

Minutes of Planning and Development Committee

Meeting Date: 7 November 2013 starting at 6.30pm
Present: Councillor T Hill (Chairman)

Councillors:

S Bibby	J Rogerson
I Brown	I Sayers
S Carefoot	D Taylor
B Hilton	M Thomas
S Knox	J White
G Mirfin	A Yearing

In attendance: Director of Community Services, Head of Planning Services and Head of Legal and Democratic Services.

Also in attendance: Councillors S Brunskill, S Hirst, S Hore (6.48pm), A Knox, M Robinson, G Scott and N Walsh.

417 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors J Holgate and R Thompson.

418 MINUTES

The minutes of the meeting held on 10 October 2013 were approved as a correct record and signed by the Chairman.

419 DECLARATIONS OF INTEREST

Councillor J Rogerson declared an interest in planning application 3/2013/0694 and 0695 – Assheton Arms Hotel, Downham.

420 PUBLIC PARTICIPATION

Public participation had been requested by County Councillor A Schofield it was agreed that this contribution be heard at the beginning of that agenda item being discussed.

421 PLANNING APPLICATIONS

1. APPLICATION NO: 3/2013/0189/P (GRID REF: SD 383172 448946)
PROPOSED OUTLINE APPLICATION FOR THE ERECTION OF 2 NO OPEN MARKET DWELLINGS AT THE FORMER GISBURN DINER, STRAWBERRY FIELDS, MAIN STREET, GISBURN

The Head of Planning Services reported a late item from the Parish Council.

GRANTED subject to the following condition(s):

1. Application for approval of reserved matters must be made not later than the expiration of 3 years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following date:
 - (a) The expiration of 3 years from the date of this permission; or
 - (b) the expiration of 2 years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

2. No development shall begin until detailed plans indicating the appearance and landscaping of the site including a contoured site plan showing existing features, the proposed slab floor levels and road levels (hereinafter called the “Reserved Matters”) has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

3. In relation to the matters of access, layout and scale, the development shall be carried out in accordance with the amended plan received by the Local Planning Authority on 22 October 2013 (drawing no HIN/17bDwg03A) and in accordance with a design and access statement dated January 2013.

REASON: For the avoidance of doubt and to ensure compliance with the submitted plans.

4. If, during development, contamination not previously identified was found to be present at the site, then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority dealing how this unsuspected contamination shall be dealt with and shall obtain written approval from the Local Planning Authority. The remediation strategy shall be implemented in its entirety in accordance with the approved details.

REASON: To protect the water environment from contamination and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy

DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

5. The development hereby permitted shall not be commenced until details of a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

REASON: To secure proper drainage and to reduce the risk of flooding and pollution and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

6. Prior to the commencement of any site works, including delivery of building materials and excavations or foundations or services all trees within or adjoining the site that are to be retained shall be protected in accordance with the PS5837 2012 (trees in relation to construction) the details of which shall be submitted to and agreed in writing by the Local Planning Authority. All protection measures shall be implemented in full under the supervision of a qualified arboriculturalist and in liaison with the Countryside/Tree Officer. A tree protection monitoring schedule shall also be submitted and agreed and tree protection measures inspected by the Local Planning Authority before any site works are commenced.

The root protection/exclusion zone shall remain in place until all building work has been completed and all excess materials have been removed from the site including soil/spoil and rubble.

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

No tree surgery or pruning shall be implemented without the prior written permission of the Local Planning Authority which shall only be granted when the Authority is satisfied that it is necessary, is in accordance with BS3998 for tree work and is to be carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development considered being of visual, amenity value are afforded maximum physical protection from the potential adverse effects of development in order to comply with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME2 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

7. The development hereby permitted in outline shall not be commenced until details of the landscaping of the site, including details of the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, and details of any boundary

treatments (walls, fences or hedges) have been submitted and approved in writing by the Local Planning Authority.

The approved soft landscaping scheme shall be implemented in the first planting season following the first occupation of the development whether in whole or in part 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. Any walls or fences comprised in the approved details shall be erected prior to the first occupation of the dwellings.

REASON: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

8. Access to the adopted highway (Main Street, A59) is via the estate road within the adjoining housing development for which permission has been granted under reference 3/2012/0497/P. Construction of the 2 dwellings that are the subject of this application shall not be commenced until the estate road within that adjoining site has been constructed to at least base course level.

REASON: To ensure that satisfactory access is provided to the site in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

9. Prior to the commencement of construction works on site, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site. The facilities shall remain in place and shall be used at all times during the construction of the development.

REASON: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

10. No development shall begin until the scheme identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented in accordance with the approved details prior to the occupation of the development and thereafter retained in a condition commensurate with delivering the agreed level of energy generation.

REASON: In order to encourage renewable energy and to comply with the requirements of the National Planning Policy Framework.

11. The dwellings hereby permitted in outline shall achieve a minimum Level of the Code for Sustainable Homes in force on the date of occupation. No dwellings shall be occupied until a final Code Certificate has been issued for it certifying that the appropriate code level has been achieved.

REASON: In order to encourage an energy efficient development in accordance with the requirements of the National Planning Policy Framework.

12. Notwithstanding the provisions of Classes A to H of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, or any Order revoking and re-enacting that Order, the dwelling hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the dwellings on Plot numbers 42-56 inclusive unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and the amenities of nearby residents in accordance with Policies G1, ENV3 and H10 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME2 and DMH5 of the Core Strategy Regulation 22 Submission Draft - Post Submission Version (including Proposed Main Changes).

13. Notwithstanding the provisions of Class A Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that Order, no gates, walls, fences or other means of enclosure shall be erected within the curtilage of the dwelling unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and the amenities of nearby residents in accordance with Policies G1, ENV3 and H10 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME2 and DMH5 of the Core Strategy Regulation 22 Submission Draft - Post Submission Version (including Proposed Main Changes).

14. Notwithstanding the provisions Schedule 2 Part 40 Classes A-I of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008, or any Order revoking and re-enacting that Order, no microgeneration equipment shall be attached to the new dwelling unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and the amenities of nearby residents in accordance with Policies G1, ENV3 and H10 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME2 and DMH5 of the Core Strategy Regulation 22 Submission Draft - Post Submission Version (including Proposed Main Changes).

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

2. APPLICATION NO: 3/2013/0587/P (GRID REF: SD 371862 435398)
PROPOSED ERECTION OF A DWELLING AND A DETACHED GARAGE BLOCK WITH GRANNY ANNEX OVER. RE-SUBMISSION OF WITHDRAWN APPLICATION AT LAND ADJACENT ELKER FARM, WHALLEY ROAD, BILLINGTON.

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 proposals as detailed on drawings:

- 01: WHA/02 Dwg 03F Proposed Plans & Elevations
- 02: WHA/02 Dwg 06E Proposed Site Plan & Garden Elevation

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

3. Precise specifications or samples of walling, roofing and window framing 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 Policy DMG1 of the Core Strategy 2028 to 2018 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

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

3. APPLICATION NO: 3/2013/0610/P (GRID REF: SD370823 441376)
PROPOSED NEW SLURRY LAGOON (RETROSPECTIVE) AT WITHGILL
FARM, WITHGILL FOLD, WITHGILL, CLITHEROE

GRANTED subject to the following condition(s):

1. The permission shall relate to the development as shown on Drawing Numbers BARN/25/Dwg 02 & Dwg 03 and the 'Manure Management Plan' that were submitted with the application.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans and details.

2. The landscaping /planting scheme shown on submitted Drawing Number BARN/25/Dwg 02 shall be implemented in the first planting season following the date of this planning permission (ie November 2013 to March 2014) 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.

REASON: In the interests of the amenity of the area and to comply with Policies G1 and ENV2 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME2 of the Core Strategy 2008 - 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

3. Within 2 months of the date of this permission, details of a scheme for the ecological improvement/enhancement of the existing pond at Grid Reference SD 370666 441368 to the north-west of the slurry lagoon hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented to a timescale that has also first been agreed in writing by the Local Planning Authority.

REASON: To replace a pond that has been lost as a result of the development in the interests of ecology through the enhancement of the aquatic environment and to comply with Policy ENV 7 of the Ribble Valley Districtwide Local Plan and Policy DME3 of the Core Strategy 2008 – 2028 Regulation 22 Submission Draft.

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

4. APPLICATION NO: 3/2013/0742/P (GRID REF: SD 368597, 432244)
PROPOSED ERECTION OF A DWELLING ON LAND BETWEEN 52 AND 54
KNOWSLEY ROAD, WILPSHIRE, BB1 9PN

GRANTED subject to the following conditions:

The Head of Planning Services reported on a change to condition 10.

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. The permission shall relate to the development as shown on Drawing Number: BS.08-076(A)-03.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

3. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees identified in the arboriculture report/tree survey as being retained shall be protected in accordance with the BS5837 2012 [Trees in Relation to Demolition, Design & Construction] the details of which shall be agreed in writing with the Local Planning Authority and implemented in full under the supervision of a qualified arboriculturalist and in liaison with the LPA Countryside/Tree Officer.

The root protection/exclusion zone shall 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/exclusion zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented without prior written consent, which will only be granted when the local authority is satisfied that it is necessary is in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to comply with planning policies G1 and ENV13 of the Districtwide Local Plan and policies DMG1, EN2 and DME1 of the Ribble Valley Core Strategy (Regulation 22 Post Submission Version) in order to ensure that trees of amenity value are protected against adverse affects of the development

4. The development hereby permitted shall not be commenced until details of a replacement evergreen hedge have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of evergreen plants, total length and location of hedge that may be required in the event that adverse effects of the development hereby granted consent results in the loss of the existing evergreen hedge.

The approved evergreen hedge which would be planted on the northern boundary of the site shall be implemented in the first planting season following the loss of the existing hedge, whether whole or in part, and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority and maintained there after at a maximum height of 4.0m. The 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 safeguarding the residential amenity of adjacent properties in accordance with Policies G1 and H10 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMH5 of the Ribble Valley Core Strategy (Regulation 22 Post Submission Version).

5. 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 Policy DMG1 of the Ribble Valley Core Strategy (Regulation 22 Post Submission Version).

6. Before the access is used for vehicular purposes, the parking and turning space detailed on the submitted plans shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.

REASON: To prevent loose surface material from being carried onto the public highway, in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy (Regulation 22 Post Submission Version).

7. The access to the proposed development shall remain ungated.

REASON: To permit vehicles to pull clear of the carriageway when entering the site in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy (Regulation 22 Post Submission Version).

8. The vehicular parking and turning space shall be laid out as detailed on the approved plan and be available for use before the development is brought into use.

REASON: Vehicles reversing to and from the highway are a hazard to other road users and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy (Regulation 22 Post Submission Version).

9. There shall not at any time in connection with the development be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device above a height of 0.9 metres. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4 metres measured along the centreline of the proposed driveway from the nearer edge of the carriageway of Knowsley Road to the points where the neighbouring property boundaries on either side of the plot meet the highway boundary.

REASON: To ensure adequate visibility at the site access and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy (Regulation 22 Post Submission Version).

10. The ground floor windows on the south elevation of the building, serving the kitchen and dining areas, and the first floor bedroom window on the east elevation of the building shall be obscure glazed to the satisfaction of the Local Planning Authority and remain in that manner in perpetuity and implemented prior to occupation of the dwelling.

REASON: In order to protect the residential amenities of No. 52 Knowsley Road as required by Policies G1 and H10 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance – “Extensions and Alterations to Dwellings” and Policies DMG1, DME2 and DMH5 of the Ribble Valley Core Strategy (Regulation 22 Post Submission Version).

11. Notwithstanding the provisions of Classes A to H of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, or any Order revoking and re-enacting that Order, the dwelling hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the new dwelling unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and the amenities of nearby residents in accordance with Policies G1, ENV3 and H10 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME2 and DMH5 of the Ribble Valley Core Strategy (Regulation 22 Post Submission Version).

12. Notwithstanding the provisions of Class A Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that Order, no gates, walls, fences or other means of enclosure shall be erected within the curtilage of the dwelling unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and the amenities of nearby residents in

accordance with Policies G1, ENV3 and H10 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME2 and DMH5 of the Ribble Valley Core Strategy (Regulation 22 Post Submission Version).

13. Notwithstanding the provisions Schedule 2 Part 40 Classes A-I of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008, or any Order revoking and re-enacting that Order, no microgeneration equipment shall be attached to the new dwelling unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and the amenities of nearby residents in accordance with Policies G1, ENV3 and H10 of the Ribble Valley Districtwide Local Plan, the Supplementary Planning Guidance on Extensions and Alterations to Dwellings, and Policies DMG1, DME2 and DMH5 of the Ribble Valley Core Strategy (Regulation 22 Post Submission Version).

14. The area of flat roof to the single storey element of the resulting dwelling shall at no time be used as a balcony/terrace area or the full height window at first floor level on the side or rear elevations be allowed to open in such a way so as to allow direct access to this flat roof area.

REASON: To preserve and protect the amenity of the adjoining properties in accordance with Policies G1 and H10 of the Ribble Valley Districtwide Local Plan, the Supplementary Planning Guidance on Extensions and Alterations to Dwelling, and Policies DMG1 and DMH5 of the Ribble Valley Core Strategy (Regulation 22 Post Submission Version).

NOTES

1. The site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/water course/surface water sewer and may require the consent of the Local Authority. If surface water is allowed to be discharged to the public surface water sewerage system United Utilities may require the flow to be attenuated to a maximum discharge rate determined by themselves.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999.

The applicant should contact United Utilities Service Enquiries on 0845 7462200 regarding connection to the water mains/public sewers.

United Utilities offer a fully supported mapping service at for their water mains and sewerage assets. This is a service, which is constantly updated by their Property Searches Team (Tel No: 0870 7510101). It is the applicant's responsibility to demonstrate the exact relationship between any assets that may cross the site and any proposed development

Please note, due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction, please contact a Building Control Body to discuss the matter further.

2. 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 Ribble Valley District Highways Office, Lancashire County Council, Riddings Lane, Whalley BB7 9RW (tel. 0845 0530011) and quote the planning application number.

(Mr Hamer spoke in favour of the above application. Mrs Seddon spoke against the above application. Councillor Hirst also spoke in relation to the above application).

(Councillor Rogerson declared an interest in the next item and left the meeting)

5. APPLICATION NO: 3/2013/0694/P (PA) & 3/2013/0695/P (LBC)
(GRID REF: SD 378477 444320)
PROPOSED IMPROVEMENTS TO TOILET FACILITIES INCLUDING A SINGLE STOREY REAR EXTENSION, EXTERNAL ALTERATIONS TO THE STAIRS TOWER, INTERNAL ALTERATIONS TO CREATE A DISABLED PERSONS TOILET AND ALTERATIONS TO CAR PARK TO IMPROVE OUTDOOR SEATING AREA AND CREATE BUS SHELTER/SEAT AT THE ASSHETON ARMS HOTEL, DOWNHAM

MINDED TO APPROVE and DEFERRED AND DELEGATED to Head of Planning Services for appropriate conditions.

(Mr Assheton spoke in favour of the above application. Councillor G Scott spoke in relation to the above application).

(Councillor Rogerson returned to the meeting)

6. APPLICATION NO: 3/2013/0768 (GRID REF: SD 374377 441859)
APPLICATION FOR THE RENEWAL OF PLANNING CONSENT 3/2010/0620P TO REDEVELOP AN EXISTING CAR PARK FOR PART RETAIL/PART OFFICE BUILDING AT LAND OFF KING LANE (TO REAR OF COWGILLS), CLITHEROE

That the application to extend the time limit for implementation be REFUSED for the following reasons:

1. The applicant has failed to provide statutory information as required by paragraph 128 of the National Planning Policy Framework and has therefore failed to demonstrate that the potential impact of the proposal on the significance of Clitheroe Conservation Area would be acceptable.
2. The proposal, by reason of its design, fails to respond to the individuality of the town centre, fails to take the opportunities available for improving the character and quality of the area and the way it functions and would therefore fail to preserve or enhance the character and appearance of Clitheroe Conservation Area. As such, the proposal is contrary to Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan, Policies DMG1 and EN5 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft Post Submission Version Including Proposed Main Changes) the National Planning Policy Framework and the Clitheroe Town Centre Masterplan.

7. APPLICATION NO: 3/2013/0161/P (GRID REF: SD 383273 448990)
 OUTLINE APPLICATION FOR THE ERECTION OF 7NO OPEN MARKET DWELLINGS AND 4NO AFFORDABLE DWELLINGS AT STRAWBERRY FIELDS, MAIN STREET, GISBURN

The Head of Planning Services reported on Parish Council comments and also commented on a change to condition 3.

DEFERRED and DELEGATED to the Director of Community Services for approval following a satisfactory completion of a Legal Agreement within a period of 3 months from the date of this decision as outlined in the Section 106 Agreement sub-heading within this report and subject to the following conditions:

1. Application for approval of reserved matters must be made not later than the expiration of 3 years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following date:
 - (a) The expiration of 3 years from the date of this permission; or
 - (b) the expiration of 2 years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

2. No development shall begin until detailed plans indicating the appearance and landscaping of the site including a contoured site plan showing existing features, the proposed slab floor levels and road levels (hereinafter called the “Reserved Matters”) has been submitted to and approved in writing by the

Local Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

3. In relation to the matters of access, layout and scale, the development shall be carried out in accordance with the amended plan received by the Local Planning Authority on 22 October 2013 (drawing no HIN/17bDwg03A) and in accordance with a design and access statement dated January 2013.

REASON: For the avoidance of doubt and to ensure compliance with the submitted plans.

4. If, during development, contamination not previously identified was found to be present at the site, then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority dealing how this unsuspected contamination shall be dealt with and shall obtain written approval from the Local Planning Authority. The remediation strategy shall be implemented in its entirety in accordance with the approved details.

REASON: To protect the water environment from contamination and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

5. Prior to the commencement of development, a strategy outlining the general system of drainage for foul and surface water flows arising from the entire site shall be submitted to the Local Planning Authority and approved in writing. This strategy shall include details of any necessary infrastructure and the provision of any necessary surface water regulation system which restricts surface water run-off to existing rates. Thereafter the detailed schemes for foul and surface water drainage for any phase of the development shall be submitted for approval in accordance with the strategy for the entire site approved under this condition.

REASON: To secure proper drainage and to reduce the risk of flooding and pollution and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

6. Prior to the commencement of any phase of the development, details for surface water drainage and means of disposal for that phase should be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, no surface water shall discharge into the public foul or

combined sewerage system, either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To secure proper drainage and to reduce the risk of flooding and pollution and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

7. Prior to the commencement of any phase of the development, details of the foul drainage system for that phase including any necessary infrastructure shall be submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied for any phase until the approved foul drainage scheme for the phase has been completed in accordance with the approved details.

REASON: To secure proper drainage and to reduce the risk of flooding and pollution and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

8. Prior to the commencement of any site works, including delivery of building materials and excavations or foundations or services all trees within or adjoining the site that are to be retained shall be protected in accordance with the PS5837 2012 (trees in relation to construction) the details of which shall be submitted to and agreed in writing by the Local Planning Authority. All protection measures shall be implemented in full under the supervision of a qualified arboriculturalist and in liaison with the Countryside/Tree Officer. A tree protection monitoring schedule shall also be submitted and agreed and tree protection measures inspected by the Local Planning Authority before any site works are commenced.

The root protection/exclusion zone shall remain in place until all building work has been completed and all excess materials have been removed from the site including soil/spoil and rubble.

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

No tree surgery or pruning shall be implemented without the prior written permission of the Local Planning Authority which shall only be granted when the Authority is satisfied that it is necessary, is in accordance with BS3998 for tree work and is to be carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development considered being of visual, amenity value are afforded maximum physical protection from the potential adverse effects of development in order to comply with Policies G1 and ENV13 of the Ribble Valley Districtwide Local

Plan and Policies DMG1 and DME2 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

9. The development hereby permitted in outline shall not be commenced until details of the landscaping of the site, including details of the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, have been submitted and approved in writing by the Local Planning Authority. The scheme shall include a substantial area of planting adjoining the northern boundary of the application site.

The approved landscaping scheme shall be implemented in the first planting season following the first occupation of the development whether in whole or in part 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.

REASON: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

10. Access to the adopted highway (Main Street, A59) is via the estate road within the adjoining housing development for which permission has been granted under reference 3/2012/0497/P. Construction of the 11 dwellings that are the subject of this application shall not be commenced until the estate road both within that adjoining site and within the application site has been constructed to at least base course level.

REASON: To ensure that satisfactory access is provided to the site in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

11. Prior to the commencement of construction works on site, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site. The facilities shall remain in place and shall be used at all times during the construction of the development.

REASON: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

12. No development shall begin until the scheme identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented in accordance with the approved details prior to the occupation of the development and thereafter retained in a condition commensurate with delivering the agreed level of energy generation.

REASON: In order to encourage renewable energy and to comply with the requirements of the National Planning Policy Framework.

13. The dwellings hereby permitted in outline shall achieve a minimum Level of the Code for Sustainable Homes in force on the date of occupation. No dwellings shall be occupied until a final Code Certificate has been issued for it certifying that the appropriate code level has been achieved.

REASON: In order to encourage an energy efficient development in accordance with the requirements of the National Planning Policy Framework.

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

8. APPLICATION NO: 3/2013/0711/P (GRID REF: SD 373187 440761)
OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 140 UNITS WITH PRIMARY ACCESS OFF HENTHORN ROAD WITH ALL OTHER MATTERS RESERVED (RE-SUBMISSION OF 3/2012/1092/P). LAND OFF HENTHORN ROAD, CLITHEROE, LANCASHIRE

DEFERRED and DELEGATED to the Director of Community Services for approval following the satisfactory completion of a legal agreement within a period of three months from the date of this decision in the terms outlined in the Section 106 Agreement sub-heading within this report and subject to the following conditions:

1. Application for approval of reserved matters must be made not later than the expiration of 3 years beginning with the date of this permission and the development must be begun not later than whichever is the latter of the following dates:
 - a. the expiration of 3 years from the date of this permission; or
 - b. the expiration of 2 years from final approval of the reserved matters, or
 - c. in the case of approval of different dates, the final approval of the last such matter to be approved.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy

DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

2. No development shall begin until detailed plans indicating the appearance, landscaping, layout and scale, including a contoured site plan showing existing features, the proposed slab floor levels and road level (hereinafter called the 'reserved matters') has been submitted to and approved in writing by the Local Planning Authority.

In relation to landscaping, the details shall include: the types and numbers of trees to be retained, the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or land form and the types and details of all fencing and screening.

The development shall not be carried out otherwise than in accordance with the approved details.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft. In order that the Local Planning Authority should be satisfied as to the details and because the application was made for outline permission.

3. The submission of reserved matters in respect of layout, scale, appearance and landscaping shall be carried out in substantial accordance with the details contained within Sections 3 and 4 of the Design and Access Statement submitted by NJL Consulting in support of the application; and notwithstanding the wish to retain existing trees and hedgerows on site as part of the scheme, in substantial accordance with the submitted illustrative drawing 'Henthorn Road Landscape Framework'.

REASON: For the avoidance of doubt to define the scope of the permission.

4. Prior to the submission of any reserved matters application, a phasing scheme for the site (including parcels of land which may/may not be the subject of separate reserved matters applications) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing scheme.

REASON: To ensure the satisfactory phasing of the development and to ensure that the development, including affordable housing, is delivered in a co-ordinated, planned way.

5. The development of the site hereby permitted shall not exceed 140 dwellings (use class C3) in accordance with the submitted application form, design and access statement and planning statement.

REASON: For the avoidance of doubt to ensure there is no ambiguity in the decision notice over what amount of development has been approved.

Landscaping and Levels

6. All landscaping schemes approved (pursuant to Condition 2 of this permission) for each parcel of development (as approved under Condition 4 of this permission) shall be fully implemented in the first complete planting and seeding season following the occupation of the dwellings within that parcel or the completion of the parcel to which they relate, whichever is the sooner. Any trees or plants which, within a period of five years from completion of the relevant development parcel die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

7. Applications for the approval of reserved matters (as required by Condition 2 of this permission) shall include details of existing and proposed site levels and the levels of the proposed roads. The development shall thereafter be carried out in accordance with the approved details.

REASON: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

Design

8. Prior to the submission of any reserved matters, including those within a phase or parcel (as approved under Condition 4), a master plan and design code for that phase shall be submitted to and approved in writing by the Local Planning Authority. The master plan and design code shall substantially accord with the Design and Access Statement submitted with the application. The design code shall address the following matters:

- Architectural and sustainable construction principles.
- Character areas.
- Lifetime homes standards.
- Street types and street materials.
- Development block types and principles.
- Pedestrian and cycle links.
- Boundary treatments.
- Building types and uses.
- Building heights.
- Building materials.
- Sustainable drainage system.
- Public open spaces/Green Infrastructure.
- Parking and manoeuvring arrangements for vehicles.

Applications for approval of reserved matters within a phase shall thereafter be in accordance with the approved master plan and design code for that phase.

REASON: In order that a high standard of design is secured for the details to be submitted as part of the reserved matters as the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

Highways/Transport/Construction

9. No development approved by this permission shall commence within a phase until a detailed scheme (including a timetable for implementation and completion) for the construction of the relevant site access(es) and any temporary construction arrangements including pedestrian facilities to serve that phase and the associated off-site highway improvements to directly serve that phase have been submitted to and approved in writing by the Local Planning Authority. The scheme for the off-site highway improvements shall be in accordance with the details submitted within the Transport Assessment submitted by the Strategic Land Group unless otherwise agreed in writing.

REASON: In the interests of highway and pedestrian safety and sustainability and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulations 22 Submission Draft.

10. Before the construction work commences facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

REASON: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

11. The proposed phasing of the construction and implementation of the development applied for shall be submitted to RVBC for approval before any construction work takes place. The details of the phasing shall include: numbers of dwellings to be included in each phase; a plan demarcating the phases; and a programme of delivery of the phases with the associated infrastructure.

REASON: In the interests of highway and pedestrian safety and sustainability and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulations 22 Submission Draft.

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

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative. To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulations 22 Submission Draft.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2010 (or any order replacing this) there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device.

The visibility splays to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed access roads from the continuation of the nearer edge of the carriageway of Henthorn Road to points measured 43m in each direction along the nearer edge of the carriageway of Henthorn Road from the centre line of the accesses, and shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority.

REASON: To ensure adequate visibility at the street junction or site access. To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulations 22 Submission Draft.

14. Prior to the commencement of development, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall provide details of:

- i) sustainable travel options for journeys to and from work for the site operatives, including pedestrian routes, travel by bicycles, journeys by train, car sharing schemes and other opportunities to reduce journeys by motor car;
- ii) the parking of vehicles of site operatives and visitors;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in the construction of the development;
- v) the erection and maintenance of security fencing; including decorative displays and facilities for public viewing, where appropriate;
- vi) wheel washing facilities;
- vii) measures to control the emission of dust and dirt during construction;
- viii) a scheme for recycling/disposing of waste resulting from construction works;

- ix) Periods when plant and materials trips should not be made to and from the site (mainly peak hours, but the developer to suggest times when trips of this nature should not be made);
- x) routes to be used by vehicles carrying plant and materials to and from the site which shall have been constructed to base course level;
- xi) measures to ensure that construction vehicles do not impede adjoining accesses;
- xii) plans identifying the existing surface water and foul drainage systems both within the site and outside the site; measures for the protection of those systems; and a remediation strategy in respect of any damage that might be caused to any parts of the existing drainage system whether within or outside the application site;
- xiii) details of how existing habitat features, hedgerows/streams shall be retained and protected during the lifetime of the development from the adverse effects of development works by maintaining construction;
- xiv) exclusion zones the details of which shall have first been submitted to and approved in writing by the Local Planning Authority prior to commencement of each phase of development;
- xv) the routeing of heavy (HGV) construction;
- xvi) a scheme for recycling/disposing of waste resulting from construction works (there shall be no burning on site);
- xvii) a scheme to control noise during the construction phase;
- xviii) details of lighting to be used during the construction period which should be directional and screened wherever possible; and
- xix) A dust management plan.

15. The approved construction method statement shall be adhered to throughout the entire period of construction works.

REASON: In order to ensure safe working practices on or near the highway in the interests of safety and in the interests of the amenities of nearby residents in accordance with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

16. No part of the development shall be commenced until all the highway works to facilitate construction traffic access have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

REASON: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

17. No phase or part of the development hereby approved shall be occupied or opened for trading until all the off-site highway works have been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

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

18. Prior to the first occupation of any part or phase of the development hereby permitted, a Framework Travel Plan shall be prepared for the whole development and submitted to the Planning Authority for consideration and approval. The Framework Travel Plan shall include targets and commitments and details of the preparation of the Full Travel Plan related to the phasing of the development. Thereafter the Full Travel Plan shall be prepared, implemented, audited and updated within the timescale set out in the approved Framework Travel Plan.

REASON: To ensure a multimodal transport provision for the development and reduce the traffic impact on the local road network, in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

19. Notwithstanding the submitted plans, all garage doors shall be located at least 5.5m back from the highway boundary at all times and the garages and driveways thereafter kept clear for the parking of a private motor vehicle and cycle.

REASON: To ensure satisfactory off street parking arrangements are preserved at all times.

Biodiversity/Tree Protection

20. Prior to the commencement of any on site works there shall be a repeat survey for the presence of badgers. The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to Ribble Valley Borough Council for approval in consultation with specialist advisors. Any necessary and approved measures for the protection of badgers will be implemented in full.

REASON: To ensure the development will not unduly harm the habitat of species protected by the Conservation of Habitats and Species Regulations 2010 (as amended), The Wildlife and Countryside Act 1981 (as amended) and The Natural Environment and Rural Communities Act 2006.

21. Tree felling, vegetation clearance works, development works or other works that may affect nesting birds shall not take place between March and August inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections.

REASON: To ensure the development will not unduly harm the habitat of species protected by the Conservation of Habitats and Species Regulations 2010 (as amended), The Wildlife and Countryside Act 1981 (as amended) and The Natural Environment and Rural Communities Act 2006.

22. If any plants listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) occur on the site, such as Japanese Knotweed or Himalayan Balsam, then they shall be eradicated from the site and working methods shall be adopted to prevent their spread. A detailed method statement for the removal or long-term management /eradication of Japanese knotweed (fallopian japonica) on the site shall be submitted to and approved in writing by the local planning authority. Development shall proceed in accordance with the approved method statement.

REASON: To ensure that Japanese knotweed is eradicated from the site and prevent further spread.

23. The detailed layout shall be informed by the updated Arboricultural Constraints Plan and tree survey dated 11th September 2013. The details submitted shall include the location of all hedgerows, individual trees, groups of trees and woodlands, their crown and root protection areas, location of services, lighting columns, roads, all surfacing and building plots. The protection/exclusion zones identified shall comply as a minimum specification with the most recent British Standard 5837.

REASON: In order to ensure that all existing trees have been given due consideration within the context of the proposed development

24. The findings and recommendations of the update Ecology Report (dated September 2013) shall inform the detailed proposals and include protection and mitigation measures as well as habitat improvement for protected species and species of conservation concern identified. The detail shall also include particulars and dates of any updated species and habitat specific surveys that may be required. The detail shall include particulars of the optimum period for such surveys as well as the methodology.

The results of any updated surveys shall be submitted to the Local Planning Authority if a use by a protected species of any part of the site included within the outline planning permission granted is established. A mitigation scheme including appropriate protected species licence details shall be submitted to and agreed in writing by Natural England and the Local Planning Authority.

REASON: To ensure that the detail of the proposal has been informed by the Ecology Report and that biodiversity has been given due consideration within the context of the proposed development. To allow adequate compensation for any losses and measures for the maintenance and enhancement of the biodiversity value of retained habitats, in accordance with guidance contained within the Conservation of Habitats and Species Regulations 2010 (as amended), The Wildlife and Countryside Act 1981 (as amended) and The Natural Environment and Rural Communities Act 2006.

25. The findings of the Hedgerow Report (dated September 2013) shall inform the detailed proposals. A hedgerow management and improvement plan for all retained hedgerows shall be drawn up and submitted to and approved in

writing by the Local Planning Authority. This shall include details for short, medium and long-term management of hedgerows within the application site, and details of improvements to the aforementioned hedgerows for the benefit of local biodiversity and wildlife habitat.

REASON: To ensure the long-term retention of significant hedgerows on site, and to enable biodiversity improvements as an integral part of the proposed development.

26. No individual trees, groups of trees, woodlands, or hedgerows shall be topped, lopped, pruned, or felled without the express written consent of the Local Planning Authority except those outlined for removal within the updated Arboricultural Report (dated September 2013).

REASON: To ensure no unnecessary loss of natural features of the site prior to the acceptance of full planning permission.

27. No development shall begin until details of a lighting scheme has been submitted to and approved in writing by the LPA. External lighting associated with the development should be directional and designed to avoid excessive light spill and shall not illuminate bat roosting opportunities within the site, the roof or eaves of the nearby buildings, or trees, streams or hedgerows in the area. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance *Bats and Lighting in the UK, 2008*).

REASON: In order to prevent undue impacts of habitats of protected species, in accordance with guidance contained within the Conservation of Habitats and Species Regulations 2010 (as amended), The Wildlife and Countryside Act 1981 (as amended) and The Natural Environment and Rural Communities Act 2006.

28. Any proposed boundary treatments should not be flush to the ground, or suitably sized gaps should be left at strategic points.

REASON: In order to retain habitat connectivity for Species of Principle Importance, such as amphibians and hedgehogs,

Archaeological

29. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

REASON: To ensure and safeguard the recording of any archaeological deposits

On-site Contamination

30. Prior to the commencement of development, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:
1. A Desk Study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on and off-site contamination and ground gases.
 2. If the Desk Study identifies potential contamination and ground gases, a detailed Site Investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part IIA, focusing primarily on risks to human health and controlled waters.
The investigation shall also address the implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property.
The sampling and analytical strategy shall be submitted to and be approved in writing by the LPA prior to the start of the site investigation survey.
 3. A Remediation Statement, detailing the recommendations and remedial measures to be implemented within the site.

Any works identified in these reports shall be undertaken when required with all remedial works implemented by the developer prior to occupation of the first and subsequent dwellings.

On completion of the development/remedial works, the developer shall submit written confirmation, in the form of a Verification Report, to the LPA, that all works were completed in accordance with the agreed Remediation Statement.

REASON: To ensure that the site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site.

31. Prior to the commencement of development, an intrusive ground investigation shall be carried out, as recommended and described in Section 6 (Conclusions and Recommendations) of the Preliminary Risk Assessment (Project 321124 – December 2012) Report by RSK submitted with the outline application; and a report of the findings of the investigation shall be submitted for the written approval of the Local Planning Authority. Any mitigation measures that are found to be necessary shall be carried out to the satisfaction of the Local Planning Authority prior to the commencement of development.

REASON: In the interests of providing an appropriate environment for the end users of the development and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

32. Prior to the commencement of development, samples of topsoil from a shallow depth shall be analysed to determine if contaminants are present, as recommended and described in Section 6 (Conclusions and Recommendations) of the Preliminary Risk Assessment (Project 321124 – December 2012) Report by RSK submitted with the outline application. A report of the findings of the investigation shall be submitted for the written approval of the Local Planning Authority, and any mitigation measures that are found to be necessary shall be carried out to the satisfaction of the Local Planning Authority prior to the commencement of development.

REASON: In the interests of providing an appropriate environment for the end users of the development and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

Amenity

33. Prior to the commencement of the development hereby permitted in outline, a scheme of noise mitigation measures shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details.

REASON: To ensure a satisfactory level of amenity for the future occupiers of the proposed dwelling in order to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulations 22 Submission Draft.

Renewables

34. Before development begins within a phase, a scheme (including a timetable for implementation) to secure at least 10% of the energy supply of the development hereby permitted within that phase from renewable or low carbon energy sources, or by a 'building fabric-led' approach, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and retained as operational thereafter.

REASON: In order to encourage renewable energy and reduce on-site energy demand, and to comply with Key Statement EN3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulations 22 Submission Draft.

Drainage

35. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and

approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing foul, combined or surface water sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: In order to ensure a satisfactory form of development and to prevent an undue increase in surface water run off and to reduce the risk of flooding in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulations 22 Submission Draft.

36. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should be in accordance with the FRA prepared by RSK dated July reference 2013 880291 R1 (3) and demonstrate the surface water run-off generated up to an including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON: To prevent the increased risk of flooding, both on and off the site.

37. Prior to the commencement of any phase of development, details of the foul drainage scheme for that phase including any necessary infrastructure shall be submitted to and approved in writing by the LPA. No housing shall be occupied for that phase until the approved foul drainage scheme for that phase has been completed in accordance with the approved details. Unless otherwise agreed in writing, the approved foul drainage scheme shall only connect to the 1100 x 675mm combined sewer within the boundary of the site.

REASON: To secure proper drainage and to reduce the risk of flooding and pollution.

INFORMATIVES

Ribble Valley BC imposes a charge to the developer to cover the administration, and delivery costs in providing wheeled bins to each household within a new build property or conversion. Details of current charges are available from the RVBC Contact Centre on 01200 425111.

No building shall be erected within 6.5 metres of any public sewer.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

If approved, the applicant should contact UU Service Enquiries on 0845 7462200 regarding connection to the water mains/public sewers.

United Utilities water mains will need extending to serve any development on this site. The applicant/developer, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 and 43 of the Water Industry Act 1991.

The provision of a mains water supply could be expensive.

The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Whalley Office, LCC Highways Area East, Riddings Lane, Whalley BB7 9RW (Tel: 08450 530011) in the first instance to ascertain the details of such an agreement and the information to be provided.

Before construction work commences, the developer should contact Eddie Mills, Ribble Valley District Highways Office, Lancashire County Council, Riddings Lane, Whalley BB7 9RW (tel. 0845 0530011) and quote the planning application number in order to discuss and agree the access for construction traffic and times of working.

(Mr Paul Smith spoke in favour of the above application. Councillor M Robinson spoke against the above application. Councillor A Knox spoke in relation to the above application.

A recorded vote called for, Members cast their vote:

Councillor S Bibby – For
Councillor B Hilton – For
Councillor S Carefoot – For
Councillor M Thomas – For
Councillor I Sayers – For
Councillor G Mirfin – Against
Councillor J White – For
Councillor D Taylor – For
Councillor I Brown – Against
Councillor J Rogerson – For
Councillor A Yearling – Against
Councillor S Knox – Against
Councillor T Hill – For

Vote in favour - 9 For and 4 Against

9. APPLICATION NO: 3/2013/0747/P (GRID REF: SD 372661 435732)
PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 56NO DWELLINGS INCLUDING 15NO AFFORDABLE HOUSING UNITS, TOGETHER WITH ALL ASSOCIATED INFRASTRUCTURE WORKS AT WILKINSON'S HAULAGE YARD AND ADJACENT LAND AT WHALLEY ROAD, BILLINGTON

The Head of Planning Services reported on a late item and an alteration to condition 6.

DEFERRED and DELEGATED to the Director of Community Services for approval following the satisfactory completion of a Legal Agreement within a period of 3 months from the date of this decision as outlined in the Section 106 Agreement sub-heading within this report and 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 relate to the development as shown on drawing numbers L(90)02D, L(90)03D, L(90)04D, C-963-01, BRO1.7, LIC1.7, DOR1.7, NOR1.7, SHE1.7, GRE1.7, OAK1.7, MAY1.7 and HOL1.7.

REASON: For the avoidance of doubt and to ensure compliance with the submitted plans.

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 and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

4. Precise details of the boundary treatment of all residential curtilages (walls, fences or hedges) shall be submitted to and approved in writing by the Local Planning Authority. No properties shall be occupied until a precise means of boundary treatment for that property have been implemented in accordance with the approved details.

REASON: In the interests of visual amenity and the amenities of adjoining residents and to comply with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

5. If, during development, contamination not previously identified was found to be present at the site, then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority dealing how this unsuspected contamination shall be dealt with and shall obtain written approval from the Local Planning Authority. The remediation strategy shall be implemented in its entirety in accordance with the approved details.

REASON: To protect the water environment from contamination and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft – Post Submission Version (including Proposed Main Changes).

6. A visibility splay at the junction of the site access on to Whalley Road shall be provided in accordance with the details shown on Drawing Number L(90)02D. This shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain within the visibility splay defined any building, wall, fence, hedge, tree, shrub or other device over the height of 0.6m from the channel level.

REASON: To ensure adequate visibility at the street junction or site access and in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft - Post submission Version (including Proposed Main Changes)

7. The new estate Road / access between the site and Whalley Road shall be constructed in accordance with the Lancashire County Specification for Construction of Estate Roads to at least base course level before any development takes place within the site

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted is occupied in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft - Post submission Version (including Proposed Main Changes).

8. No part of the development hereby approved shall commence until a scheme for the construction of the site access and off-site works of highway improvement has been submitted to and approved by the Local Planning Authority. No part of the development shall then be occupied until the scheme has been constructed and completed in accordance with the approved details.

REASON: To ensure that satisfactory access is provided to the site for both construction vehicles and general traffic following the completion of the development in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft - Post submission Version (including Proposed Main Changes) .

9. The existing access into the site from Whalley New Road shall be physically and permanently closed and the existing verge / footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for the Construction of Estate Roads concurrent with the formation of the new access.

REASON: To limit the number of access points and to maintain the proper construction of the highway in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft - Post submission Version (including Proposed Main Changes) .

10. Prior to the commencement of development, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall provide details of:

- i) Sustainable travel options for journeys to and from work for the site operatives, including pedestrian routes, travel by bicycles, journeys by train, car sharing schemes and other opportunities to reduce journeys by motor car.
- ii) the parking of vehicles of site operatives and visitors;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in the construction of the development;
- v) the erection and maintenance of security fencing;
- vi) wheel washing facilities;
- vii) measures to control the emission of dust and dirt during construction; and
- viii) a scheme for recycling/disposing of waste resulting from construction works.
- ix) Periods when plant and materials trips should not be made to and from the site (mainly peak hours, but the developer to suggest times when trips of this nature should not be made).
- x) Routes to be used by vehicles carrying plant and materials to and from the site which shall have been constructed to base course level.
- xi) Measures to ensure that construction vehicles do not impede adjoining accesses.

The approved construction method statement shall be adhered to throughout the entire period of construction works.

REASON: In order to ensure safe working practices on or near the highway in the interests of safety and in the interests of the amenities of nearby residents in accordance with the requirements of Policy G1 of the Ribble Valley

Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft - Post submission Version (including Proposed Main Changes).

11. The dwellings hereby approved shall be constructed in accordance with the details and methods outlined within the Carbon and Energy Analysis Report submitted with the application dated March 2013 unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to encourage renewable energy and to comply with the requirements of the National Planning Policy Framework and policy G1 of the Ribble Valley Districtwide Local Plan.

12. The development hereby permitted shall not be commenced until such time a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority, The scheme shall be fully implemented in accordance with the approved details.

REASON: In order to ensure satisfactory drainage of the site and prevent the risk of flooding and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft - Post submission Version (including Proposed Main Changes) .

13. Notwithstanding the provisions of Classes A to H of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, or any Order revoking and re-enacting that Order, the dwelling hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the dwellings on Plot numbers 42-56 inclusive unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and the amenities of nearby residents in accordance with Policies G1, ENV3 and H10 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME2 and DMH5 of the Core Strategy Regulation 22 Submission Draft - Post Submission Version (including Proposed Main Changes).

14. The development shall be carried out in accordance with the requirements and advice in the Arboricultural Development Report dated March 2013 by Tree Check Ltd. that was submitted with the application. Prior to commencement of any development works including delivery of building materials and excavations for foundations or services, all trees identified for retention in that Arboricultural Development Report shall be protected with a root protection area in accordance with the BS5837 [Trees in Relation to Construction]. Details of a tree protection monitoring schedule shall also be submitted to and agreed in writing by the Local Planning Authority before any site works are begun. The monitoring schedule shall then be implemented in accordance with the agreed details.

The root protection area shall 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 without prior written permission of the Local Planning Authority, which will only be granted when the Authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and will be carried out by an approved arboricultural contractor.

REASON: In order to ensure that the trees within the site that are to be retained are afforded maximum physical protection from the adverse effects of development in order to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Regulation 22 Submission Draft - Post Submission Version (including Proposed Main Changes).

NOTES:

1. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act.
2. The grant of planning permission will require the applicants to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes the design, procurement of the work by contract and the supervision of the works. For the avoidance of doubt, the highway works relate to the repositioning of the kerbed build-out on Whalley Road opposite the proposed site entrance, provision of "quality bus" standard bus stops on Whalley Road and the provision of vehicle activated signs on Whalley Road.

(Mr Gee spoke in favour of the above application).

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ITEMS DELEGATED TO DIRECTOR OF COMMUNITY SERVICES UNDER SCHEME OF DELEGATED POWERS

The following proposals have been determined by the Director of Community Services under delegated powers:

APPLICATIONS APPROVED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2010/0582/P	Application to discharge details relating to condition no. 4 (method statement/plan) and condition no. 6 (landscaping) of planning consent 3/2010/0185/P in relation to an approved pumping station	on the outskirts of Slaidburn adjacent to Baite Laithe
3/2012/0669/P	Full application for the proposed erection of an industrial unit and alterations to parking provision on land	Lincoln Way Clitheroe
3/2013/0059/P	Extension of existing caravan park to allow for the creation of 31 timber lodges	Rimington Caravan Park Crosshill Lane Rimington
3/2013/0488/P	To form two residential dwellings	Higher Jud Falls Knowles Brow Stonyhurst
3/2013/0692/P	Discharge of condition 3 of APP/T2350/A/12/2188887 dated 27 June 2013 (3/2012/0637/P)	Land at Mitton Road Whalley
3/2013/0171/P	Application for discharge of condition number 5 (verification completion report) of planning permission 3/2010/0568/P	Barrow Brook Barrow Clitheroe
3/2012/1072/P (LBC) & 3/2012/1073/P (PP)	Proposed conversion of barns at Causeway Farm into three dwellings, to include change of use of the small area to the South West of the barns (units 2 & 3. The area adjacent to unit 2 to accommodate a new garage and a small amenity area, whilst the area adjacent to unit 3 will be for car parking and amenity use	Causeway Farm Longsight Road Osbaldeston
3/2013/0174/P	Application to discharge condition No.3 (Tree Protection Measures), Condition No.4 (Surface Water Regulation) and Condition No.5 (Car Park Materials) of planning permission 3/2012/0760P	The Homestead Whalley Road Wilpshire
3/2013/0279/P 3/2013/0280/P 3/2013/0281/P	Proposed erection of a lean-to agricultural building to provide a covered feed passage (Building 3), application 3/2013/0279/P Proposed erection of a steel portal frame agricultural building for use as a covered manure store	Old Buckley Farm Stoneygate Lane Ribchester
Cont ...		

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
Cont'd	(Building 1), Application 3/2013/0280P) Proposed erection of a steel portal frame agricultural building to house beef cattle (Building 2), Application 3/2013/0281/P	
3/2013/0319/P	Application for the removal of condition no.10 (occupancy period) of planning permission 3/2002/0905P, to allow the holiday cottages to be used as permanent residential accommodation	Orchard Cottages off Clitheroe Road Waddington
3/2013/0374/P	Construction of a roof garden	Lee Carter House Castlegate, Clitheroe
3/2013/0485/P	Two storey detached dwelling with integral garage	Roadside Farm Preston Road Longridge
3/2013/0552/P	Proposed extension to form a double Garage	Siddows Hall Henthorn Road Clitheroe
3/2013/0554/P	Application for the partial discharge (relating to plots 1 to 6) of condition no. 4 (affordable housing commitment), condition no. 5 (external materials), condition no. 6 (removal of non-native species), condition no. 8 (landscaping proposals), condition no. 9 (tree protection), condition no. 12 (Provision for building dependant species) and condition no. 18 (street lighting) of planning permission 3/2012/1011/P	Land at 14 Church Raikie Chipping
3/2013/0561/P	Application for approval of details relating to condition no's 3 (materials), 4 (bat survey), 5 (bird boxes), 9 (eastern first floor window glazing), 10 (tree protection measures) and 11 (disposal of foul and surface water) of planning permission 3/2013/0212/P	Shay Cross Old Back Lane Wiswell
3/2013/0592/P	Outline application for the construction of two no detached houses and garages	Longsight House Longsight Road Langho
3/2013/0608/P	Proposed creation of decking area to the rear of the flats above	31 & 33 Shawbridge Street Clitheroe

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2013/0612/P	Proposed change of use of existing detached stable block to a retirement bungalow for applicant. The present stable building has the visual appearance of a bungalow (See letter of intent)	Tythe Barn House Whins Lane Simonstone
3/2013/0624/P	Proposed first floor extension to increase production space. Proposed single storey covered loading area and storage area. Additional car parking. Solar panels	Country Cakes Orchard Park Stoneygate Lane Ribchester
3/2013/0625/P	Conversion of barn to three open market dwellings	New Barn Stonyhurst
3/2013/0626/P	Conversion of barn to two open market dwellings	Woodfield Barn Woodfields, Stonyhurst
3/2013/0657/P	Proposed double sided non-illuminated sign board 1.5m from the ground measuring 2m(h) x 1m(w)	The Civic Hall/Gym Calder Avenue Longridge
3/2013/0659/P	Proposed new extension to side of premises with matching slate roof and painted render finish to match existing, new door opening be formed to allow access to the proposed extension from outside, mock sash windows to match existing	Wagon and Horses Inn Pimlico Road Clitheroe
3/2013/0673/P	Demolition of existing garage to be replaced with an annex ancillary to the main dwelling	Hougher Fall Farm Old Clitheroe Road Dutton
3/2013/0688/P	Change of use of outbuildings to annex accommodation for an elderly relative with bedsit accommodation for a carer including the installation of 12no 1650 x 1000 pv panels and external alterations including bay window to south elevation	Winckley Hall Whalley Road Hurst Green
3/2013/0693/P	Removal of Condition 5 of planning consent 3/2010/0070/P	Halsteads Farm Rimington Clitheroe
3/2013/0710/P	Dormer extensions and alterations	57 Preston Road Longridge
3/2013/0718/P	Erection of small outbuilding for the storage of gardening equipment	St Leonard's Church Commons Lane Balderstone

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2013/0720/P	Installation of 1.no new air conditioning condenser unit to the rear of the property	Barclays Bank plc 67 King Street, Whalley
3/2013/0727/P	Application to discharge details relating to condition no's 8 (Velux rooflights), 11 (Bird/Bat habitat), 17 (Building recording and analysis) and 18 (foul/surface water disposal) of planning permission 3/2013/0051/P	Cottages at Top Row Sabden, Clitheroe
3/2013/0731/P	Proposed demolition of existing side and rear extensions and construction of new single storey side and rear extension	20 George Lane Read
3/2013/0732/P	Demolition of existing side and rear extensions and construction of new two storey side and rear extensions and incorporate loft conversion	20 George Lane Read
3/2013/0735/P	New detached garage	Seven Acre Cottage Forty Acre Lane Longridge
3/2013/0743/P	Replace 7 timber windows with new timber windows to match existing. Windows to be painted white. All the windows are situated on the front elevation facing Church Brow	Wade House 2 Church Brow Clitheroe
3/2013/0745/P	Proposed erection of a new entrance porch and internal remodelling	Pleasington Court Brewery Street Longridge
3/2013/0750/P	Amendments to the approved planning application 3/2012/0753 to include a rear extension to form a plant and equipment room for renewable energy heating equipment	Chorley House Back Commons Lane Clitheroe
3/2013/0751/P	Application to remove condition No.2 of Planning Permission 3/2013/0852P	The Field, Old Hive Chipping
3/2013/0756/P	Conversion of Existing dwelling to form 2No residential Units	14 Inglewhite Road Longridge
3/2013/0757/P	Renewal of planning permission 3/2010/0569/P for the proposed conversion of a barn to one residential dwelling at barn adjacent	Shays Cottage Tosside

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2013/0762/P	Two Storey Extension to the front elevation, Two storey/single storey extension to the rear elevation and conversion of roof space and new roof lights	2 Glendene Park Wilpshire
3/2013/0778/P	Single storey rear extension	Leagram Lodge Chipping
3/2013/0780/P	Proposed detached outbuilding within residential curtilage to be used as ancillary study/art studio	Countess Hey Barn Elmridge Lane Chipping
3/2013/0784/P	Installation of internal stairlift	15 Old Well Hall Main Street, Downham
3/2013/0791/P	Redecorate external stained timber components (window frames, glazed screen frames, doors and door frames, fascia's and soffits in paint finish	Parlick Cottage Moss Lane Chipping
3/2013/0807/P	Application to discharge condition no. 4 (materials) of planning permission 3/2010/0763/P	Severn Street Longridge
3/2013/0813/P	Application to discharge condition no. 3 (materials) of planning permission 3/2012/0734/P	Ashwood Brockhall Village Old Langho
3/2013/0873/P	Application to discharge details relating to condition no. 5 (materials) and no. 18 (car park surfacing materials) of planning permission 3/2010/0113/P at land adjacent	Whalley Road Sabden

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APPLICATIONS REFUSED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2013/0349P	Proposed alterations to form new entrance into dwelling as well as relocating window to front elevation. The proposal also included first floor extension above new entrance to form new bathroom. Material to match existing dwelling	2 Chapel Fold Wiswell	DWLP – G1, ENV16, H10, SPG, CS (Sub.Dr) – DMG1, DME4, DMH5, NPPF – Sections 7 and 12 – incongruous and dominant extension seriously harmful to the Building of Townscape Merit and Wiswell Conservation Area

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2013/0497/P	Application to vary condition on. 4 (hours of opening) of planning permission 3/2004/0824P, to allow the nursery to open from 7 am - 7pm Monday – Saturday	54 West View Clitheroe	G1 and DMG1 – harmful to residential amenity G1 and DMG1 - insufficient information to assess the parking provision and traffic
3/2013/0663/P	Proposed demolition of an existing small study extension and erection of green oak frame garden room	4 Horton Lodge Horton	Policies G1, H10, SPG (DWLP) and Policies DMG1 and DMH5 (CS Sub.Dr.) – odour and nuisance from chimney to neighbouring amenity. Policies G1, H10, H17 and SPG (DWLP) and Policies DMG1, DMH5, and DME4 (CS Sub.Dr.) – design and materials harmful to character and appearance of building.
3/2013/0719/P	Remove current dwarf sandstone garden wall to highway (Church Lane). Rebuild wall in local sandstone, mortar bedded to new height of 1.5-1.8m in keeping with the local stone walls. Position and line of the new wall remains the same as current wall. Garden	20A The Hollies Church Lane Mellor	Contrary to policy G1 of DWLP and Policy DMG1 of CS
Cont ...			

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
Cont'd	hedge/plants remove to allow construction		
3/2012/0749/P	Two storey extensions	Tenement Farm Thornley	G1, ENV1, H10, SPG (DWLP)/ DMG1. DME2, DME3 and DMH5 (Reg 22 Submission Draft C.S.) and Sections 11 of NPPF – incongruous and dominant extensions harmful to property itself and visual amenity.
3/2013/0765/P 3/2013/0766/P	Demolition and rebuilding of single storey rear lean-to extension and repositioning of internal ground floor staircase	6 The Old Tannery Shawbridge Street Clitheroe	Harmful to character of listed building and character and appearance of Clitheroe Conservation Area because of loss of important historic fabric (historic stair removal and new stair installation), the distortion of room shapes and obscuring of important plan form elements (new stair and wall) and erection of prominent and incongruous fencing. Contrary to ENV20, ENV19, ENV16 and G1, NPPF paragraph 17, 131 and 132 and CS Reg.22SD DME4 and DMG1.

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2013/0780/P	Demolition of existing garage and erection of 2 bed house in vacant garden area	10 Fairsnape Avenue Longridge	NPPF, Policy G1 of DWLP and Policy DMG1 of the RVCS (Post Submission Version) - cramped, incongruous and visually intrusive, overbearing to adjoining occupants and inadequate level of privacy for the future occupants of the dwelling.

425 REFUSAL OF CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2013/0819/P	Lawful Development Certificate for a proposed extension to existing garage to give extra floor space. Materials to be similar to existing	7 Church Brow Gardens Clitheroe

426 TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 PARTS 6 & 7 PRIOR NOTIFICATION OF AGRICULTURAL AND FORESTRY BUILDINGS AND ROADS PRIOR APPROVAL **NOT** REQUIRED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2013/0849/P	Prior Notification for a proposed portal frame building 22.9m (Length) x 17.5m (breadth) x 5.9m (height to ridge)	Clerk Laithe Barn Newton in Bowland

427 APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2013/0193/P	Change of use of a single storey brick shippin to one residential dwelling	Wheatley Farm Four Acre Lane Longridge
3/2013/0339/P	Change of use of an existing industrial unit to a sports injury clinic	2 Hall Street Clitheroe
3/2013/0582/P	To build internally on metal studded walls which will be approximately 100mm in depth and will rise to the ceiling. Within the	Clitheroe Castle Museum Castlegate Clitheroe
Cont ...		

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
Cont'd	metal wall shall be insulation and on the outside will be 1 skin of plasterboard with a skim finish, 2 coats of emulsion paint to match existing. The wall shall be set 100mm from the existing stone wall.	
3/2013/0704/P	Alterations to increase the width of the existing site entrance	Land between 91 & 93 Ribchester Road Clayton le Dale
3/2013/0772/P	Change of use of existing industrial storage premises to sports injury and rehabilitation clinic class D1	Unit 7, Hawthorn Industrial Estate Lincoln Way, Clitheroe
3/2013/0733/P	Single storey extension to the kitchen with additional accommodation in the roof space and relocation of 'means of escape' steps	Holden Clough Nursery Holden
3/2013/0855/P	LDC for a proposed use to create a new access to land on to an unadopted lane	Land at Hothersall Lodge Hothersall Lane Hothersall

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SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2012/0065	Land off Dale View Billington	24/5/12	12	Section 106 now signed
3/2012/0014	Land adj Greenfield Avenue Low Moor, Clitheroe	19/7/12 18/7/13	30	Awaiting return of agreement
3/2012/0379	Primrose Mill Woone Lane, Clitheroe	16/8/12	14	Deed of Variation Applicants solicitor
3/2012/0497	Strawberry Fields Main Street, Gisburn	11/10/12	21	Signed
3/2012/0738	Dale View Billington	6/12/12	10	Signed
3/2012/0785	Clitheroe Hospital Chatburn Road Clitheroe	6/12/12	57	With Lancashire County Council
3/2012/0964	Land to the north of Whalley Road Hurst Green	14/3/13	30	With applicants Solicitors

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
Non Housing 3/2011/0649P	Calder Vale Park Simonstone	15/3/12		Subject to departure procedures, draft 106 received from Lancashire County Council

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Time from First Going to Committee to Decision</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2013/0137	Land east of Clitheroe Road (Lawsonsteads) Whalley	18/7/13	13	260	Decision 16/10/13

429 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>
3/2012/0630 Undetermined	22/01/13	land SW of Barrow and W of Whalley Road, Barrow	Inquiry	11/09/13 (up to 2 days)	Awaiting decision
3/2012/0526 R	01/02/13	Laneside Farm Pendleton	Changed to Hearing, then back to written reps		Awaiting decision
3/2012/0526 R	27/03/2013	Laneside Farm Pendleton	Costs		Awaiting decision
3/2012/0402 R	18//2/13	Mason House Fm Clitheroe Road Bashall Eaves	WR		Awaiting decision
3/2012/1088 R	28/03/13	8 Church Brow, Clitheroe	LB		Awaiting decision
3/2012/0913 R	28/03/13	land off Waddington Road Clitheroe	Inquiry	19/09/13 (1 day)	Awaiting decision
3/2012/0792 R	30/04/13	Hodder Bank Stonyhurst	WR		Awaiting decision
3/2012/1079 R	26/04/13	79 King Street Whalley	WR		Appeal dismissed 04/09/13

<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>
3/2012/0972 R	23/04/13	Shays Farm Tosside	WR		Awaiting decision
3/2012/0539 R	25/04/13	Carr Hall Home and Garden Centre, Whalley Road, Wilpshire	Hearing	20/08/13 1.5 days	Awaiting decision
3/2013/0099 Undetermined	20/05/13	land to the west of Whalley Road, Barrow	changed to Hearing	05/11/13 2 days	Waiting for hearing to take place
3/2012/1040 R	15/07/13	Carr Meadow Barn, Carr Lane Balderstone	WR		Awaiting decision
3/2013/0126 R	29/07/13	3 Horton Lodge Horton	HH		Appeal allowed 18/09/13
3/2013/0419 R	08/08/13	Wolfen Mill	WR		Awaiting decision
3/2012/1092 R	Awaiting validation by PINS	land off Henthorn Road			
3/2013/0447 R	21/10/13	Bleak House Kemple End Stonyhurst	WR		Notification sent Questionnaire due 4/11/13 Statement due 2/12/13 Final comments due 23/12/13
3/2013/0448 invalid	Awaiting validation by PINS	Oakfield Longsight Road Clayton le Dale			

430 NON-DETERMINATION APPEAL FOR POULTRY FARM AT OAKFIELD, LONGSIGHT ROAD, CLAYTON-LE-DALE

The Head of Planning Services referred to his report which advised Committee in relation to the recently received non-validation and non-determination appeal and requested guidance on the issues relating to the Council's reasons for not validating the application and the proposed refusal of the scheme.

The application had initially been made on 29 April 2013. During the statutory consultation process, the Council had visited the site and considered there to be serious misgivings on the application. The agent had been contacted and advised of the information needed to assess the application. The application had subsequently been made invalid whilst awaiting the information. The Council still considered the application to be invalid and for this reason the application had not been determined.

Members were reminded in cases for non-determination it was important to gauge the views of Planning and Development Committee in order that Committee Members were satisfied with the officer report and were in agreement with its content and conclusions. On the basis of the planning merits of the case at this particular point in time, it was considered that it should be a formal recommendation that should be made to this Committee. It would have been one of refusal for the following reasons:

1. Insufficient information has been made available to enable a comprehensive assessment to be made of the likely impacts of the application on the amenities of local neighbours in respect of noise, odour and air quality.
2. Insufficient information has been made available to enable a comprehensive assessment to be made on the likely impacts of the application on highway safety.
3. Insufficient information has been made available to enable a comprehensive assessment to be made on the likely impacts of the application on the boundary trees and hedgerow and the subsequent impact on local wildlife.

RESOLVED: That Committee endorse the above issues as reasons for refusal and authorise the Director of Community Services and Head of Planning Services to liaise as appropriate to establish the best possible case to defend the appeal.

(Councillors N Walsh and S Brunskill spoke in relation to the next item)

431 SAMLESBURY ENTERPRISE ZONE PROPOSED LOCAL DEVELOPMENT ORDER

The Head of Planning Services informed Committee of the ongoing work in relation to the proposed Local Development Order at Samlesbury and requested authorisation of the eventual submission of the final document to the Secretary of State.

He reminded Members that the first Lancashire Advanced Engineering and Manufacturing Enterprise Zone (Samlesbury) Local Development Order No 1 (2012) was adopted by this Council on 27 March 2012 and by South Ribble Borough Council on 29 March 2012. The LDO was active for a period of three years following the date of its adoption unless it was revoked within that period.

Ribble Valley, South Ribble and Lancashire County Council had been working together to ensure delivery of the subsequent Local Development Orders following the designation of the Samlesbury Enterprise Zone. The boundary between Ribble Valley Borough Council and South Ribble Borough Council ran through the LDO area. Ribble Valley Borough Council and South Ribble Borough Council intended to jointly undertake a public consultation for four weeks on the draft LDO. The LDO would be finalised having regard to the adopted masterplan and representations received during that consultation period.

Members were informed that in order to safeguard possible concerns, the relevant parties had agreed specific conditions which would effectively control the scale of the development including height restrictions, use of materials, parking, access and other environmental regulation measures.

A Local Development Order would automatically grant planning permission for the types of development specified in a LDO subject to conditions and in doing so remove the need for a planning application to be made. The Head of Planning Services stated that he was satisfied that the proposed LDO would still ensure that adequate measures were put in place to prevent inappropriate development occurring.

RESOLVED: That Committee

1. endorse the current consultation procedure in relation to the proposed Local Development Order and support the designation of the Local Development Order; and
2. defer and delegate the agreement of the final version of the Local Development Order and authorise any changes deemed appropriate as a result of the consultation process to the Director of Community Services and the Head of Planning Services in conjunction with the Chairman and Vice Chairman of Planning and Development Committee.

432 OBSERVATIONS TO COUNTY COUNCIL – CREATE NEW SIGNALISED JUNCTION AT A59 SAMLESBURY ENTERPRISE ZONE 3/2013/0852/P

County Councillor Alan Schofield was given permission to speak on this item and referred to a suggested alternative access for the site. Committee's views were requested in relation to a recent request for observations from Lancashire County Council with regards to the proposed creation of a signalised junction on the A59 along with an access road to form an entrance to Samlesbury Enterprise Zone.

A Local Development Order had been adopted in March 2012 as part of this enterprise zone. Work was underway to prepare and adopt a further LDO for the entire site. The Samlesbury Enterprise Zone masterplan had been prepared on behalf of the Lancashire Enterprise Partnership to establish a framework for the long term strategic objectives of Samlesbury Enterprise Zone. The masterplan considered a number of key matters in terms of access, transport, travel, utilities, design, landscape and ecology.

The masterplan was currently out to public consultation from 17 October until 28 November 2013. The consultation included a public meeting to be held on Tuesday, 12 November. Following the expiry of that consultation period and consideration of responses received, it was anticipated that Ribble Valley Borough Council and South Ribble Borough Council would adopt the masterplan in December 2013.

Two of the 11 key objectives of the masterplan related to provision and co-ordination of transport infrastructure within and beyond the enterprise zone

boundary and access to the enterprise zone and its integration with the existing public highway network along with proposals for on and off site works required as a result of the development.

The enterprise zone would be adjacent to the existing BAE systems site. However, the two sites would need to remain separate in order to maintain the required security of the existing BAE Systems operations. The new access was therefore proposed from the A59 between the existing BAE Systems access and Mellor Brook roundabout. This would be a signalised junction including separated right and left turn lanes to the access.

The works were anticipated to commence with the widening of the carriageway on the south side of the A59 including the spur to join Myerscough Smithy Road. The supporting statement accompanying the planning application was produced by Lancashire County Council and stated that the construction programme would be determined by the appointed contractor but would be delivered in the most efficient, economic and least destructive manner.

Ribble Valley Borough Council were hopeful that Lancashire County Council would closely monitor the construction programme to minimise disruption to local residents during the construction period. Members then discussed this matter in some detail.

RESOLVED: That Committee

1. advise Lancashire County Council that Ribble Valley Borough Council support the proposed enabling works and therefore raise no objection to the proposal;
2. request that Lancashire County Council closely monitor the construction programme to minimise disruption to local residents; and
3. ask Lancashire County Council to examine the possibility of examining improvements to the proposed access to reduce the impact on Carr Fold and Sykes Holt.

433 PRESTON LOCAL PLAN 2012-2026 PUBLICATION VERSION

The Head of Planning Services asked Committee to consider the Preston Local Plan publication version and its implications for this Council's Core Strategy and determine an appropriate response.

The Preston Local Plan was issued in consultation in September 2013. It comprised site allocations and development management policies. It represented an advanced stage in the plans preparation process, proceeding submission to the Secretary of State for Examination. The central Lancashire Core Strategy prepared jointly by Preston City Council., Chorley and South Ribble Councils and adopted by Preston City Council in July 2012 provided the strategic planning policy context. This Council's views were being sought as part of the consultation process which closed on Monday, 25 November 2013. The

two Councils had undertaken due co-operation in preparing their respective plans through officer and Member meetings, ongoing discussion and dialogue. Of key relevance, had been cross boundary issues at Longridge that were recognised in both Core Strategies.

The report highlighted a number of areas which the Head of Planning Services was unhappy with in relation to the impact that these would have on Longridge's housing allocation under the Ribble Valley Core Strategy, in particular around the Whittingham Road/Halfpenny Lane boundary.

Members then discussed this matter in some detail.

RESOLVED: That the Council submit an objection to the housing allocation and area of separation on land at Whittingham Road, Longridge due to its impacts on the Ribble Valley Core Strategy, namely the spatial distribution of housing and its relation to the role of Longridge as a key service centre. The precise form of wording is to be delegated to the Head of Planning Services in consultation with the Chairman, to take account of any issues which may arise from the meeting between officers of both Councils week commencing 28 October 2013.

434 REVIEW OF FEES AND CHARGES

Committee considered a report seeking approval to increase Committee's fees and charges with effect from 1 April 2014.

Members were reminded that in September 2013 a report had been taken to the Budget Working Group on the review of the Council's fees and charges for 2014-2015. At that meeting the Budget Working Group had agreed with the proposals to increase the Council's fees and charges by 2.75% allowing for roundings to the nearest 5p which may result in higher increases.

RESOLVED: That Committee agree to the proposed fees and charges which would be implemented with effect from 1 April 2014.

435 CONSULTATION DOCUMENT – EXTENDED PERMITTED DEVELOPMENT RIGHTS FOR HOME OWNERS AND BUSINESSES

Committee were informed of a consultation document which related to greater flexibilities for changes in use. Members were also informed that there had been significant changes in legislation to allow more permitted development rights to free up certain uses from requiring planning permission. The proposals in the document continued the momentum of previous changes advocated in May 2013; these were in particular new homes from shops, financial services to shops, redundant agricultural buildings to dwellings, change of use to child care and permitted development rights and change of use of agricultural buildings to educational purposes.

RESOLVED: That the report be noted.

436 CAPITAL MONITORING 2013/2014

Committee considered a report on the progress of the approved capital programme for the period April to September 2013 with regards to schemes which fell within the responsibility of this Committee.

RESOLVED: That the report be noted.

437 REVENUE MONITORING 2013/2014

Committee considered a report on the first six months of this year's revenue budget as far as this Committee was concerned.

RESOLVED: That the report be noted.

438 HOUSING LAND AVAILABILITY

Committee received a report on the results of the most recent housing land availability survey on the base date of 30 September 2013.

RESOLVED: That the report be noted.

The meeting closed at 9.22pm.

If you have any queries on these minutes please contact John Heap (414461).