

Minutes of Planning and Development Committee

Meeting Date: Thursday, 26 November 2009 starting at 6.30pm
Present: Councillor R E Sherras (Chairman)

Councillors:

R Croasdale	C Punchard
R J Elms	J S Sutcliffe
M Fielding	D Taylor
T Hill	J White
J Holgate	

In attendance: Director of Development Services, Building and Development Control Manager and Solicitor.

Also in attendance: Councillor N Walsh.

623 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors D Berryman, A Gridley, J Rogerson and M Thomas.

624 MINUTES

The minutes of the meeting held on 5 November 2009 were approved as a correct record and signed by the Chairman.

625 DECLARATIONS OF INTEREST

There were no declarations of interest.

626 PUBLIC PARTICIPATION

There was no public participation.

627 REFERENCES FROM OVERVIEW AND SCRUTINY COMMITTEE

There were no references from Overview and Scrutiny Committee.

628 APPLICATIONS APPROVED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0690/P	Portal framed agricultural storage building for feed, cows and machinery	Angram Green Cottage Angram Green Farm Worston
3/2009/0719/P	Two storey extension and formation of dormers in roof	Tenby, Church Lane Mellor

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0749/P	Open fronted barn approx. 30m x 17m x 10m for storage of hay for two horses	Meadow Top Lower Road Longridge
3/2009/0759/P	Make an exit out of the Chapel forecourt wall for wheelchair users, make a new path down to the graveyard entrance, make good the path to the back door of the Chapel for toilets for the disabled to be in ground floor room where the existing toilets are. Toilets for disabled will replace existing	Sallem Congregational Chapel Martin Top Rimington
3/2009/0764/P	Various illuminated and non-illuminated signs comprising three fascia signs, one window vinyl, one ATM header panel and one letterbox cover plate	Abbey National 1 Castle Street Clitheroe
3/2009/0772/P	The addition of dormer windows to the front and rear elevation	7 Chesterbrook Ribchester
3/2009/0773/P	Single storey extension to rear	Paris House 12 Ramsgreave Road Ramsgreave
3/2009/0774/P	Retrospective application for change of use of agricultural land to residential curtilage	Higher Cockleach Farm Longridge Road Thornley-with-Wheatley
3/2009/0782/P	Steel framed agricultural storage building	Blackmoss Farm Elmridge Lane Chipping
3/2009/0785/P	Two semi-detached single garage and residential curtilage extension. One garage for the Barn and one for no. 1 Chapel Brow with residential curtilage to the Barn	Adjacent 1 Chapel Brow Longridge
3/2009/0790/P	Additional new window on the side elevation of a previously approved planning application 3/2009/0036P	14 Buccleuch Close Clitheroe
3/2009/0793/P	Proposed swimming pool within the barn adjacent	Waddington New Hall Edisford Road Waddington
3/2009/0799/P	Dormer window to front elevation	92 Fairfield Drive Clitheroe
3/2009/0817/P	Proposed demolition of rear two storey and single storey side extensions and proposed erection of two storey side and single storey rear extension	Derby Cottage Chipping Road Thornley-with-Wheatley

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0823/P	Conservatory to side and extension to rear elevations, to provide a living/dining room	16 Abbey Fields Whalley
3/2009/0838/P	Change of house type – previous consent 3/2008/0717/P	Crumpax Farm Cottage Crumpax Avenue Longridge
3/2009/0861/P	Creation of an outdoor classroom with timber gazebo, raised planters & new 1.2m high timber perimeter fence	Longridge Primary School Berry Lane Longridge
3/2009/0863/P	Erection of steel framed agricultural umbrella building to cover existing livestock corral/handling pens.	land at Lees House Farm Cow Ark

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APPLICATIONS REFUSED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2009/0703/P	Single storey side extension, two storey rear extension with single storey conservatory and study area and a front porch extension	The Hey Moo Elswick Farm Mellor	Policies G1, ENV3, H17 – over large, unsympathetic extensions to detriment of converted barn and visual amenities of area.
3/2009/0779/P	Proposed mixed use agricultural building for livestock and storage	Lower Warble Hey Fm Barker Lane Mellor	G5, ENV3, ENV4, PPG 2 – No agricultural justification resulting in further development to the visual detriment of the locality
3/2009/0815/P	Single dwelling and detached two car garage at the caravan site	Romani Longsight Road Clayton-le-Dale	G5, ENV3, H2 – creation of a new dwelling in the open countryside with insufficient justification to the detriment of visual amenities.

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2009/0844/P	Construction of a single garage for domestic use	Carr Meadow Barn Carr Lane Balderstone	Policies G1, ENV3, H17 – detrimental impact on character and setting of barn to the detriment of visual amenities of area

630 SECTION 106 APPLICATIONS

<u>Plan No:</u>	<u>Proposal/Location:</u>	<u>Progress:</u>
	None	

631 AGRICULTURAL NOTIFICATIONS WHERE PLANNING CONSENT WILL **NOT** BE NECESSARY

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0847/P	Erection of an open fronted portal framed general purpose storage building	Lower Monubent Farm Hellifield Road Bolton-by-Bowland

632 CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0825/P	Certificate of Lawfulness for the proposed building of a dormer extension to the rear to create two bedrooms	68 St Mary's Garden Mellor
3/2009/0858/P	Application for Certificate of Lawfulness for a proposed single storey side extension to provide a utility room	20 Sydney Avenue Whalley

633 APPEALS UPDATE

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/ Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2009/0025 D	28.7.09	Mr C Thorne Retrospective application for a garden fence 6 Queen Street Clitheroe	WR	–	AWAITING DECISION

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/ Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2008/1029 D	10.8.09	Withgill Farm Ltd Construction of 2no. agricultural workers dwellings, extension of farm track and alterations to access and parking layouts Withgill Farm Mitton	—	Hearing to be held 27.10.09, commencing at 10am	AWAITING DECISION
3/2009/0463 Not yet determined	26.8.09	East Lancashire Developments Ltd Erection of three terraced houses, one detached dormer bungalow with private car park and diversion of existing sewer (Resubmission) Land at Greenacres/Tennyson Avenue Read	WR	—	Site visit 26.11.09 AWAITING DECISION
3/2008/0674 & 0675 D	27.8.09	John Reilly Engineering Ltd Proposed alterations to listed boundary wall including the creation of a new access point and track to serve stud farm The Stud Farm Woodfold Park Further Lane Mellor	Civil WR	Now to be determined under the written reps procedure	Awaiting site visit
3/2009/0466 D	10.9.09	Mr John Bailey & Miss Kirsty Sellers Erection of two storey rear extension and additional accommodation for dependent relatives Dean Slack Head Smalden Lane Grindleton	WR	—	Awaiting site visit

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/ Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2009/0321 O	16.9.09	Mr Terry Griffiths Erection of a new industrial unit (class B2 use) at the rear of the existing industrial unit Unit 3 90 Berry Lane Longridge	WR	—	Awaiting site visit
3/2009/0079 D	25.9.09	Mrs Christine Verity Proposed single storey garden room to front elevation Holkers Cottage Whins Lane Read	WR	—	Awaiting site visit
3/2009/0383 & 0384 C	8.10.09	Individual Inns Ltd Extension to first floor to form bedrooms and associated works (Resubmission) The Spread Eagle Hotel Sawley	With reference to	—	Awaiting site visit
3/2009/0352 D	2.11.09	Mr H Berry Retention of agricultural workers dwelling and residential curtilage for temporary period of three years Lower Monubent Farm Hellifield Road Bolton-by-Bowland	—	Hearing – date to be arranged	Notification letter sent 5.11.09 Questionnaire sent 12.11.09 Statement to be sent by 10.12.09
3/2009/0631 D	5.11.09	Mr & Mrs J Hayes First floor extension to side of dwelling Seedalls Barn Easington Road Cow Ark	Householder Appeal	—	Notification letter sent 6.11.09 Questionnaire sent 9.11.09

634 PLANNING APPLICATIONS

1. APPLICATION NO: 3/2009/0400/P (GRID REF: SD 363813 431311)
PROPOSED EXTENDING EXISTING USE OF THE SITE TO INCLUDE PARKING OF PLANT HIRE VEHICLES (VANS, WAGONS/TRAILERS) INCLUDING BULK HAULAGE WORK (PART RETROSPECTIVE) AND STORAGE OF MATERIALS IN CONNECTION WITH CIVIL ENGINEERING CONTRACTING AT MONKS CONTRACTORS LTD, MYERSCOUGH SMITHY ROAD, MELLOR BROOK

Councillor Walsh was given permission to speak and address the Committee.

GRANTED subject to the following condition(s):

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. This permission shall be implemented in accordance with the proposal as amended by plan received on the 9 September 2009.

REASON: As the amended plan shows a detailed layout for the parking of vehicles within the site and the location of service areas which need to be adhered to in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

3. The different types of vehicles shall only be parked in their specific designated areas as shown on the approved amended plan. No parking of any vehicles shall take place within the area of the site to be occupied by the approved (but not yet built) unit 2 and the hardcore service area for that unit until the requirements of condition No 4 of this permission have been satisfied.

REASON 3: In the interest of highway safety and residential amenity and to comply with Policy G1 of the District wide local plan.

4. Within one month of the date of this permission, a scheme of landscaping/screen planting in the north eastern corner of the site and extending along the length of the eastern site boundary shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate the types and number of trees and shrubs to be planted and their distribution on the site.

The approved landscaping/screen planting scheme shall be implemented in the planting season November 2009 to March 2010 and, thereafter, shall be maintained for a period of not less than five years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of the amenities of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. No permission is hereby implied or granted for the floodlights that have been affixed to the existing building, and no further external lights shall be fitted anywhere within the site unless a further planning permission has first been granted in respect thereof.

REASON: In order that the Local Planning Authority can exercise control over external lighting in the interests of visual amenity and the amenities of nearby residents, and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. There shall be no outside storage of materials except within the area notated 'contracting materials' on the approved plan.

REASON: For the avoidance of doubt and in the interests of visual amenity and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. No materials shall at any time be stored and no vehicles shall at any time be parked on any of the designated service areas and vehicle manoeuvring areas within the site.

REASON: In order to ensure that these areas are retained permanently available for the manoeuvring of vehicles in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

2. APPLICATION NO: 3/2009/0731/P (GRID REF: SD 365018 430865)
PROPOSED EXTENSION TO PROVIDE TWO CLASSROOMS AND ENTRANCE, ALTERATIONS TO GATEWAY ACCESS AND CAR PARK RELOCATION AT ST MARY'S CE SCHOOL, BRUNDHURST FOLD, MELLOR

GRANTED subject to the following condition(s):

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 5 October which detail revised parking arrangements and show the relationship between the site and surrounding properties.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments.

3. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

4. Prior to commencement of development a tree protection monitoring procedure, including a timescale for site visits and remedial tree works shall be submitted to and agreed in writing by the Local Planning Authority.

Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services all trees identified shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be agreed in writing by the Local Planning Authority.

A root protection zone of at least 8.5m (measured from the centre of the trunk) shall be implemented and maintained during the development to protect the Sycamore tree T1 in the Church Lane, Mellor 1991 Tree Preservation Order. Physical protection shall be in accordance with BS5837 and remain in place until all building works have been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place, no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone of the seven conifers growing along the boundary of the car park.

No tree surgery or pruning shall be implemented with out prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and included in a Tree Preservation Order considered to be of visual, historic or botanical value are afforded maximum physical protection from the adverse affects of development in accordance with Policies G1 and ENV13 of the Districtwide Local Plan.

NOTE(S):

1. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning Area Surveyor East 01254 823831 or writing to the Area Surveyor East, Lancashire County Council, Area Office, Riddings Lane, Whalley, Clitheroe BB7 9RW quoting the planning application number.

3. APPLICATION NO: 3/2009/0794/P (GRID REF: SD 364963 435237)
PROPOSED CHANGE OF CONDITION NO 2 OF PLANNING PERMISSION 3/2007/0570/P SO THAT THE HOURS OF USE WILL BE RESTRICTED TO BETWEEN 8AM AND 6.30PM ON ANY DAY, AND UNTIL 11.30PM ON NO MORE THAN THREE OCCASIONS PER CALENDAR MONTH; AND TO ALTER CONDITION NO 3 TO REMOVE THE RESTRICTION ON SELLING ONLY HOT AND COLD DRINKS AND COLD FOOD (RE-SUBMISSION) AT THE CARMEN ROSE, THE OLD BARN, CHURCH STREET, RIBCHESTER

GRANTED subject to the following replacement conditions:

1. The use of the premises in accordance with this permission shall be restricted to the hours between 8am and 6.30pm on any day, and until 11.30pm on no more than 3 days in each calendar month. During all the permitted evening events, all customers shall be accommodated within the building, and the garden area shall not be used by customers after 6pm on any day of the year (except for a maximum of 3 days a year when the garden can be used by customers up until 2330 hours).

REASON: In the interests of the amenities of nearby residents and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

2. The tearoom use hereby permitted shall be restricted to the ground floor of the building and the garden area only, and there shall be no hot food takeaway facility offered at the premises unless a further planning permission has first been granted in respect thereof.

REASON: As the use of more of the building for this particular use, or the establishment of a hot food takeaway facility, would be inappropriate in this location and detrimental to the character of the area and the amenities of local residents contrary to Policy G1 of the Ribble Valley Districtwide Local Plan.

(Mr Barrow spoke in favour of the above application)

4. APPLICATION NO: 3/2009/0796/P(GRID REF: SD 376952 444135)
CHANGE OF USE FROM PRIVATE LOUNGE TO A CAFÉ INCLUDING A NEW ENTRANCE AT 2 DOWNHAM ROAD, CHATBURN, LANCASHIRE, BB7 4AU

GRANTED 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 pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The use of the premises as an A3 Use, in accordance with this permission, shall be restricted to the hours between 0900 to 1730 Monday to Saturday, and 1000 to 1600 on Sundays and bank holidays.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan. The use of the premises outside these hours could prove injurious to the character of the area and in order to safeguard residential amenities.

3. The proposed new door and window frame shall be in timber and retained as such in perpetuity. Notwithstanding the details submitted, samples of the materials and colour of the paint to be used shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: To comply with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

4. Notwithstanding the submitted details, full details of the proposed railings to be inserted in the existing opening in the wall facing onto Downham Road shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works, and retained as such in perpetuity.

REASON: To comply with Policies G1 and ENV16 of the Ribble Valley Borough Council Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

5. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 29 October 2009.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments.

6. This permission shall inure for the benefit of the owner/s and/or proprietor of the adjoining business, Hudson's Ices, only and not for the benefit of the land nor any other person or persons, whether or not having an interest in the land, and it shall not be used as a separate unit.

REASON: The separation of the development from the adjacent retail unit could be injurious to highway safety, and to the visual amenities and character of the area and would require further consideration by the Local Planning Authority.

5. APPLICATION NO: 3/2009/0821/P(GRID REF: SD 360533 437511)
DEVELOPMENT OF SEVEN PROPERTIES AS FOLLOWS:- 2 NO. TWO BEDROOM BUNGALOWS (57 SQ.M.), 1 NO. 2 BEDROOM BUNGALOW (59 SQ.M.), 4 NO. TWO-STOREY TERRACED, TWO BEDROOM HOUSES (59 SQ.M.) AT LAND AT THE END OF SEVERN STREET, LONGRIDGE, LANCASHIRE.

GRANTED subject to the following condition(s):

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 pursuant to Section 91 of the Town and Country Planning Act 1990J04.

2. Notwithstanding the submitted details, prior to the commencement of development, precise specifications and samples of walling and roofing materials and details of any window and door surrounds including materials to be used in the approved development shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance - "Extensions and Alterations to Dwellings".

3. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on 4 November 2009.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments, to secure the closure of the access from Mersey Street to the site.

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

REASON: To comply with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan and to ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

5. The proposed new highway extension to Severn Street, car parking spaces, manoeuvring areas and all other highway improvements indicated on the amended site plan submitted on the 4 November 2009, drawing no. 10, revision A, shall be surfaced or paved, marked out and completed in accordance with this site plan, before the occupation of the dwellings hereby approved. Details of the surfacing or paving shall have been submitted to and

approved by the Local Planning Authority before their use in the proposed works.

REASON: To comply with Policies G1 and T1 of the Districtwide Local Plan and to allow for the effective use of the parking areas.

6. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the details indicated on the approved plan and the vehicular turning space shall be laid out and be available for use before all residential units are occupied.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan. Vehicles reversing to and from the highway are a hazard to other road users.

7. The proposed new boundary wall indicated on the amended site plan, drawing no. 14, revision A, in between the development site and Mersey Street, shall remain so in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to retain a suitable screen between the adjacent neighbouring properties, in the interests of protecting residential amenity.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the dwellings including any development within the curtilage as defined in Schedule 2 Part 1 Classes B to E shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: In the interests of the amenity of the area in accordance with Policies G1 and H10 of the Ribble Valley Districtwide Local Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) any future additional structures, hard standing or fences as defined in Schedule 2 Part I Class F and Part II Class A, shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: In order that the Local Planning Authority shall retain effective control over the development in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and in the interests of safeguarding any adjacent residential amenity or visual amenity.

10. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out in strict accordance with the recommendations of the bat survey and report submitted with the application dated 5 October 2009.

REASON: To comply with policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan ensuring that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed.

NOTE(S):

1. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning Area Surveyor East 01254 823831 or writing to the Area Surveyor East, Lancashire County Council, Area Office, Riddings Lane, Whalley, Clitheroe BB7 9RW quoting the planning application number.

6. APPLICATION NO: 3/2009/0848/P (GRID REF: SD 373257 436432)
PROPOSED ERECTION OF ONE DETACHED DWELLING IN SIDE GARDEN WITH NEW ACCESS (RESUBMISSION) AT 1 THE GROVE, WHALLEY

GRANTED subject to the following conditions:

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 2 November 2009.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments.

3. Prior to the first occupation of the dwelling hereby permitted, the garage for the proposed dwelling and the accesses and driveways/parking areas for both the existing and proposed dwellings shall have been provided in accordance with the approved plans. Thereafter, these facilities shall be retained permanently clear of any obstruction to their designated purpose.

REASON: In the interest of highway safety and to comply with Policy G1 if the Ribble Valley Districtwide Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the dwelling including any development within the curtilage as

defined in the schedule to Part 1 Classes A to E shall not be carried out unless a further planning permission has first been granted in respect thereof.

REASON: In the interests of the amenity of the area in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

(Mr Kinder spoke in favour of the above application. Mr Bury spoke against the above application)

7. APPLICATION NO: 3/2008/0826/P(GRID REF: SD 372537 437331)
PROPOSED ERECTION OF 39 DWELLINGS COMPRISING A MIXTURE OF TWO TO FIVE BEDROOM HOUSES AT CALDERSTONES PARK, PENDLE ROAD, WHALLEY

That Committee be minded to approve the application subject to the following conditions and therefore DEFER and DELEGATE to the Director of Development Services in liaison with the Chairman of Planning and Development Committee to negotiate the satisfactory completion of a Section 106 Agreement to deal with the affordable housing elements, planning issues, public open space contribution and transport contributions.

1. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 25 September 2009.

REASON: For the avoidance of doubt since the proposal has been the subject of agreed amendments which also include details of renewable energy provision within the scheme.

2. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance – “Extensions and Alterations to Dwellings”.

3. Prior to commencement of any site works a tree protection monitoring procedure including a timescale for site visits and remedial tree works shall be agreed in writing with the Local Planning Authority. Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services all trees identified shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be agreed in writing.

A protection zone 12 x the DBH covering at least the entire branch spread of the tree(s) [the area of the root soil environment from the centre of the trunk

to the edge of the branch spread] shall be physically protected and remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented with out prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and included in a Tree Preservation Order/ Conservation area/considered to be of visual, historic or botanical value are afforded maximum physical protection from the adverse affects of development.

4. The proposed garages shall not be used for any purpose (including any purpose ordinarily incidental to the enjoyment of the dwelling house as such) which would preclude its use for the parking of a private motor vehicle.

REASON: In the interest of visual amenity and to facilitate adequate vehicle parking facilities to serve the dwelling in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any such order revoking or re-enacting that order) any fences as defined in Schedule 2 Part II Class A, shall not be carried out without the formal written consent of the Local Planning Authority. This is in relation to plots 12, 13, 15, 16, 17 and 18 with the boundary elevation facing the public open space land shown on drawing 02-01D.

REASON: In order that the Local Planning Authority shall retain effective control over the development in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and in the interests of visual amenity.

6. Unless otherwise agreed in writing with the Local Planning Authority the development shall be carried out in strict accordance with the recommendations of the bat survey and report submitted with the application dated 23 April 2009.

REASON: To comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan ensuring that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed.

7. The approved landscaping scheme shall be implemented in the first planting season following occupation or use of the development and shall be maintained thereafter for a period of not less than 5 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.

8. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON: To reduce the increased risk of flooding in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

9. This permission shall be read in conjunction with and implemented in accordance with the Section 106 Agreement dated

REASON: For the avoidance of doubt since the proposal has been the subject of a Section 106 Agreement dealing with affordable housing, public open space and off site highway contributions.

10. Prior to commencement of development a detailed scheme showing the incorporation of a junction table at the junction of the access road and Pendle Avenue as well as details of interactive signing on Mitton Road shall be submitted to and approved in writing by the Local Planning Authority and implemented before occupation of the first dwelling.

REASON: In the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

(Mrs Ryan spoke in favour of the above application. Mr Bury spoke against the above application)

635 PLANNING APPLICATION/ENFORCEMENT STATISTICS REPORT -
QUARTER 2 – JULY 2009 TO SEPTEMBER 2009

Committee considered a report on planning applications and enforcement statistics for quarter 2 (July to September 2009).

The Building and Development Control Manager commented that the report was evidence that the decisions being taken by Committee when referred to appeal were being upheld by inspectors. He also felt that in almost every area, national targets were currently being achieved.

RESOLVED: That the report be noted.

636 APPEALS

- (a) 3/2008/1029/P – Proposed construction of two agricultural workers dwellings, extension of farm track and alteration to accesses and parking - Appeal dismissed.

- (b) Costs Decision relating to the above application – Appeal dismissed.
- (c) 3/2009/0025/P – Development proposed for a retention of a garden fence at 6 Queen Street, Clitheroe - Appeal dismissed.

The meeting closed at 7.40pm.

If you have any queries on these minutes please contact Stewart Bailey (414491).