have rear gardens backing onto Mitton Road. There is some variety in terms of the design and materials palette and the design does make a reference to the architectural detailing of the existing dwellings and those on the adjacent development.
- 5.3.3 It is considered that the proposal will integrate into the surrounding area. It will change the character of the street scene on Mitton Road through the removal of rows of terraces with continuous hedge along the site frontage. A detailed landscaping scheme has been submitted and there will be planting of wildflowers along the boundary to Mitton Road, hedges on property frontages and between rear gardens and several shrubs around the site, hardstanding appear to be kept to a minimum which will soften the impact of the proposal.
- 5.3.4 The comments from objectors regarding the heritage value of the dwellings are noted and they do have some historic interest as workers dwellings, however it is noted that most of the former hospital site has already been subject to redevelopment and these properties alone would not be worthy of designation.
- 5.3.5 The visual impact of the proposal is considered acceptable, and it is not considered that it will detract from the character of the area.

5.4 Highway Safety and Accessibility:

- 5.4.1 LCC's highway engineer has confirmed that the revisions to the scheme in response to their initial comments are acceptable. Several conditions are suggested as well as the requirement to enter into legal agreements with LCC. This will ensure that the development is acceptable in terms of highway safety.
- 5.4.2 LCC have received a request to formally designate an existing path to the rear of the terraces as a public right of way. At present the outcome of this is not known but the developer has been made aware of this. It may be that the route would need to be accommodated or diverted. It would appear that a route could be accommodated via Mitton Road or potentially through the site with minor amendments to the layout.

5.5 Landscape/Ecology:

- 5.5.1 The application is accompanied by an ecology report and plan. The report concludes that there is moderate potential for roosting bats in some areas and further surveys are required in respect of this. Lighting should be sensitively designed to minimise impact on protected species. The surrounding areas provide high quality habitat for birds and any removal of vegetation should take place outside the nesting season. Further methodology is also required with regards to badgers and reptiles. All of these matters can be controlled by condition
- 5.5.2 The applicant will also be required to demonstrate the proposal will provide biodiversity net gain. In addition to this the requirement for mitigation such as bat and bird boxes can be controlled with a suitable condition.

5.6 Water Management:

- 5.6.1 Further information was requested by the LLFA and UU advised that the drainage strategy did not accord with the drainage hierarchy. Further information was sent by the agent including a Flood Risk Assessment and surface water drainage details. It has been confirmed by consultees that the revised information is acceptable and standard conditions are recommended

5.7 Infrastructure, Services and Developer Contributions:

- 5.7.1 The application is supported by a viability appraisal which is carried out using standard inputs. RVBC have also commissioned an independent assessment of this. Both reports conclude that the scheme is unviable even with no financial contributions.
- 5.7.2 National planning policy states weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case.
- 5.7.3 Questions have been raised as to why the existing properties cannot be refurbished and sold as market housing as the viability appraisals have suggested that this would be the more profitable option.

- 5.7.4 The developer has explained that they have carried out an appraisal of the site and concluded that the cost of refurbishment and internal fixtures along with the purchase price would result in a deficit. This has informed the decision for a full scale redevelopment. The buildings do not appear to be so derelict that they could not be brought back into use, but the report explains that some of the properties are in a poor structural condition and been subject to vandalism.
- 5.7.5 Policy H3 states: In locations outside the principal settlements, on developments of 5 or more dwellings (or sites of 0.2 hectares or more irrespective of the number of dwellings) the council will require 30% affordable units on the site. The Council will only consider a reduction in this level of provision, to a minimum of 20% only where supporting evidence, including a viability appraisal fully justifies a lower level of provision to the Council's satisfaction.
- 5.7.6 Notwithstanding the unviability of the scheme the developer has agreed to make the following financial contributions all based on the net uplift of dwellings of 16 units, with bedroom numbers taken as an average across the site as a whole.
- 5.7.8 A reduced affordable housing offer of 3 units due to the conclusions of viability assessments. This is based on 20% of the additional 16 units being provided. This accords with policy H3
- 5.7.9 A contribution to offsite recreation of £9,977.40 to mitigate against the loss of recreation land and lack of onsite recreation provision. It is also noted that there are two areas of recreation land allocated in close proximity which are allocated open space (policy DMB4) and the contribution could be ringfenced to be spent in the local area.
- 5.7.10 LCC have requested a contribution of £46,123.50 for 2 secondary school places based on the additional demand generated by 16 extra units.

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

- 6.1 The matters raised by objectors to the scheme have been discussed in the appraisal above. The proposal presents a sustainable form of development which will contribute to housing supply within the district and for the reasons in the appraisal having regard to local and national planning policy and the material planning considerations it is recommended accordingly that the application is deferred and delegated for approval subject to a section 106 agreement.

**RECOMMENDATION:** That the application be DEFERRED AND DELEGATED FOR APPROVAL subject to the following conditions

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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

2. 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:

*Plans*

Affordable Housing Layout – A  
Boundary Treatment – Rev D  
Finished floor level - FFL-01B  
Materials – ML-01C  
Refuse – RL-01B  
Sections SS-01B SS-02B  
Block Plan A&B – 200B  
Landscape 1,2,3&4 18544B

*House Types:*

Barton  
Barley Plus  
Croston  
Cleveley  
Edmonton  
Mawdesley  
Whalley  
Keighley  
Pattersley

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

*Materials:*

3. The materials to be used on the external surfaces of the development hereby approved as indicated on drawing(s) ML-101C shall be implemented as indicated.

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

*Highways:*

4. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway mitigation along with a timescale for their implementation has been submitted to, and approved in writing by, the Local Planning Authority. . Thereafter the site access and off-site works shall be completed in accordance with agreed timetable.

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

5. The new estate roads and accesses between the site and Mitton Road shall be constructed in accordance with Lancashire County Council's Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

6. All garage facilities/ off street parking provision shall include provision of an electrical supply suitable for charging an electric motor vehicle.

REASON: To support sustainable transport objectives and to contribute to a reduction in harmful vehicle emissions.

7. None of the dwellings hereby approved shall be occupied until the estate roads which serve that dwelling have been constructed and completed in accordance with a scheme that shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the estate roads..

REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

REASON: To ensure that the estate streets serving the development are maintained to an acceptable standard in the interest of residential / highway safety

8. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority.

The approved plan / statement shall provide:

- 24 Hour emergency contact number.
- Details of the parking of vehicles of site operatives and visitors.
- Details of loading and unloading of plant and materials.
- Arrangements for turning of vehicles within the site.
- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures.
- Measures to protect vulnerable road users (pedestrians and cyclists).
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- Wheel washing facilities.
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction.
- Measures to control the emission of dust and dirt during construction.
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works.
- Construction vehicle routing.

- Delivery, demolition and construction working hours.

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

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

**Drainage:**

9. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the submitted flood risk assessment and outline surface water drainage strategy (ref: 200903-EDGE-XX-XX-RP-C0001\_FLOOD RISK ASSESSMENT[P01], by: EDGE Consulting Engineers, dated: 22 March 2021).

The measures shall be fully implemented prior to first occupation of any building and in accordance with the timing / phasing arrangements embodied within the scheme.

**REASON:** To ensure satisfactory drainage of the site.

10. No development shall commence until a final, detailed surface water sustainable drainage scheme for the site has been submitted to, and approved in writing by, the local planning authority. The detailed sustainable drainage scheme shall be based upon the site-specific flood risk assessment submitted and the sustainable drainage principles 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), either directly or indirectly. The detailed sustainable drainage scheme shall include, as a minimum:

- a) Final sustainable drainage plans, appropriately labelled to include:
  - i. A final surface water drainage layout plan showing all pipe and structure references, dimensions and design levels;
  - ii. A plan identifying the areas contributing to the surface water drainage network, including surface water flows from outside the curtilage as necessary;
  - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
  - iv. 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;
  - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary; and
  - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and deliver suitably clean water to sustainable drainage components;
- b) A full set of sustainable drainage flow calculations for the surface water drainage network. The calculations must show the full network design criteria, pipeline schedules and simulation outputs for the 1 in 1 year, 1 in 30 year and 1 in 100 year return period, plus an additional 40% allowance for climate change and a 10% allowance for urban creep. Surface water run-off must not exceed the existing pre-

development surface water runoff rates and volumes for the corresponding rainfall intensity. The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings.

REASON: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

11. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The development shall be constructed in accordance with the approved details.

REASONS:

1. 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 flood risk on site or elsewhere.
  2. To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.
12. No building hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the

development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

**REASON:** To ensure that 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 and subsequently maintained pursuant to the requirements of Paragraph 165 of the National Planning Policy Framework.

**Ecology:**

13. No removal of vegetation including trees or hedges shall be undertaken within the nesting bird season (1st March – 31st August inclusive) unless a pre-clearance check on the day of removal, by a licenced ecologist, confirms the absence of nesting birds. A letter from the ecologist confirming the absence of nesting birds shall be submitted to the Council within one month of the pre-clearance check being undertaken.

Any removal of vegetation outside the nesting bird season shall be preceded by a pre-clearance check by a licensed ecologist on the day of removal to ensure that removal does not result in unacceptable impacts upon nesting birds or other species of conservation concern.

**REASON:** To ensure that there are no adverse effects on the favourable conservation status of birds, to protect the bird population and species of importance or conservation concern from the potential impacts of the development.

14. The development shall be carried out in strict accordance with the recommendations and timings set out within the Bat Mitigation Strategy by Biora dated December 2020 [Prior to the construction of any of the dwelling(s) hereby approved]

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

For the avoidance of doubt the details shall be submitted on a dwelling/building dependent species site plan and include details of plot numbers and identify the actual wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into the identified individual dwellings during their construction and be made available for use before each such dwelling is occupied and thereafter retained. The development shall be carried out in strict accordance with the approved details.

**REASON:** To ensure the protection of species/habitat protected by the Wildlife and Countryside Act 1981 (as Amended) and in the interests of biodiversity and to enhance habitat opportunities for species of conservation concern/protected species and to

minimise/mitigate the potential impacts upon protected species resultant from the development

Landscaping:

15. The landscaping proposals hereby approved shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority.

This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

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.

16. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standard.

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

#### BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2021%2F0076](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2021%2F0076)