

RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

DEFER AND DELEGATE FOR APPROVAL

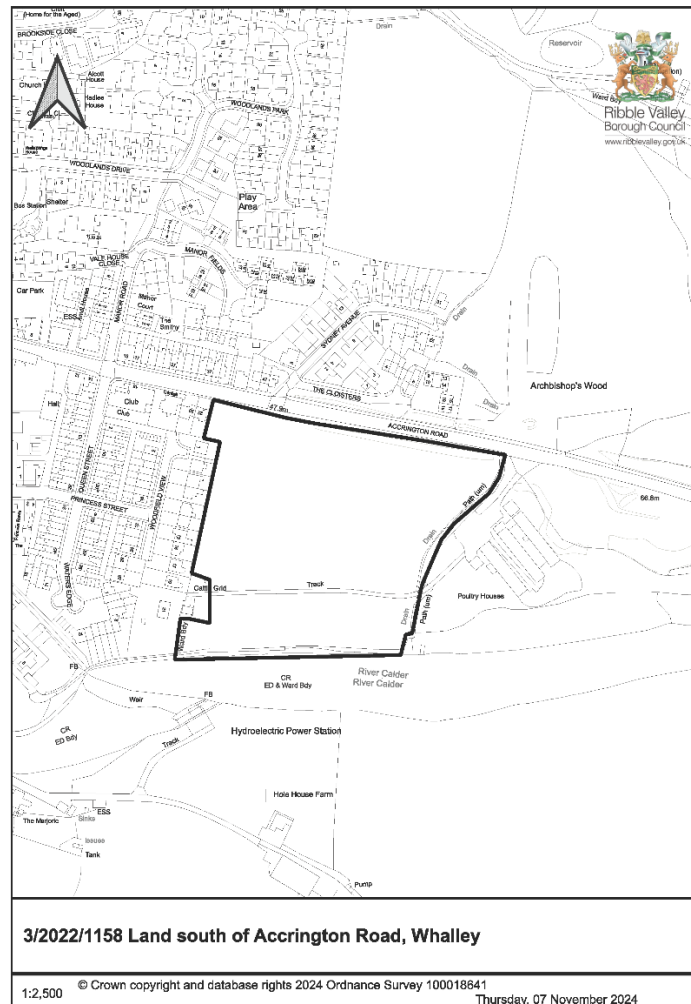
DATE: 28 NOVEMBER 2024
REF: SK
CHECKED BY: LH

APPLICATION REF: 3/2022/1158

GRID REF: SD 373496 436102

DEVELOPMENT DESCRIPTION:

ERECTION OF 17 DWELLINGS AND 57 APARTMENTS WITH ASSOCIATED ACCESS, ROADS, CAR PARKING, LANDSCAPING AND INFRASTRUCTURE, INCLUDING A PUBLIC CAR PARK TO SERVE WHALLEY TOWN CENTRE. LAND SOUTH OF ACCRINGTON ROAD, WHALLEY.



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Whalley Parish Council have offered the following observations:

Whalley Parish Council have reviewed the planning application and whilst we appreciate the development has been scaled back in the number of dwellings and would be grateful of a public car park to serve Whalley, many of the concerns around flooding, loss of green spaces, the effect on wildlife, excessive traffic, dangerous road crossings with inadequate pedestrian foot paths on Accrington Road, still remain.

Flooding with water displacement issues and rising water from the ground in extreme weather are still of paramount concern. Many homes and businesses have already suffered both structurally and financially with the lack of sufficient flood prevention methods which has catastrophic affects on the centre of the village in bad weather.

The loss of green spaces and the effect on our wildlife and biodiversity with the loss of habitat has had huge impact on Whalley due to the number of new developments in and around the village.

Further increase in traffic on an already busy road will affect the access to and from the village from Accrington Road with concerns around access visibility to and from the development. The current road speed limits should need to be reviewed, as after leaving the A671 onto B6246 the national speed limits on that section would no longer be safe with the need for slower speeds of 30mph down to 20mph being adopted for pedestrian safety as the developed areas are approached.

The existing infrastructure is already insufficient having failed to keep pace with current developments which has added further pressure on already stretched GP surgeries and Primary and Secondary Schools.

A further response was received reinforcing the necessity of a public car park on the Accrington Road development and confirming that the Parish Council would consider adopting it if RVBC do not.

LOCAL HIGHWAYS AUTHORITY (LANCASHIRE COUNTY COUNCIL HIGHWAYS):

The Highways Development Control Section have raised no objection to the proposal offering the following observations:

Summary:

No objection subject to conditions

Lancashire County Council acting as the Local Highway Authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site subject to the following conditions being stated on any approval.

Introduction:

The Local Highway Authority (LHA) are in receipt of a re-consultation for the erection of 17 dwellings and 57 apartments with associated roads, car parking, landscaping and infrastructure, including a public car park to serve Whalley town centre at the land to the south of Accrington

Road, Whalley. The LHA previously responded to the application on 2nd June 2023, requesting further information regarding the off-site highway works and the internal layout. Since then, the Agent has submitted Doyle Transport drawing number P434/15/002- Plan 1 Rev A titled "Site Access and Highway Mitigation Proposals in Support of Residential Development-With Swept Paths." This drawing along with all the other supporting information will be reviewed below.

The LHA are aware of the most relevant planning history associated with the site, with it being listed below:

- 3/2021/1277- Erection of 23 dwellings and 81 apartments, of which 49 are for people aged over 55, with associated roads, car parking, landscaping and infrastructure, accessed from Accrington Road. Refused 12/05/2022.
- 3/2018/1100- Construction of part of the vehicular access to the site from Accrington Road. Permitted 17/12/2018.
- 3/2016/0344-Application for approval of reserved matters of layout, scale, appearance and landscaping and the additional reserved matters required by Conditions 2 and 8 following outline planning permission 3/2012/0179 for a residential development for the elderly, comprising of 37 bungalows and 40 retirement apartments. Permitted 10/03/ 2017.
- 3/2012/0179- Outline application for a residential development for the elderly, comprising of 37 bungalows and 40 retirement apartments. Permitted 25/06/2013.

Site Access for Proposed 17 dwellings and 57 apartments:

The site is accessed directly off Accrington Road which is a B classified road. The speed limit of Accrington Road is 30mph between King Street's mini roundabout junction and the site entrance, while immediately to the east of the access the speed limit increases to 60mph.

The LHA have reviewed Doyle Transport drawing number P434/15/002- Plan 1 Rev A titled "Site Access and Highway Mitigation Proposals in Support of Residential Development- With Swept Paths," and are aware that the access has already been approved under application reference 3/2012/0179 to serve 37 bungalows and 40 apartments. Part of the access has already been constructed under application reference 3/2018/1100, as seen on site.

In any case, the LHA have reviewed the drawing and are satisfied that the access width complies with the LHAs guidance for the scale of development. The LHA also welcome the site providing 2m wide footways either side of the site access. The footway to the west of the access will connect to the proposed Public Car Park, while the footway to the east will be provided for a total distance of 44m before terminating. The LHA did previously request that a 2m wide footway to the east of the residential junction should be provided along the full site frontage to enable facilities and infrastructure such as kerb build outs and new bus stops to be provided along its length. The footway would have also connected to Public Footpath 3-45-FP27 as it reaches Accrington Road.

Despite this, the LHA are satisfied that the proposed 2m wide footway which terminates 44m from the site access, can provide the required infrastructure and facilities safely without the need for it to be extended for the full duration of the site's frontage, as shown on Doyle Transport drawing number P434/15/002- Plan 1 Rev A. The LHA will discuss these off-site highway works in more detail in the following sections.

Doyle Transport drawing number P434/15/002- Plan 1 Rev A has shown that that the residential junction can provide visibility splays of 2.4m x 70m in both directions. The LHA accepted these

visibility splays as part of application reference 3/2012/0179 which was for a similar scale of development and so accept the use of these splays to support the application.

Site Access and Internal Layout for Proposed Public Car Park:

The proposed junction serving the Public Car Park will be located to the west of the residential junction, approximately 38m away.

The LHA have reviewed Doyle Transport drawing number P434/15/002- Plan 1 Rev A titled "Site Access and Highway Mitigation Proposals in Support of Residential Development- With Swept Paths," and are aware that the access will be a minimum of 6m wide with a 4m corner radii and 2m wide footways will be provided on both sides of the access along the site frontage. This complies with the LHAs guidance and so the LHA have no further comments to make regarding the site access.

The Public Car Park will provide 23 car parking spaces, with 4 being accessible and 3 providing electric vehicle charging points, which the LHA welcome. The LHA will condition that details are submitted detailing who will maintain the area.

Highway Safety:

There have been 6 recorded Personal Injury Collisions (PICs) within 300m of the application site along Accrington Road in the last five years. The LHA have reviewed each case and are aware that 4 of the accidents were classed as serious, while the other was classed as slight. While there are no patterns associated with the PICs along Accrington Road, apart from 2 associated with the use of junctions, there are no pre-existing highway safety concerns within the vicinity of the site.

Off-Site Highway Improvements:

The Agent has submitted Doyle Transport drawing number P434/15/002- Plan 1 Rev A titled "Site Access and Highway Mitigation Proposals in Support of Residential Development- With Swept Paths," which details the proposed off-site highway works associated with the site. These works include:

- Uncontrolled pedestrian crossing to the west of the Public Car Park junction which will connect to the existing dropped kerb provided where the existing eastbound bus stop is located.
- Uncontrolled pedestrian crossing to the west of the residential junction, and another located on the opposite side of the carriageway on the footway to the east of Sydney Avenue.
- Kerb build out to the east of Sydney Avenue and an uncontrolled pedestrian crossing opposite on the proposed eastbound footway.
- Kerb build out located where Public Footpath 3-45-FP27 meets Accrington Road and another kerb build out opposite, provided on the existing footway.
- Relocation of the existing eastbound bus stop to the proposed kerb build out to the east of Sydney Avenue.
- Creation of a new westbound bus stop to the east of the residential junction.
- Review of the speed limit along Accrington Road, from the mini-roundabout junction between King Street/ Accrington Road to the signalised junction between A4671/ B6246/ Spring Wood Picnic Area.
- Pursue Traffic Regulation Orders along the full site frontage; junction between Accrington Road/ Sydney Avenue and to the kerb build out to the east of the junction.
- Tactile paving provided at both proposed junctions.
- Street Lighting Assessment for the full length of Accrington Road.

These works aim to improve pedestrian connectivity to and from the site; enhance the use of Public Rights of Way and improve connectivity to public transport services. The LHA welcome these improvements, and they will be secured under a Section 278 agreement.

As part of the Section 278 process some alterations to the off-site highway works may need to be made following Road Safety Audits and following more technical details being submitted as part of the process.

Currently, the LHA are satisfied with the scheme but will request as part of the Section 278 agreement that the eastbound bus stop is relocated to the kerb build out, opposite the proposed footway. The LHA request this because it will allow buses to wait in the carriageway as customers are embarking on and off the service. At the proposed current location, as shown on Doyle Transport drawing number P434/15/002- Plan 1 Rev A, buses will need to stop alongside the existing footway as customers are embarking on and off the service. However, there is some carriageway space for other road users to pass the bus as customers are embarking on and off. The difficulty then is the bus trying to re-enter the traffic along Accrington Road. Therefore, for efficiency and to prevent any conflicts when the bus is entering back into traffic, the relocation of the eastbound bus stop to the kerb build out will be requested. The kerb build out will then need to be extended further following the dual use, but this can be agreed during the Section 278 process.

It is worth noting as part of the Section 278 process, a public consultation will be conducted for the proposed relocation of the speed limit along Accrington Road and for the Traffic Regulation Orders.

Off-Site Junction Capacity:

Usually for the scale of development, the LHA would request that modelling of key junctions which the development would impact upon, would be submitted to support the application. However, given that the site already has extant planning permission and this was not requested to support application reference 3/2012/0179, it would be unreasonable to request it as part of this application.

Internal Layout of the Residential Development:

The acceptability of an adopted road layout is subject to a Section 38 agreement in accordance with the Highways Act (1980). In order for the site to be suitable for adoption, the internal layout must be designed fully in accordance with the LHAs guidance.

The Agent has stipulated that the site will remain private which the LHA have no objection to. The LHA have still reviewed Doyle Transport drawing number P434/15/002- Plan 1 Rev A titled "Site Access and Highway Mitigation Proposals in Support of Residential Development- With Swept Paths," to ensure that the internal layout is safe and suitable for the development.

Internal Carriageway:

For the LHA to adopt an internal layout serving a residential development, the internal carriageway needs to be a minimum of 5.5m wide with 2m wide footways either side. However, the internal layout when serving 17 dwellings will be 5.2m wide with 1.8m footways either side. The LHA have no objection to this with the internal layout remaining private.

The Agent has submitted a swept path drawing of a refuse vehicle using the internal carriageway and provided turning area and have no comments to make given that the site will remain private.

The LHA also have no comments to make regarding the internal carriageway which will serve the two apartment blocks at the site.

Parking for 17 dwellings:

While the site does not fully comply with the LHAs parking guidance as defined within the Joint Lancashire Structure due to the shortfall of one car parking space at Plots 5 and 70, the LHA will accept the shortfall with this being minimal. The LHA will condition that each Plot has access to an electric vehicle charging point and cycle storage.

Parking for Apartments 10-58:

The LHA have reviewed Doyle Transport drawing number P434/15/002- Plan 1 Rev A and note that the parking area for the 48 units will provide 64 car parking spaces. While this does not comply with the LHAs parking guidance as defined within the Joint Lancashire Structure Plan, which requires the area to provide 80 car parking spaces given the number of bedrooms, the LHA will accept the shortfall. This is because each Plot will have access to a minimum of one car parking space.

The LHA welcome that the parking area will provide a minimum of 6 electric vehicle charging points but will condition that a further 6 spaces are designated as accessible. The LHA will also condition that cycle storage facilities are provided for the Apartment block and the facility should have space for a minimum of one cycle space per apartment.

Parking for Apartments 59-66:

The LHA have reviewed Doyle Transport drawing number P434/15/002- Plan 1 Rev A and are aware that the shared parking area complies with the LHAs parking guidance as defined within the Joint Lancashire Structure Plan, with a minimum of one car parking space being provided for each apartment.

The LHA will condition that a minimum of one car parking space has access to an electric vehicle charging point and a cycle storage facility is provided for the Apartment block. The cycle storage facility should have adequate space to provide a minimum of one cycle space per apartment.

Internal Pedestrian Links:

The LHA welcome the provision of two internal pedestrian links which will link to Public Footpath 3-45-FP27 to the east and to the south of the site. These internal links will need to be constructed to an adoptable standard and will need to be lit.

Sustainable Transport:

The LHA welcome the submission of a framework Travel Plan, which has been submitted. The LHA will require a contribution of £6,000 to enable Lancashire County Council's Travel Planning Team to provide a range of services as outlined below, associated with the developments Travel Plan.

Section 106 contributions will primarily be used to enable the Sustainable Travel team to:

- Appraise Travel Plan(s) submitted to the Planning Authority and provide constructive feedback.
- Oversee the progression from Framework to Full Travel Plan in line with agreed timescales.
- Monitor the development, implementation and review of the Travel Plan for a period of up to 5 years.

- Support the development and implementation of the Travel Plan.
- Develop and provide online, resident mode of travel surveys and collation of returns for baseline and subsequent monitoring purposes.
- Attend meetings with developer/occupier/co-ordinator as necessary.
- Provide access to leaflets, publicity, maps and information provision of bespoke literature and large quantities may be subject to additional charges.
- Conduct a basic site audit.
- Provide localised maps and plans, GIS mapping of staff postcodes or other origin and destination data, accessibility plot of public transport, walking and cycling routes/thresholds to site.
- Advise and offer appropriate support with implementation or suitability of specific elements or measures.
- Assist with the development of sustainable travel directions for web pages and other appropriate content.
- Help stage promotional events and activities including Walk to Work Week, Bike Week, car free days or measured mile walks etc

In any case, the LHA are aware that the site is in a sustainable location, approximately 130m from Whalley Town Centre where key local amenities such as supermarkets and shops to name a few, are found.

As shown on submitted Doyle Transport drawing number P434/15/002- Plan 1 Rev A titled "Site Access and Highway Mitigation Proposals in Support of Residential Development With Swept Paths," off-site highway improvements will be made to Accrington Road to improve pedestrian connectivity to and from the site.

A new westbound bus stop will be provided to serve the site to the east of the residential junction and the eastbound bus stop will also be relocated to the east. These new bus stops will be DDA compliant and will comply with Lancashire County Councils specification which the LHA welcome

LANCASHIRE COUNTY COUNCIL PUBLIC RIGHTS OF WAY TEAM:

The Reduced Development Proposal Drw No. 015/R-OAK/01 and Phase 1 Drainage Layout removes the previously proposed footpath round the southern boundary of the development repurposing the south east corner of the site for SUDS features, including a series of drainage outlets running under Footpath FP0345027 into the River Calder.

To protect and enhance the public right of way and provide opportunities to promote walking, it is request the footpath be reintroduced into the development linking to FP0345027 on the eastern boundary of the site and in the south west corner behind 21 Westfield View. The paths here mentioned be a minimum width of 2m with a bound surface.

If the original proposed footpath is omitted from the development there must be a minimum width of 3 meters between the northern edge of Footpath FP0345027 and the SUDS features.

S106 funding

To support the mental health of residents by providing opportunities to promote walking (NPPF Para 104 (c) £36,960 of Section 106 funding is requested to improve the surface condition of Footpath 3-45-FP28 and its continuation to Spring Wood Picnic Area from Accrington Road.

It is further requested that a pedestrian crossing be installed on Accrington Road to secure the safe passage of residents between Footpath 3-45-FP28 and Footpath 3-45-FP27.

Additional comments provided on drainage and landscaping, and that a temporary footpath closure or diversion may be required.

UNITED UTILITIES:

No objection subject to the imposition of conditions.

ENVIRONMENT AGENCY:

The Environment Agency have raised no objection to the proposal stating the following:

We have been involved in various formal consultations regarding the development of this site. Most recently, in May 2022 for the application for a two-phase approach to the site.

Since February 2021, we have provided additional and ongoing comment on matters relating to the development of the land and undertaken the review of draft reports through a charged advice agreement with Oakmere Homes. In July 2021 we were asked to review a model summary Technical Note supplied by JBA Consulting, reference 2021s0600, rev.0001, June 2021. In our response we provided technical feedback on the use of updated climate change allowances to be considered, the understanding of flood risk in the area, proposed habitable finished floor levels and access road levels. We also provided particularly focused comment on the proposals for Compensatory Flood Storage.

This application is a full planning application for what for the erection of 17 dwellings and 57 apartments with associated access, roads, car parking, landscaping, and infrastructure, including a public car park to serve Whalley town centre. We note that the Flood Risk Assessment (FRA) submitted with the application refers to the proposed development as Phase 1, with a potential Phase 2 development later. Our comments on this application relate only to the development proposed at this time.

We have reviewed the Flood Risk Assessment (FRA) prepared for M&P Gadsden Consulting Engineers and Oakmere Homes by JBA Consulting (referenced; OAKMERE-JBAU-XX-XX-RP-0002-S3-P06-AccringtonRdFRA Final Report and dated December 2022), the associated appendices and other relevant documents and drawings in so far as they relate to our remit, and we are satisfied that the work undertaken as part of the FRA exercise has sufficiently refined and improved the resolution of the existing hydraulic model used to inform the Flood Map for Planning (FMfP). In principle we are satisfied that the FRA has helped inform the design considerations and the development as currently proposed would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented.

We agree with the design flood level and the extreme flood level used to determine the development platform levels and finished habitable floor levels in the proposed development as defined at section 9.6 "Design considerations" in the FRA and also the Finished Levels drawing 21315 -GAD- 01- ZZ -DR-1406 -Rev P02.

There are no in principal objections to the development as proposed. We therefore have no objection to the scheme proposed subject to the inclusion of planning conditions.

ADDITIONAL REPRESENTATIONS:

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

- Increased flood risk
- Car park will result in the exacerbation of anti-social behaviour
- Impact upon the character and appearance of the area
- Impact(s) upon wildlife
- Loss of Privacy
- Noise and disturbance
- Additional highways impact upon the area
- Site is inappropriate for residential development
- Inadequate infrastructure in the area to accommodate further development
- Loss of green spaces
- Whalley is already over developed
- Scale of the development is inappropriate

1. Site Description and Surrounding Area

- 1.1 The application relates to an area of land located at the eastern extents of and within the defined settlement limits of the settlement of Whalley. The site is currently greenfield in nature, being located on the southern side of Accrington Road. The site, at its north-western extents benefits from a direct interface with the eastern-most boundary of the designated Whalley Conservation Area. The site is bounded to the south by the River Calder with residential properties fronting Accrington Road and Woodfield View bounding the western extents of the site.

2. Proposed Development for which consent is sought

- 2.1 The application seeks consent for the erection of 17 dwellings and 57 apartments with associated access, roads, car parking, landscaping and infrastructure, including a public car park to serve Whalley town centre. It is proposed that the apartments will be accommodated within two separate apartment blocks, one being located to the eastern extents of the site accommodating 49 apartments with the remaining 8 apartments being accommodated within a two storey apartment building fronting Accrington Road being located to the west of the proposed vehicular access to the site and to the east of the proposed 'community car park'. Members will note it is proposed that the apartments will be solely for occupation by those aged 55 and over.
- 2.2 The remaining 17 dwellings provide for two pairings of semi-detached dwellings with the remainder being detached in nature. The proposed 'community car park' will be accessed directly from Accrington Road via a dedicated vehicular access point with the provision of 23 dedicated parking spaces being proposed.

3. Relevant Planning History

3/2021/1277:

Erection of 23 dwellings and 81 apartments, of which 49 are for people aged over 55, with associated roads, car parking, landscaping and infrastructure, accessed from Accrington Road. (Refused)

3/2018/1100:

Construction of part of the vehicular access to the site from Accrington Road. (Approved)

3/2018/0423:

Non-material amendment to approved outline planning permission 3/2012/0179 (Outline application for a residential development for the elderly, comprising of 37 bungalows and 40 retirement apartments) to allow variation of conditions 15 and 19 to allow the formation of the site access to take place before the completion of the flood compensation scheme and the wildlife pond. (Approved)

3/2018/0135:

Discharge of conditions 9 (energy reduction), 20 (external lighting) and 27 (car park details) from planning permission 3/2012/0179. (Approved)

3/2018/0120:

Discharge of conditions 3 (finished floor levels), 5 (boundary treatments), 7 (elevations plans) 10 (sustainable drainage), 14 (phasing) and 15 (street maintenance and management) from planning permission 3/2016/0344. (Approved)

3/2017/0551:

Discharge of condition 4 (construction scheme), 7 (programme of archaeological work) 13 (method statement), 17 (surface water drainage scheme), 22 outline for the general system of drainage for foul and surface water flows), 23 (foul drainage scheme), 24 (separate foul and surface water schemes) and 25 (surface water drainage and means of disposal) from planning permission 3/2012/0179. (Approved)

3/2016/0526:

Residential development comprising 17 bungalows, 12 houses, 20 apartments and 26 sheltered apartments together with access roads, car parking, landscaping, open space and flood compensation storage area. (Withdrawn)

3/2016/0344:

Application for approval of reserved matters of layout, scale, appearance and landscaping and the additional reserved matters required by Conditions 2 and 8 following outline planning permission 3/2012/0179 for a residential development for the elderly, comprising of 37 bungalows and 40 retirement apartments. (Approved)

3/2012/0179:

Outline application for a residential development for the elderly, comprising of 37 bungalows and 40 retirement apartments. (Approved)

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1: Development Strategy

Key Statement DS2: Sustainable Development

Key Statement EN3: Sustainable Development and Climate Change
Key Statement EN4: Biodiversity and Geodiversity
Key Statement EN5: Heritage Assets
Key Statement H1: Housing Provision
Key Statement H2: Housing Balance
Key Statement H3: Affordable Housing
Key Statement DMI1: Planning Obligations
Key Statement DMI2: Transport Considerations

Policy DMG1: General Considerations
Policy DMG2: Strategic Considerations
Policy DMG3: Transport & Mobility
Policy DME1: Protecting Trees & Woodland
Policy DME2: Landscape & Townscape Protection
Policy DME3: Site and Species Protection and Conservation
Policy DME5: Renewable Energy
Policy DME6: Water Management
Policy DMH1: Affordable Housing Criteria
Policy DMB4: Open Space Provision
Policy DMB5: Footpaths and Bridleways

National Planning Policy Framework (NPPF)

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 The application site lies within the defined settlement limits of Whalley (Principal Settlement). As such, in relation to matters regarding the locational and spatial aspirations for new residential housing growth within the borough, both Key Statement DS1 and Policy DMG2 are primarily engaged for assessing the acceptability/suitability of the principle of residential development in this location. In this respect, with regards to the creation of new residential planning units within Principal and Tier 1 settlements, Policy DMG2 (Strategic Considerations) states that:

Development should be in accordance with the core strategy development strategy and should support the spatial vision:

1. *Development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the tier 1 villages should consolidate, expand or round-off development so that it is closely related to the main built-up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.*

With Key Statement DS1 (Development Strategy) reading as follows:

The majority of new housing development will be:

Concentrated within an identified strategic site located to the south of Clitheroe towards the A59; and the principal settlements of:

- *Clitheroe;*
- *Longridge; and*
- *Whalley.*

In addition to the strategic site at Standen and the borough's principal settlements, development will be focused towards the Tier 1 Villages, which are the more sustainable of the 32 defined settlements:

- *Barrow*
- *Billington*
- *Chatburn*
- *Gisburn*
- *Langho*
- *Mellor*
- *Mellor Brook*
- *Read & Simonstone*
- *Wilpshire.*

- 5.1.2 In respect of the above policy considerations/criterion, the application site is located wholly within the defined settlement limits of Whalley (Principal Settlement). As such, the principle of the redevelopment of the site for residential purposes would fully align with the inherent criterion of Policy DMG2(1), particularly insofar that it would represent development that it is closely related to the main built-up area of the settlement to which it relates.

With the proposed development further aligning with the aims and objectives of Key Statement DS1 insofar that it would result in residential development 'focused towards' and being within a designated Principal Settlement.

- 5.1.3 As such and taking account of the above matters, it is not considered that the principle of the redevelopment of the site for residential purposes, notwithstanding other development management considerations, would result in any significant measurable adverse conflict with Key Statement DS1 nor Policy DMG2 of the Ribble Valley Core Strategy in relation to the locational and spatial aspirations for new housing growth within the plan area.

5.2 Affordable Housing Provision:

- 5.2.1 Given the proposal seeks consent for the erection of residential development in excess of 10 units, Key Statement H3 and Policy DMH1 are engaged in respect of the need for the proposal to bring forward and adequate level and provision of affordable housing. In this respect Key Statement H3 and Policy DMH1 read as follows:

Key Statement H3:

Affordable housing is broadly defined as that which is accessible to people whose income does not enable them to afford to buy or rent property suitable for their needs in the open housing market.

Within the settlement boundaries of Clitheroe and Longridge, on housing developments of 10 units or more dwellings (or sites of 0.5 hectares or more, irrespective of the number of dwellings) an element of affordable, local needs housing will be required on all schemes. The Council will seek affordable housing provision at 30% of units on the site.

The Council will use open book viability assessments, provided at the developer's cost, within its consideration of affordable housing provision particularly where thresholds are not being met.

In all other locations in the borough, 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.

Providing housing for older people is a priority for the Council within the Housing Strategy. Within the negotiations for housing developments, 15% of the units will be sought to provide for older people on sites of 10 units or more. Within this 15% figure a minimum of 50% would be affordable and be included within the overall affordable housing threshold of 30%. The remaining 50% (ie the remaining 50% of the 15% older people's element) will be for market housing for older people.

All affordable housing provided must be made available to those in housing need and will remain affordable in perpetuity.

Developers will be expected to provide affordable housing on site as part of the proposed development unless Ribble Valley Borough Council and the developer both agree that it is preferable to make a financial or other contribution towards the delivery of affordable housing on another site. Older people's housing should meet the Lifetime Homes standard as a minimum.

Policy DMH1:

Where proposals involve the provision of affordable housing units, the residential development must be expressly for the following groups of people:

- 1. First time buyers currently resident in the parish or an adjoining parish*
- 2. Older people currently resident in the parish or an adjoining parish*
- 3. Those employed in the parish or an immediately adjoining parish but currently living more than 5 miles from their place of employment*
- 4. Those who have lived in the parish for any 5 of the last 10 years having left to find suitable accommodation and also with close family remaining in the village*
- 5. Those about to take up employment in the parish*
- 6. People needing to move to the area to help support and care for a sick, older person or infirm relative.*

In addition to these groups of people, others may have special circumstances that can be applied. These will be assessed on their individual merits. This policy only

relates to the affordable housing needs element. Proposals must also conform to Policy DMG1 and any other relevant policy of this core strategy.

As mentioned above providing housing for older people is a priority for the council within the housing strategy, and has been for a number of years. However very little such accommodation has been developed by the market. Therefore, within the negotiations for housing developments, 15% of the units will be for older people provision. Within this 15% figure a minimum of 50% would be affordable and be included within the overall affordable housing threshold of 30%. The remaining 50% (ie the remaining 50% of the 15% older people related element) will be for market housing for older people groups.

Further detail is outlined within the addressing housing needs in Ribble Valley statement and this policy is further evidenced within the strategic housing market assessment. Any proposals for affordable housing must be accompanied with the following information:

- 1. Details of who the accommodation will be expected to accommodate. This should include a full survey of the extent of need and include persons who have expressed an interest in the property and how the cost of the accommodation will be matched to the incomes of these target groups.*
- 2. Details of the methods by which the accommodation will be sold or let, managed and retained for its original purpose.*

5.2.2 Members will note that the application has been accompanied by robust viability evidence that demonstrates the inability for the development to bring forward a policy compliant level of affordable housing whilst ensuring the proposal remains deliverable. In this respect the applicant has undertaken a number of viability exercises which have been counter-appraised by an independent viability consultant appointed by the authority, with the counter-appraisal concurring with the findings of the viability appraisal.

5.2.3 In this respect the applicant is not proposing to provide any affordable housing on-site, and no financial contribution is being made in respect of provision of off-site affordable housing. Members will note this renders the proposal as being non-policy compliant and as such in direct conflict with the aims and objectives of the adopted Core Strategy.

5.2.4 The viability exercise undertaken by the applicant, in addition to construction and build costs, has factored in the following costs/contributions that will be made and secured:

- Public Car Park Construction Cost: £150,220
- Educational Contribution: £119,9343
- Leisure/POS Contribution: £29,306
- Travel Plan Monitoring: £6000
- Legal Costs: £6000

5.2.5 Given the 'community car park' forms part of the overall 'construction cost' factored into the viability assessment and in light of no affordable housing being provided

on site. The authority has requested that the applicant undertake an exercise whereby the car-parking area could be utilised to accommodate some affordable housing provision, in-lieu of providing the community car park, to see whether this off-setting would facilitate the delivery of some on-site affordable housing, albeit significantly below the level required by adopted development plan policy.

- 5.2.6 This exercise demonstrates that if the community car-park were to be omitted from the proposal with the area in question instead accommodating 4 additional dwellings, 2 of which would be affordable (reduced open market value), with the remaining two units being for that of open market housing, then this could be viably achieved with all of the above listed contributions still being met.
- 5.2.7 As such, the delivery of two affordable housing units on-site, at a level significantly below the 30% provision required by Key Statement H3 and Policy DMH1, would necessitate the omission of the 'community car park' from the development proposal.
- 5.2.8 Taking account of the above, consideration must be given in respect of any benefits being brought forward by the proposal. It is recognised that the 'community car park' will bring forward some minor benefit to the wider community, and is supported by the Parish Council in their response to the application, however the level of benefit would be largely dependent on the final management and operational arrangements including the custodianship arrangements of the car-park. The proposal will bring forward a mix of open market and over 55's residential accommodation within a highly sustainable location within the defined settlement boundary which is also considered to be a benefit that weighs in favour of the proposal.
- 5.2.9 The National Planning Policy Framework places an emphasis on viability being a material consideration in the determination of development proposals, whereby benefits must be weighed against any conflicts with the adopted development plan, particularly in relation to the failure to provide adequate on-site provision or off-site contributions to assist in the delivery of affordable housing provision off-site.
- 5.2.10 In respect of the above matters, whilst the authority notes that the proposal as submitted would fail to meet the requirements of Key Statement H3 and Policy DMH1, it is considered that sufficient evidence has been provided to demonstrate that the delivery of a policy compliant level of on-site affordable housing would render the development unviable.
- 5.2.11 As such, whilst conflict has been identified with the aims and objectives of the adopted development plan, it is not considered in this instance that the failure to provide an adequate level of provision of on-site affordable housing, or an off-site financial contribution towards the delivery of affordable housing elsewhere, to a policy compliant level, would be a reason to refuse the granting of planning permission on these grounds alone.

5.3 Impact upon Residential Amenity:

- 5.3.1 The proposal has a direct interface and close spatial relationship with a number of nearby existing 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.

- 5.3.2 The western extents of the site benefits from a direct interface with the rear residential garden areas associated with properties fronting Woodfield View, with the rear garden areas associated with a number of the proposed detached and semi-detached dwellings backing on to the existing aforementioned rear gardens. In this respect consideration must be given for the potential of the proposed dwellings to result in an overbearing impact or a potential loss of privacy by virtue of proximity and/or resultant direct overlooking.
- 5.3.3 Following office concerns in respect of the proximity of a number of the western-most dwellings to the existing residential receptors to the west, revised details have been received which propose additional spatial offset distances from the shared boundary between the existing and proposed dwellings with the direct facing interface distances between the existing and proposed dwellings being significantly in excess of that which would normally be secured by the authority.
- 5.3.4 The proposes 'community car park' to the north-western extents of the site is located directly adjacent to the eastern boundary of number 22 Accrington Road, necessitating the need for consideration in respect of potential impacts from the activities associated with the car-parking area upon the residential amenities of the aforementioned dwelling.
- 5.3.5 In this respect it is proposed that the eastern extents of the 'community car park' will be bounded by timber acoustic fencing with an intermediate landscape buffer strip also being located between the proposed parking bays and the neighbouring dwelling. Taking account of the proposed mitigation and taking account that Accrington Road already experiences high-levels of vehicular movements it is not considered that the car-park area will result in any significant quantifiable detrimental impact upon adjacent residential amenities that would warrant the refusal to grant planning permission of these grounds.
- 5.3.6 As such, and taking account of the above matters, the proposal does not raise any significant direct conflicts with Policy DMG1 which seeks to ensure of adequate standards of residential amenity and protect against development(s) that would result in measurable detrimental impact(s) upon nearby existing residential amenities.

5.4 Impact Upon Whalley Conservation Area:

- 5.4.1 The north-western extents of the site benefits from a direct interface with the eastern extents of the designated Whalley Conservation Area. As such, in assessing the proposal, regard must be given to the statutory duties imposed on the authority in respect of the preservation and enhancement of such assets. In this respect, at a local level, Key Statement EN5 and Policy DME4 are primarily, but not solely, engaged for the purposes of assessing likely impacts upon designated heritage assets resultant from proposed development(s).
- 5.4.2 In this respect Key Statement EN5 states that:

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

This will be achieved through:

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

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

1: CONSERVATION AREAS:

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

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

2: LISTED BUILDINGS AND OTHER BUILDINGS OF SIGNIFICANT HERITAGE INTEREST:

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

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

- 5.4.4 In respect of potential impacts upon the Whalley Conservation Area resultant from the proposal. The proposal will form part of views into and out of the designated Conservation Area at its eastern extents, with significant visibility being afforded particularly upon approach from the west along Accrington Road.
- 5.4.5 It is proposed that the apartment blocks will front Accrington Road with the remainder of the residential development being located to the south of the blocks at a lower land-levels. The eastern most apartment block will be located at a significantly lower land level than that of Accrington Road, lessening the visual prominence of the three-storey scale of the building upon approach. With the two-storey apartment block adjacent the proposed 'community car park' being of a scale that is commensurate with that of built-form found within the vicinity.
- 5.4.6 In this respect, whilst the build form fronting Accrington Road will form part of view into and out of the designated Whalley Conservation Area, it is not considered that the proposal will result in any measurable adverse impacts upon the designation that would warrant the refusal to grant planning permission on these grounds.
- 5.4.7 As such, taking account of the above matters, it is not considered that the proposed development raises any significant direct conflict(s) with Key Statement EN5 or Policy DME4 of the Ribble Valley Core Strategy, nor any significant measurable conflicts with the aims, objectives and requirements of Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 nor Paragraphs 205 and 208 of the National Planning Policy Framework. Particularly In respect of measurable adverse impacts upon the character or visual amenities of the designated Whalley Conservation Area.

5.5 Visual Amenity/External Appearance

- 5.5.1 In respect of the visual impact of the proposal on the character and visual amenities of the area, Policy DMG1 is engaged insofar that the Policy sets out general Development Management considerations and provides an overarching series of considerations that the Local planning Authority will have regard to in ensuring and securing high-quality development. In this respect the DMG1 states:

In determining planning applications, all development must:

DESIGN

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

4. *Use sustainable construction techniques where possible and provide evidence that energy efficiency, as described within policy DME5, has been incorporated into schemes where possible.*
5. *the code for sustainable homes and lifetime homes, or any subsequent nationally recognised equivalent standards, should be incorporated into schemes.*

ACCESS

1. *Consider the potential traffic and car parking implications.*
2. *Ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.*
3. *Consider the protection and enhancement of public rights of way and access.*

AMENITY

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

ENVIRONMENT

1. *Consider the environmental implications such as SSSI's, county heritage sites, local nature reserves, biodiversity action plan (bap) habitats and species, special areas of conservation and special protected areas, protected species, green corridors and other sites of nature conservation.*
2. *With regards to possible effects upon the natural environment, the council propose that the principles of the mitigation hierarchy be followed. this gives sequential preference to the following: 1) enhance the environment 2) avoid the impact 3) minimise the impact 4) restore the damage 5) compensate for the damage 6) offset the damage.*
3. *All development must protect and enhance heritage assets and their settings.*
4. *All new development proposals will be required to take into account the risks arising from former coal mining and, where necessary, incorporate suitable mitigation measures to address them.*
5. *Achieve efficient land use and the reuse and remediation of previously developed sites where possible. previously developed sites should always be used instead of greenfield sites where possible*

INFRASTRUCTURE

1. *Not result in the net loss of important open space, including public and private playing fields without a robust assessment that the sites are surplus to need. in assessing this, regard must be had to the level of provision and standard of public open space in the area, the importance of playing fields and the need to protect school playing fields to meet future needs. regard will also be had to the landscape or townscape of an area and the importance the open space has on this.*

2. *Have regard to the availability to key infrastructure with capacity. where key infrastructure with capacity is not available it may be necessary to phase development to allow infrastructure enhancements to take place.*
3. *Consider the potential impact on social infrastructure provision.*

OTHER

1. *Not prejudice future development which would provide significant environmental and amenity improvements.*

- 5.5.2 In respect of the configuration, elevational language, scale and materiality of the proposed development. The proposed layout consists of a grouping of 5 detached dwellings in the main body of the site, with 8 dwellings being oriented south to north in a linear orientation at the western extents of the site.
- 5.5.3 The large apartment block to the eastern extents of the site adopts an 'L' shaped configuration being accommodated on a land level lower than that of Accrington Road to the north, with a smaller apartment block adjacent the 'community car park' benefitting from a direct 'roadside' relationship with Accrington Road. Dedicated parking provision to serve the apartment block is located to the south of the block with parking provision serving the smaller block also being located to the south of the building.
- 5.5.4 In respect of the overall pattern and quantum of development, it is considered that the proposed layout responds positively to inherent patterns of development found within the immediate area, with the elevational language of the proposed dwellings and apartment blocks also being considered to represent development that responds positively to the inherent character and visual amenities of the area.
- 5.5.5 As such, taking into account of the above, it is not considered that the proposal will result in any direct conflict with the aims and objectives of Policy DMG1 which seeks to protect against development which would be of detriment to the character or visual amenities of the area.

5.6 Landscape and Ecology:

- 5.6.1 The application has been accompanied by an Ecological Appraisal and Arboricultural Impact Assessment. The submitted Ecological Appraisal concludes that *'Otters are known to occur along the River Calder. There was however no conclusive evidence of any specifically protected species regularly occurring on the site or the surrounding areas which would be negatively affected by site development following the mitigation proposed. The vegetation to be cleared has a low ecological significance in the local area; the trees close to but outside the development area are generally of low quality. The protection of trees on the site boundary and landscaping will promote structural diversity in both the canopy and at ground level and will encourage a wider variety of wildlife to use the site than already occurs'*.
- 5.6.2 In respect of the submitted Arboricultural Impact Assessment, the assessment proposes that a group of Elm, Hawthorn and Beech (category C), a Group of Elm, Hawthorn and Ash and part of Hawthorn/Elm hedgerow (H2) fronting Accrington

Road will require removal to allow the current proposals to be undertaken. Similarly, part of H1 will require trimming-back/removing, and the removal of a Category B1 Elm will be required to allow for construction of the drainage scheme.

5.6.3 The submitted details propose significant amenity landscaping within the main body of the site with additional tree, shrub and hedgerow planting also being proposed at the northern extents of the site fronting Accrington Road. In this respect the landscaping proposals are likely to result in ecological and biodiversity uplift over and above that of the current site.

5.6.4 Members will note that there is no requirement for the proposal to meet the mandatory Biodiversity Net Gain requirements as imposed pursuant to Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) insofar that the application was submitted prior to the introduction of the legislation.

5.6.5 As such and taking account of the above, the proposal does not raise any significant measurable conflict(s) with Policies DME1, DME2 nor DME3 of the Ribble Valley Core Strategy which seek to protect against adverse impacts upon habitat, biodiversity, ecology or protected species and species of conservation concern.

5.7 Highway Safety and Accessibility:

5.7.1 The Local Highways Authority have raised no objection to the proposal subject to the imposition of conditions and subject to a number of highways improvements being delivered in the vicinity to offset the impacts of the proposed development.

5.7.2 As such, in respect of potential adverse highways impacts, the proposal raises no significant measurable conflict(s) with Key Statement DMI2 or Policy DMG3 which seek to ensure the continued safe operation of the highways network and to ensure adequate pedestrian infrastructure and vehicular parking provision is brought forward to accommodate development proposals within the borough.

5.8 Flood Risk

5.8.1 Members will note that areas of the site are located within Flood Zones 2 and 3 which would normally trigger the need for a sequential test. However, in this case the site benefits from an extant consent for residential development, albeit in a differing configuration. As such in this case it is agreed that there is no need to fulfil the requirement to undertake sequential testing.

5.8.2 The Environment Agency have raised no objection to the proposal and are satisfied in respect of the proposed mitigation and Flood Risk modelling/Exercise that has been undertaken. Areas to the southern extents of the form part of a flood mitigation scheme with the Environment Agency being satisfied that the proposal will not be susceptible to increase flood risk nor increase the risk of flooding elsewhere subject to suitable conditions.

5.9 S106 Contributions

- 5.9.1 LCC Education had requested a financial contribution of £116,550 for the provision of 6 x Primary School Places. As requirements can change during the course of an application, the Education Authority were asked to provide an updated assessment in advance of the Committee Meeting. That updated assessment requests a contribution of £159,912 towards the provision of 8 X Primary School places. However this includes the over 55's accommodation within the calculation, which are considered exempt from providing such contributions. As such an updated assessment has been requested, the findings of which will be reported to Committee as a Late Item.
- 5.9.2 The development would generate the need for a financial contribution towards off site leisure facilities and public open space in the borough. Members will note that the applicant has provided a commitment to provide financial contributions towards public open space, which equates to £29,306 combined, which would broadly align with the required contribution amount.
- 5.9.3 The Local Highways Authority have requested, in addition to the highways improvements listed within the consultation reponse, a financial contribution of £6,000 to facilitate Lancashire County Council's Travel Planning Team to provide a range of services to encourage sustainable methods of transport. The applicant has provided a commitment to provide this contribution which will be secured by way of an appropriate S106 legal agreement.
- 5.9.4 Lancashire County Council Public Rights of Way Team have requested a contribution of £36,960 to improve the surface condition of Footpath 3-45-FP28 and its continuation to Spring Wood Picnic Area from Accrington Road and support the mental health of residents by providing opportunities to promote walking. However, in the absence of a reasonable breakdown of the costs and given the off-site improvements that would be secured to improve pedestrian connectivity along Accrington Road, in this case the authority considers this request to be unreasonable and would fail to meet the test required to secure obligations.

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

- 6.1 Taking account the above matters and taking account of all material matters and matters raised, the application is recommended for approval insofar that whilst it is recognised that the proposal results in identified conflict with the adopted development plan, the benefits of the proposal, in this instance, would outweigh the harms resultant from the development.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Economic Development and Planning for approval following the satisfactory completion of a Legal Agreement, and subject to the following conditions:

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

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

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

TBC following receipt of amended drawing package.

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. The garage(s) hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the household(s) and shall not be used for any use that would preclude the ability for their use for the parking of private motor vehicles, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order.

REASON: To ensure that adequate parking provision is retained on site that limits the visual impact of the parked motor-vehicle upon the street scene/area.

5. No increase to existing land levels shall be undertaken on site, over and above those hereby approved, to accommodate the development hereby approved unless precise details of the increase in land-levels have been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the submitted information shall include existing and proposed sections through the site including details of the height, scale and location of proposed building in relation to adjacent existing development/built form (where applicable).

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

REASON: To ensure the proposed development responds positively to characteristics of the area and to ensure the Local planning Authority can make an accurate assessment of potential impacts upon existing nearby residential amenity or the amenities of the area.

LANDSCAPE AND ECOLOGY:

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

7. Landscape phasing and delivery condition TBC upon receipt of revised landscaping details.
8. 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.

HIGHWAYS:

9. 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 of the development.

10. 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 has been submitted to and agreed in writing by the Local Planning Authority.

For the avoidance of doubt the submitted 'scheme' shall include and not be limited to:

- Uncontrolled pedestrian crossing to the west of the Public Car Park junction which will connect to the existing dropped kerb provided where the existing eastbound bus stop is located.
- Uncontrolled pedestrian crossing to the west of the residential junction, and another located on the opposite side of the carriageway on the footway to the east of Sydney Avenue.
- Kerb build out to the east of Sydney Avenue and an uncontrolled pedestrian crossing opposite on the proposed eastbound footway.
- Kerb build out located where Public Footpath 3-45-FP27 meets Accrington Road and another kerb build out opposite, provided on the existing footway.
- Relocation of the existing eastbound bus stop to the proposed kerb build out to the east of Sydney Avenue.
- Creation of a new westbound bus stop to the east of the residential junction. Review of the speed limit along Accrington Road, from the mini-roundabout junction between King Street/ Accrington Road to the signalised junction between A4671/ B6246/ Spring Wood Picnic Area.
- Pursue Traffic Regulation Orders along the full site frontage; junction between Accrington Road/ Sydney Avenue and to the kerb build out to the east of the junction.
- Tactile paving provided at both proposed junctions.
- Street Lighting Assessment for the full length of Accrington Road.

All agreed works shall be completed prior to first occupation of the site.

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.

11. The new estate road shall be constructed to at least base course level between Accrington Road and the construction site compound area, in accordance with the Construction Management Plan (to be submitted) 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.

12. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development, including written confirmation that it will not be offered to the highway authority for adoption, have been submitted to and approved by the local planning authority. The streets shall be maintained in accordance with the approved management and maintenance details thereafter.

REASON: In the interest of highway safety; to ensure a satisfactory appearance to the street infrastructure serving the approved development; and to safeguard the users of the street and visual amenities of the locality.

13. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 70 metres have been provided at both site accesses. These shall thereafter be permanently maintained with nothing within those splays higher than 1 metre 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.

14. 45° visibility splays shall be provided between the highway boundary and points on either side of both accesses measured 3m back from the nearside edge of the footway. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.9 metres above the nearside carriageway level which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

REASON: To protect pedestrians passing the drive and ensure adequate inter-visibility between drivers and pedestrian traffic, in the interests of highway safety.

15. The development hereby permitted shall not be occupied until such time as the off-road internal pedestrian links Public Footpath 3-45-FP27 have been built to an adoptable standard.

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

16. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Doyle Transport drawing number P434/15/002- Plan 1 Rev A. 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 and in accordance with the National Planning Policy Framework.

17. Prior to occupation of Plots 10-58, a minimum of 6 accessible spaces should be provided in the shared car parking area.

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

18. All garage facilities/ private driveways 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.

19. No building or use hereby permitted shall be occupied or the use commenced until a cycle storage plan for the residential units 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 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.

20. No building or use hereby permitted shall be occupied or use commenced until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the Local Planning Authority

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

DRAINAGE AND FLOODING:

21. The development hereby permitted must not be commenced until such time as a scheme to provide appropriate compensatory storage on site has been submitted to, and approved in writing by, the local planning authority. The scheme and plans submitted shall show the final engineering solution for the compensatory storage measures, including (but not limited to) the detailed design and hydraulic modelling to demonstrate how the scheme will function to ensure flood waters can enter the storage and be discharged freely after a flood. It must be demonstrated through the hydraulic modelling that there will be no loss in storage capacity for the lifetime of the development.

The scheme shall be fully implemented prior to any development on site and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To ensure that there are no detrimental impacts to flood storage or flood flow Routes and to reduce the risk of flooding to the proposed development, future users and elsewhere.

22. The development hereby permitted must not be commenced until such time as a detailed management plan for the compensatory flood storage scheme has been submitted to and approved in writing by the local planning authority. The maintenance plan must demonstrate how the compensatory storage scheme, including proposed drainage channel shall be maintained for the lifetime of the proposed development.

The plan as a minimum shall include:

- Details of the organisation responsible for the ongoing maintenance for the lifetime of the development.
- Details of the funding arrangements in place for the inspection and maintenance. It must be demonstrated how the ongoing maintenance for the lifetime of the development will be funded.
- As built drawings and a maintenance and operation manual. This must include physical access arrangements for maintenance and establishment of legal rights of access.
- The maintenance schedule of work - itemising the tasks to be undertaken and the frequency at which they should be performed so that an acceptable long-term performance standard is secured. The schedule should be a living document as it may change, where inspections advise changes to the scheme maintenance requirements.

REASON: To ensure that there are no detrimental impacts to flood storage or flood flow routes and to reduce the risk of flooding to the proposed development, future users and elsewhere

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

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

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

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

24. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
- a) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

REASON: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

BACKGROUND PAPERS

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