

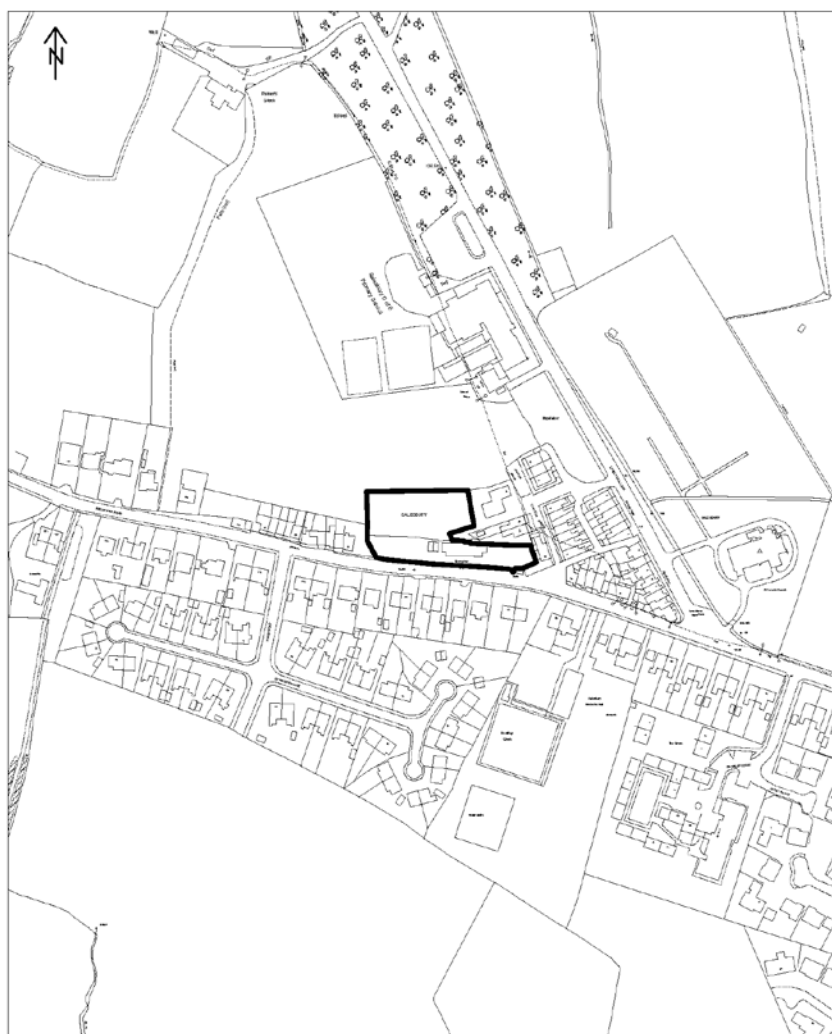
RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 19 MAY 2016
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2015/0614P (GRID REF: SD 367954 432873)
 TIMBER CONSERVATORY TO REAR BEER GARDEN; RE-LOCATION OF BEER STORE
 AND ADAPTATIONS TO EXISTING BEER STORE TO FORM NEW LOUNGE; EXTENSION
 OF KITCHEN AND BAR SERVICE AT BONNY INN, RIBCHESTER ROAD, CLAYTON LE
 DALE BB1 9HQ



3/2015/0614 Bonny Inn, Ribchester Road, Clayton le Dale, BB1 9HQ

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- PARISH/TOWN COUNCIL: None received.
- HIGHWAYS (LCC): Based on the amended plans which include increased parking, reduced seating and enhanced sightlines the proposal raises no objections on highways grounds.
- ENVIRONMENTAL HEALTH: Request that a condition that further information is provided regarding the extraction unit at the pub as have concerns that this will have a detrimental impact on the amenity of the area and has the possibility to lead to complaints being made to Environmental Health. Whilst it is noted that the pub already has an extraction unit, due to the anticipated increased footfall the occupiers must show that they are undertaking all steps to prevent odour nuisance.
- ADDITIONAL REPRESENTATIONS: Letters of objection have been received from 10 neighbouring occupants relating to the following:
- Insufficient car parking
 - Conservatory extends into Green Belt
 - Noise and odour nuisance from cooling fans and extraction
 - Noise from bar, kitchen and patio area
 - Loss of light
 - Location of the bin store
 - Construction works would cause disturbance for neighbouring residents
 - Operating times too late
 - Noise of deliveries

1. **Proposal**

- 1.1 This application seeks consent for a number of extensions to the existing Bonny Inn public house, Clayton-le-Dale. On the west side of the building the application proposes the erection of a pitched roof above the existing beer store and conversion to a lounge area. To the rear a new lean-to conservatory measuring 11m x 3m would be erected along with extension of the rear raised patio area by 1.5m to the north. There would also be a minor extension to the bar area which would be visible from the rear. The majority of the proposed development is located on the east side of the building to provide a kitchen extension and new beer store. The proposed flat roofed extension would project 11m from the side of the existing building and would have a varying height of between 2m and 2.9m above the existing ground floor level. The proposed extensions would be constructed using materials to match those of the existing building.
- 1.2 To the front of the public house the application proposed an outdoor seating area enclosed by 650mm raised planters and retractable canopy. The parking area would be rearranged and extended beyond the existing rear boundary fence on the west side of the building by approximately 5m. This would result in a net increase of 4 additional parking spaces.

2. **Site Location**

- 2.1 The Bonny Inn public house fronts onto the north side of Ribchester Road, Clayton-le-dale. The public house itself is within the settlement boundary of Salesbury but the open land to the rear, which is also within the same ownership, is within the Green Belt. The public house and its car park are adjoined to the west by houses on Ribchester Road and to the east by houses at Clayton Grove.

3. **Relevant History**

3/2002/0214/P – Single storey extension and external alterations. Approved with conditions.

3/2003/0485/P – Removal of condition no 3 of planning permission 3/2002/0214/P. Withdrawn.

3/2004/0931/P – Alterations to rear elevation including the formation of an additional door. Refused.

3/2007/0268/P – Small lean-to extension and internal alterations. Approved.

3/2008/0348 - Removal of condition no.3 of planning consent 3/2002/0214P. Refused

3/2008/0720 - New flagged patio with stone wall and picket fence to boundary. Approved with Conditions.

3/2008/0757 - Removal of condition no. 3 of planning application 3/2002/0214/P to gain access onto the proposed patio to the rear of the licensed premises. Approved with Conditions.

4. **Relevant Policies**

Ribble Valley Core Strategy
Key Statement EN2 – Landscape
Key Statement EN1 – Green Belt
Policy DMG1 – General Considerations
Policy DMB1 – Supporting Business Growth and the Local Economy

National Planning Policy Framework

5. **Environmental, AONB, Human Rights and Other Issues**

- 5.1 The main considerations in determining this application are the principle of the development, the design and visual appearance of the proposals, the impact of the development on the residential amenities of neighbouring occupiers, the impact of the proposals on the Green Belt and its effect on highway safety.

5.2 **Principle of Development**

- 5.2.1 Policy DMB1 of the adopted Core Strategy supports business growth and states that the expansion of existing businesses within settlements will be permitted on land within or adjacent to their existing sites provided there are no significant environmental problems and the proposals accord with other policies in the Core Strategy. The expansion of

firms on land outside settlements will be supported provided it can be assimilated within the local landscape.

- 5.2.1 It is noted that part of the proposed patio extension and expansion of the existing car park would be on Green Belt land. Key Statement EN1 of the Core Strategy and section 9 of the National Planning Policy Framework (NPPF) aims to protect Green Belt land and there is a general presumption against inappropriate development in the Green Belt. The NPPF advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. The essential characteristics of Green Belts are their openness and their permanence. NPPF paragraph 85 states that the construction of new buildings is inappropriate in Green Belt. However, the proposed patio extension and car parking area are not buildings and paragraph 90 of the NPPF says that engineering operations are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with purposes of including land in Green Belt. In this case, it is deemed that the minor patio extension and extension of the hardstanding for additional parking are low level features and would not result in any significant harm to the openness of the area or the visual appearance of the landscape. The principle for extending the public house in this location is therefore considered acceptable.

5.3 Design and Visual Appearance

- 5.3.1 The extension of the roof above the existing beer store to form a dual-pitched roof on the western side of the premises would improve the visual appearance of this part of the building and it would remain clearly subservient to the original public house. The extensions proposed on the east side of the building, to provide additional kitchen space and a beer store, would have a flat roof. Whilst this would not be ideal and a pitched roof would be more reflective and in-keeping with the main building, it would not have an unacceptable impact on the visual appearance of The Bonny Inn to justify refusal of the application nor would it cause any significant harm to the appearance of the wider area. The proposed extensions would be built using materials to match those used on the exterior of The Bonny Inn and would allow the proposed additions to blend into the existing building.

5.4 Residential Amenity

- 5.4.1 With regards to the potential impact of the development on adjacent neighbouring occupants, the proposals would be located in close proximity to residential properties 1a, 2a and 3a Clayton Grove and no.99 Ribchester Road to the north east and no.76 Ribchester Road to the west. The proposals would not result in any unacceptable harm to the residential amenities of the occupants of dwellings on the opposite side of Ribchester Road facing The Bonny Inn. The scheme of development proposes a new landscape buffer in the form of a planting strip on the western boundary of the car park. This would improve the privacy of the occupants of no.76 Ribchester Road. On the eastern side of the building, the proximity of the residential properties to the proposed extensions raises a number of issues and the Council has received a number of objections from neighbours.
- 5.4.2 Firstly, the application proposes to extend the existing patio area to the rear. The existing patio was approved by planning application 3/2008/0720 and was subject to a number of conditions aimed at restricting noise levels in order to protect the amenities of neighbouring residents. One of these conditions required the planting of broad-leaved trees along the boundary to the north-east of the patio. This application would result in

the removal of one tree to enable the extension of the patio. It is thought that the removal of one tree would not result in an unacceptable increase in noise levels, however; the proposed extension of the existing patio by around 1.5m would increase its capacity for outdoor eating, drinking and smoking and as mitigation it is proposed to require reinforcement of the remaining tree line and extension of the existing 2m high acoustic fence to safeguard the amenities of neighbouring occupants. Use of the patio and outdoor seating area to the front of the building for drinking, eating and smoking would be permitted between the hours of 9am to 10pm only.

- 5.4.3 The proposed kitchen extension and beer store located on the east side of the premises would be 0.9m from the boundary with 1a Clayton Grove to the north. It is also noted that this neighbouring property is situated on lower ground. In response to concerns regarding the scale and proximity of the proposals to this residential property the applicant has reduced the height of the beer store from 2.9m to approximately 2m and infers that the beer store would therefore have no greater impact than a 2m high boundary fence which could be erected without consent from the Local Planning Authority. With this in mind, it is considered that the proposals would not result in unsatisfactory harm to privacy, outlook or light from this residential dwelling to justify refusal of the application.
- 5.4.4 Concerns have also arisen from the siting of extraction vents and the potential for noise and odour nuisance. There is an existing vent located on the rear elevation of the kitchen of the public house which faces the rear gardens of residential properties 1a, 2a and 3a Clayton Grove. The application proposes two additional extract vents in the roof of the kitchen. In order to ensure that an odour nuisance does not arise as a result of the proposals, should consent be granted the Local Planning Authority would require submission of details of the ventilation system to restrict the emission of odours to an acceptable level. Additionally, prior to first use of the buildings a noise assessment would be submitted to the Local Planning Authority to ensure that noise levels from the site shall not have an impact on noise-sensitive premises.
- 5.4.5 Subject to these conditions, I am satisfied that the proposed development would operate without undue impact on neighbouring occupants and in the event that complaints are received, appropriate action could be taken.

5.6 Highway Safety

- 5.6.1 The application proposes an extension of the existing car park to the west by approximately 6m increasing parking capacity by 4no. spaces. This is considered acceptable by the County Surveyor (Highways) and would provide sufficient parking to serve the additional customer floor area. Relocation of the existing access to the west of the site would provide enhanced sight lines and the external seating area to the front of the building would be enclosed with 650mm high planters to remove potential visibility obstructions to vehicles whilst ensuring the safety of patrons.

5.7 Conclusion

- 5.7.1 Taking into account the above, the proposed development would not result in any significant harm to the visual appearance of the public house or the immediate locality. Furthermore, subject to the use of appropriate conditions the proposals would not have a significant adverse impact on the amenities of neighbouring residents to warrant refusal of the application and its approval would support the expansion and ensure the safeguarding of an existing business and local facility in accordance with the Strategic

Objections of the Core Strategy and Section 3 of the NPPF which aims to '*promote the retention and development of local services and community facilities in villages, such as...public houses*'. Accordingly it is recommended that the application be approved.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

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

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

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawing 841/PL/02 (Proposed Plans and Elevations) received 3rd May 2016.

REASON: For the avoidance of doubt since the proposal was the subject of agreed design improvements/amendments and to clarify which plans are relevant to the consent.

3. The external facing materials, detailed on the approved plans, shall be used and no others substituted.

REASON: To ensure that the materials to be used are appropriate to the locality in accordance with Policies DMG1 and DMH5 of the Ribble Valley Core Strategy.

4. The external patio and seating area hereby permitted shall not be used for outdoor eating, drinking and smoking between the hours of 2200 and 0900.

REASON: In the interests of the amenities of neighbouring residents and to comply with Policy DMG1 of the Core Strategy.

5. Prior to the first use of the patio area hereby permitted, the 2m high acoustic fence on its eastern boundary shall have been extended north by 1.5m to the satisfaction of the Local Planning Authority. Thereafter, this fence shall be retained in situ permanently to the satisfaction of the Local Planning Authority.

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

6. Prior to commencement of works on the patio hereby approved, a scheme of planting of broad-leaved trees in the area to the north-east of the patio shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented wholly in accordance with the approved details in the first planting season following the first use of the patio, 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 which is removed, or dies or becomes seriously damaged or diseased, by a species of similar size to those originally planted.

REASON: In the interests of visual amenity and the amenities of nearby residents and to comply with Policy DMG1 of the Core Strategy.

7. The raised planting beds used to enclose the outdoor seating area to the front of the building shall be a fixed height of no more than 650mm and there shall be no variation without the prior consent in writing of the Local Planning Authority.

REASON: To provide acceptable visibility for vehicles emerging onto the highway from the new access.

8. The existing access (to the west of the site) 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 Council Specification for Construction of Estate Roads concurrent with the formation of the new access.

REASON: To limit the number of access points to the site and maintain the proper construction of the highway.

9. The car park shall be surfaced or paved and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

REASON: To comply with Policy DMG1 of the Ribble Valley Core Strategy and to allow for the effective use of the parking areas.

10. The door to the rear of the conservatory shall not be used between the hours of 2200 and 0900. During these hours the doors shall be permanently closed unless required to be opened in the case of an emergency.

REASON: In the interests of the amenities of neighbouring residents and to comply with Policy DMG1 of the Core Strategy.

11. The full details of the refuse and recycling store shall be submitted to and approved in writing by the Local Planning Authority before the use of the premises hereby permitted becomes operative. The works shall then be carried out in accordance with the approved details and provided on site prior to the occupation of the development and maintained as such thereafter.

REASON: In the interests of the provision of adequate refuse and storage/collection facilities, of general and visual amenities and in accordance with Policy DMG1 of the Core Strategy.

12. Prior to the first use of the development as hereby permitted, a scheme of odour suppression has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a description of all proposed cooking processes, a plan of the proposed ventilation system and odour abatement measures including the location and details of the filters and fans and the manufacturer's recommendations concerning frequency and type of maintenance. The approved equipment shall be installed in accordance with the approved details prior to the use hereby approved commencing and shall thereafter be operated at all times when cooking is taking place and maintained in accordance with the manufacturer's instructions.

REASON: To protect the amenity of the occupants of neighbouring properties in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

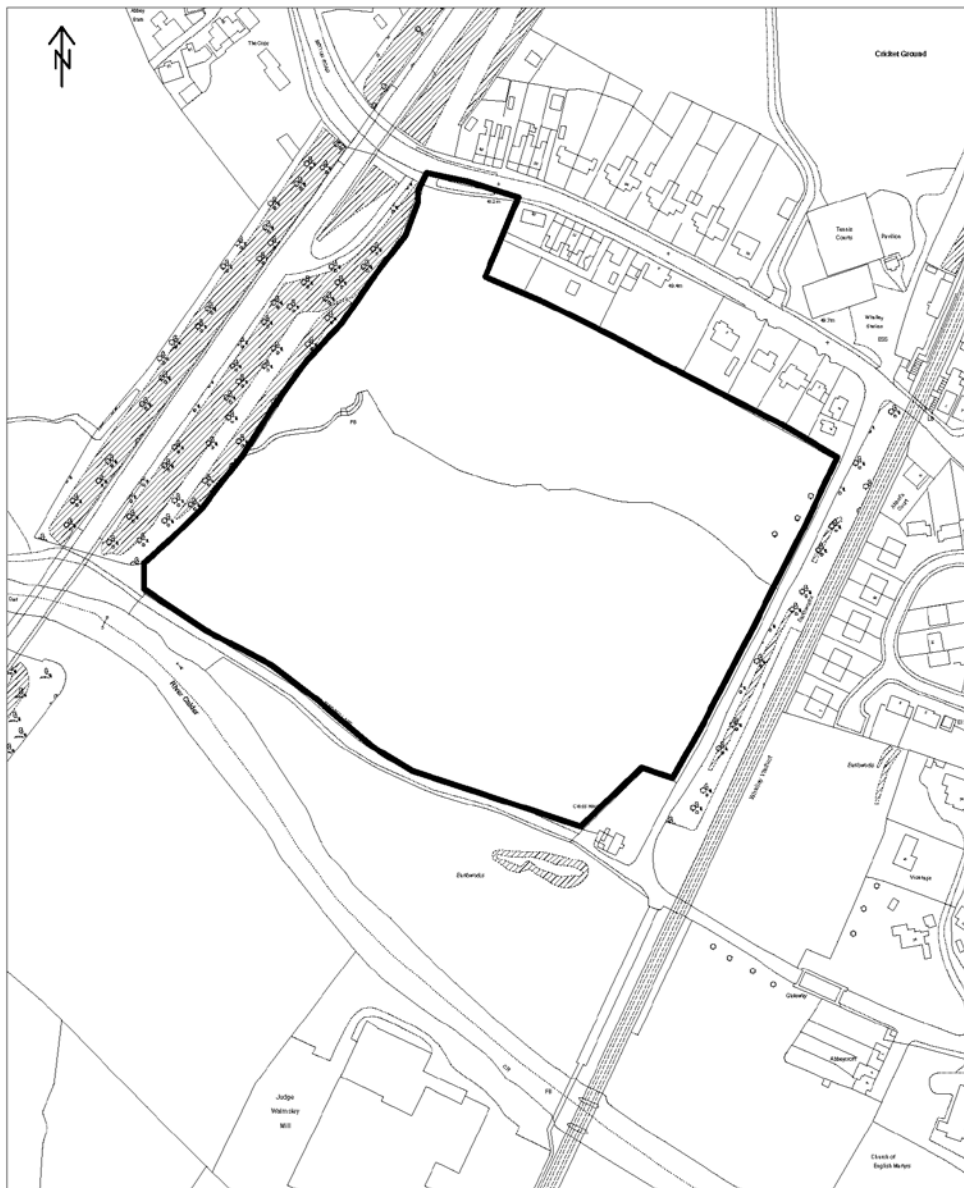
13. Prior to the first use of the development as hereby permitted, a competent person shall have ensured that the rating level of noise emitted from the site shall not have an impact on noise-sensitive premises. The assessment shall have been made in accordance with the current version of British Standard 4142 and the Planning Practice Guidance and confirmation of the findings of the assessment shall have been submitted to, and agreed in writing by, the Local Planning Authority and shall be adhered to thereafter.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

14. The landscape buffer located on the western site boundary shall be implemented in the first planting season following occupation or use of the development and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: To comply with Policy DMG1 of the Ribble Valley Core Strategy.

APPLICATION NO: 3/2016/0226/P (GRID REF: SD 372748 436398)
APPLICATION TO VARY CONDITION 2 (PLANS), REMOVAL OF CONDITION 5 (SUSTAINABLE HOMES), AND VARIATION OF CONDITION 21 (PRE COMMENCEMENT) OF PLANNING PERMISSION [APP/T2350/A/12/2188887(3/2012/0637)] FOR PROPOSED ERECTION OF 116NO. TWO, THREE, FOUR AND FIVE BEDROOM DWELLINGS AND 21NO. ONE BEDROOM BUNGALOWS, TOGETHER WITH ASSOCIATED LANDSCAPING, OPEN SPACE, DRAINAGE INFRASTRUCTURE, CAR PARKING AND ACCESS ROADS AT LAND OFF MITTON ROAD, WHALLEY



3/2016/0226 Land at Mitton Road, Whalley

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TOWN COUNCIL: Strongly objects to the removal/variation of condition 21 (Highways) on the following grounds:

Site access: The application states that a two or three way traffic signal lighting scheme will be used on the highway whilst the access is created. For over a year Whalley has been plagued by temporary traffic systems and the delays/congestion have been evident. This proposal will only increase the burden on other roads.

King St Lay-By: King Street is a focal point for congestion and postponing the lay-by construction will only add to further delays. King Street should be widened before works proceed on site. Additionally, condition 25 of the approval restricts construction traffic from enter and leaving the site between the hours of 08:30 – 09:30 and 15:00 – 16:00, however without monitoring this condition is pure fiction.

Bus Stop: It is reasonable to relax the construction of the new bus stop until first occupation.

ENVIRONMENT
DIRECTORATE
(COUNTY HIGHWAY
SURVEYOR):

No objection to the implementation of the bus stop and site access being delayed until first occupation. With regard to the lay-by on King Street, this shall be undertaken prior to first occupation or within six months of commencing on site (whichever is sooner).

UNITED UTILITIES:

The variation of condition application does not affect the drainage conditions so we have no objection to this proposal - *a drainage layout has been submitted as part of the separate discharge of condition application and UU are satisfied with these details.*

LOCAL LEAD FLOOD
AGENCY:

The LLFA did not request any of the conditions for which this application seeks to remove or vary and therefore have no comment to make.

ENVIRONMENT AGENCY:

Recommend that the developer takes the recent flooding into account and could consider amending the layout of the development. However the EA do not object to this application and because the planning permission has already been granted cannot require any changes to the existing permission. The EA are however reviewing the information submitted as part of the separate discharge of condition application.

ADDITIONAL
REPRESENTATIONS:

11 letters of representation have been received objecting on the following grounds::

- Delaying the proposed highway works are putting the applicants profits before highway safety;
- The revised plan has increased the boundary to include Broad Lane;
- Traffic and congestion as a result of the proposal;
- The site and surrounding area flooded in December and the proposed development of this site will only add to the

situation;

- Noise and disruption from building works;
- Devaluation of properties;
- Lack of existing infrastructure – schools, GPs roads, sewer system;
- The foul water pumping station has been replaced by a large pond – will this assist with removal of foul and surface water?
- Insufficient space has been provided between plots 31 and 32 and the existing trees along the eastern boundary. The revised plan shows that one of the trees identified in the original report (T16 or T17) as being removed and replaced. The revised application has failed to address the previous requirements in relation to the trees;
- Object to the removal of sustainable homes condition;
- Broad Lane will become a cut through for traffic;
- Proposal will result in the urbanisation of Whalley;
- An updated traffic assessment should have been carried out;
- Section 73 of the Town and Country Planning Act allows the Council to take into account all factors relevant to the application.

1. **Proposal**

1.1 This is a Section 73 Application and seeks to vary/remove conditions imposed on planning permission 3/2012/0637.

1.2 Planning permission 3/2012/0637 sought consent for the erection of a total of 137 dwellings on land at Mitton Road, Whalley This consent was allowed at appeal by the Planning Inspectorate on 27 June 2013 and a total of 25 conditions were attached to this approval.

1.3 The current application seeks to vary conditions 02 and 21, and remove condition 05 of the extant consent. The specific details are included below:

Condition 02 -

1.4 This condition lists the approved plans and drawings for which consent was granted. The applicant seeks to make some amendments to the approved scheme and therefore proposes to amend the drawing numbers approved by this condition. The proposed alterations include:

- *Plots 6, 70 & 72 parking spaced changed from tandem to double.*
- *1m gap given to both sides of Plot 11.*
- *Plots 16-20 moved 1m towards Plot 15 to gain 1m between Plots 20 & 21's garages.*
- *1m gap given between Plot 23 & its garage.*
- *Plots 24 & 25 given a triple garage.*
- *Plots 26-30 moved 2m south west.*
- *Plots 26 & 35 and 73-74 given a shared double garage.*
- *Plot 26 double parking space removed to allow for a turning area.*
- *Plot 56 changed house type from CE13 to CE4.*
- *Plots 65 & 69-72 moved forward 1m to allow for a gap between 68 & 69.*

- Plot 76 changed house type from CE7 to CE15.
- Plot 84 tandem parking space moved between Plots 83 & 84. -
- Plot 116 moved 1m toward Plot 115 to allow 1m gap between Plots 116 & 117.
- Plots 127-128 given tandem parking.
- Plot 126 moved south 4m to create larger separation distance with plot 135
- Plot 134 changed house type from CE13 to CE15.
- Plot 134 garage moved to back to allow for space.
- Remove water pumping station to be replaced by a pond as discussed with United Utilities as part of separate discharge of condition application.

Condition 05 –

- 1.5 This condition requires all dwellings to comply with Code for Sustainable Homes Level 3 as a minimum. Code for Sustainable Homes was abolished in March 2015 and Building Regulations now control the national standards in its place. The applicant therefore seeks to remove this condition.

Condition 21 -

- 1.6 This condition currently states the following:

“No part of the development hereby approved shall commence until the site access (plan SCP/12036/SCP1/REVB) the King Street lay-by (plan SCP/12036/FO2) and a bus stop on the western side of Mitton Road have been constructed in accordance with details first submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority.”

- 1.7 This condition requires various highway works to be carried out prior to commencement, however the site access forms part of the approved scheme and therefore it is not possible to comply with this condition as it is presently worded, as implementing the site access also constitutes commencement of development – the condition requires the site access to be provided before commencement on site, however as mentioned above the creation of the site access is commencement of development and therefore this part of the condition is not reasonable or precise. The application seeks to amend this part of the condition so that the site access is completed prior to first occupation on site. In any case, it should be noted that the construction of the access will need to be completed in order for the building works to take place on site.

- 1.8 The application also seeks to vary the condition to allow the bus stop and King Street lay-by to be installed prior to first occupation, as opposed to commencement of development on site. The applicant has therefore requested the condition be varied as follows:

*“No part of the development hereby approved shall **be occupied** until the site access (plan SCP/12036/SCP1/REVB) the King Street lay-by (plan SCP/12036/FO2) and a bus stop on the western side of Mitton Road have been constructed in accordance with details first submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority.”*

2. **Site Location**

- 2.1 The site comprises of a broadly square shaped parcel of land currently used for the purposes of agriculture off Mitton Road in Whalley. Whilst the site is situated outside the

1998 Districtwide Local Settlement Boundary, it is within recently proposed interim Settlement Boundary of Whalley. The land can be accessed via an existing access gate situated between the residential dwelling of 25 Mitton Road and the raised A59 Highway.

- 2.2 The northern boundary of the site adjoins the rear garden areas of the dwellings fronting onto Mitton Road and to the west is the rising embankment sloping up to the A59. The southern boundary is bound by Riding Lane and the east by Broad Lane. Beyond Riding Lane to the south runs the River Calder and to the east the aqueduct is highly visible from the site.
- 2.3 As mentioned above this site has full planning consent for the erection of 137 dwellings, 21 of which are bungalows. This consent (3/2012/0637) was allowed at appeal by the Planning Inspectorate.

3. **Relevant History**

3/2012/0637/P – Proposed erection of 116no. two, three, four and five bedroom dwellings and 21no. one bedroom bungalows, together with associated landscaping, open space, drainage infrastructure, car parking and access roads – refused and allowed at appeal

3/2013/0692/P - Discharge of condition 3 (materials) of APP/T2350/A/12/2188887 dated 27 June 2013 – Details agreed

3/2013/1037 - Discharge of condition 4 (energy efficiency) of APP/T2350/A/12/2188887 dated 27 June 2013 – Details agreed

Discharge of conditions 7 & 8 - Drainage appraisal without foul pump station ref:01-02Rev B, Condition 9 - Method Statement and Risk Assessment for work alongside existing sewers Ref: W/HS/71 Rev 1, Condition 11 - Knotweed Eradication Report Ref: 1659A, Conditions 14 & 15 - Updated surveys for Badger and Brown Hare Ref: 2015-301, Condition 20 - Construction Environmental Management Plan Ref:CEMP:MRW:JC:01 of planning consent granted on appeal APP/T2350/A/12/2188887 application number 3/2012/0637 – Currently under consideration

4. **Relevant Policies**

Ribble Valley Core Strategy (Adopted Version)

Key Statement DS1 – Development Strategy
Key Statement DS2 – Presumption in Favour of Sustainable Development
Key Statement EN2 – Landscape
Key Statement EN3 – Sustainable Development and Climate Change
Key Statement EN4 – Biodiversity and Geodiversity
Key Statement EN5 – Heritage Assets
Key Statement H1 – Housing Provision
Key Statement H2 – Housing Balance
Key Statement H3 – Affordable Housing
Key Statement DMI2 – Transport Considerations
Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility

Policy DME2 – Landscape and Townscape Protection
Policy DME3 – Site and Species Protection and Conservation
Policy DME4 – Protecting Heritage Assets
Policy DME5 – Renewable Energy
Policy DME6 – Water Management
Policy DMH1 – Affordable Housing Criteria
Policy DMB4 – Open Space Provision
Policy DMB5 – Footpaths and Bridleways

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

5. **Environmental, AONB, Human Rights and Other Issues**

5.1 This is a Section 73 Application and seeks to vary two conditions, and remove one condition, on the existing planning consent.

5.2 Sub-Paragraph (2) of Section 73 in the Town and Country Planning Act 1990 states:

2. On such an application the local planning authority **shall consider only [emphasis added]** the question of the conditions subject to which planning permission should be granted, and—

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

5.3 In view of the above, the LPA can only consider the conditions for which the application seeks to vary/remove, and the LPA cannot therefore reconsider issues other than those sought to be varied by this condition and cannot reconsider any other elements of the application. This issue has been discussed with the Council's Chief Legal Officer who has confirmed this to be the case.

5.4 Committee should be aware that the applicant can still implement the existing consent for the erection 167 houses on this site. Therefore the issues that the Council must consider, as part of this application, are detailed below:

Condition 02:

5.5 As mentioned above, this condition lists the approved plans and drawings for which consent was granted and this proposal seeks to make amendments to the approved scheme and substitute new drawing numbers in place of those previously approved. The proposed alterations include the substitution of a small number of houses types, including altering some of the materials, and the repositioning of a number of houses, garages and car parking spaces within the site (detailed in full within the proposal section of this report). The revised house types and materials are considered to be acceptable and the alterations to some of the house/garage/car parking positions are minor. The proposed amendments therefore comply with Policy DMG1 of the Core

Strategy which requires all new development to be sympathetic to existing and proposed land uses in terms of size, scale, massing, size and building materials.

- 5.6 I consider that the revised house positions would not result in the proposal having a greater impact upon neighbouring residential amenity, both within and outside the development site in accordance with Policy DMG1.
- 5.7 The submitted plans show that the foul and surface water pumping station, which was to be positioned close to the western boundary of the site, will be removed and replaced by a large attenuation pond. The technicalities of the pond and its functionality as opposed to the pumping station have been fully considered by United Utilities as part of the separate discharge of condition application which has been submitted by the applicant (3/2016/0005). As part of this discharge of condition application United Utilities have commented that they are satisfied with the revised drainage scheme and therefore have no objection to the use of the attention pond as opposed to the pumping station. The amendment therefore seeks consent to replace the pumping station with the pond and from a visual point of view it is considered that the pond is less obtrusive and more attractive landscape feature than a pumping station building. Consequently this alteration to the plans is also considered to be acceptable.

Condition 05

- 5.8 This condition requires the dwellings be built to achieve a minimum rating level 3 of the Code for Sustainable Homes. Whilst Policy DMG1 requires "*The Code for Sustainable Homes... or any subsequent nationally recognised equivalent standards, should be incorporated into schemes*" the Code was withdrawn by the Government in March 2015 and Building Regulations was considered to be the future mechanism to ensure this standard, which is now in excess of the old Code 3 in terms of energy efficiency. The applicant is still bound to meet this standard, but it is not controlled through the planning process and therefore condition 05 is unnecessary and can be removed.

Condition 21

- 5.9 As detailed above this condition requires three separate "highway" associated works (site access, bus stop and lay-by) to be carried out prior to work commencing on site.
- 5.10 In respect of the bus stop, the LCC Highway Officer has offered no objection to this being delayed until first occupation of a dwelling on site as there is no need for this bus stop until a new resident occupies one of the proposed dwellings.
- 5.11 In terms of the site access, the wording of the condition as imposed by the Inspector contradicts itself, as it requires the site access to be completed prior to any works commencing on site. The applicant has pointed out that the site access forms part of the site and therefore in order to create this access work will have to commence on site. Both the Planning Officer and LCC Highway Officer agree with this assertion and subsequently the condition as currently written is neither precise and/or reasonable and therefore fails the "tests" for planning conditions contained within the National Planning Policy Framework. It is therefore recommended that that this part of the condition be amended so as to require the site access to be completed prior to first occupation. Obviously it will be the intention of the applicant to complete the site access early in the development process because the site access is required to develop the site. It is therefore consider reasonable to vary this part of the condition. The Officer notes the

Parish Council's comments in respect of the potential traffic caused by traffic signals, however this is not a consideration of this application.

- 5.12 The third element of condition 21 requires the agreed King Street lay-by to be completed prior to commencement on site, and for a similar reason as explained above in relation to the bus stop, the applicant has commented that this lay-by is only necessary as a consequence of the dwellings becoming occupied. Hence the applicant sought to vary this condition to also require the lay-by to be completed prior to first occupation.
- 5.13 LCC Highways sought to bring the lay-by scheme forward by way of a joint Section 278 Agreement between the applicant (David Wilson Homes) and Bloor Homes (developing the Lawsonsteads site), however Bloor Homes declined to such an agreement at this stage meaning that the applicant will have to complete the lay-by works on King Street. The applicant and LCC have been in discussions as to how best to undertake these works by way of the Section 278 Agreement, and it was agreed that the works should take place during spring/summer months. The LCC Highway Officer has therefore stated that they would accept a variation of this condition so that the lay-by works on King Street shall have been completed prior to first occupation of any dwelling or within six months of work commencing on site, whichever is sooner. The Highway Officer has commented that the requirement for the lay-by works to be undertaken within six months of commencement of development on site *"will ensure that the lay-by is in place before the bulk of the construction takes place thereby alleviating any issues on King Street"*.
- 5.14 In view of the above the LCC Highway Officer has commented that would accept a variation of condition 21 so it reads as follows:
- "No part of the development hereby approved shall be occupied until the site access (plan SCP/12036/SCP1/REVB) and a bus stop on the western side of Mitton Road have been constructed in accordance with details first submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Prior to first occupation or within six months of work commencing on site, whichever is the sooner, the King Street lay-by (plan SCP/12036/FO2) shall have been constructed in accordance with details first submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority."*
- 5.15 The above condition deviates slightly from that proposed/requested by the applicant, however the revised version, which is supported by LCC Highways, has also been agreed/accepted by the applicant.
- 5.16 In summary, the revised condition will require the site access and bus stop to be completed prior to first occupation of any dwellinghouse, and the lay-by works on King Street will be completed either prior to first occupation or within six months of work commencing on site, whichever is the sooner, in accordance with Policies DMG1 and DMG3 which require new development to provide safe access, consider traffic implications and offer opportunities for increased use of public transport.

Other issues:

- 5.17 I note the concerns raised by the objectors who have stated that the residential development of this site will result in highway congestion, noise during construction works, and urbanisation of Whalley and that there is a lack of school places and doctors for the proposed residents. Nonetheless, all these issues have been previously considered and deemed acceptable by the Planning Inspectorate when allowing the

original appeal and as detailed earlier in this report it is not within the remit of this Section 73 application to reconsider issues/conditions that the applicant has not sought to vary in this proposal.

- 5.18 Similarly, objections have been raised over flooding on this site/in the area, and again the issues of flooding and drainage are control by conditions 7, 8 and 9 on the approved application and the applicant is not seeking to vary or remove any of these conditions. It is acknowledged that the proposal does seek to vary the plans to allow the installation of an attenuation pond instead of the pumping station, however this has been accepted by United Utilities as part of the separate discharge of condition application which is currently under consideration by the LPA (3/2016/0005). United Utilities raised no objection to the introduction of this pond in place of the previously proposed pumping station. All conditions previously imposed by the Inspector in relation to drainage and flooding still apply and will be re-imposed on any subsequent approval.
- 5.19 An objection has also been raised in respect of the trees on site. The objector has commented that insufficient space has been provided between plots 31 and 32 and the existing trees along the eastern boundary, and that the revised layout plan shows that one of the trees identified in the original report (T16 or T17) as being removed and replaced. In response to this the plots 31 and 32 are not being altered from what was originally approved by the Inspector and therefore are coming no nearer to these trees. Also, the tree report approved under the existing permission states that T16 is to be removed and replaced, and therefore this has not changed. The development must still be carried out in accordance with the details in the previously approved tree report.
- 5.20 A further objection has stated that the boundary has changed and now includes the highway of Broad Lane. This is not the case and the site boundary cannot be altered under a Section 73 Application.

Legal Agreement:

- 5.21 The applicant has submitted a deed of variation which ties the previous/existing Legal Agreement to this new consent, subject of course to its approval by Members of this Committee. This deed of variation means that if the applicant decides to implement the originally approved scheme, or the amended scheme as applied for by this application, they are still bound by all the requirements of the original Legal Agreement.

6. Conclusion

- 6.1 It is not within the remit application to consider whether the residential development of this site for 137 dwellings is acceptable or not, as this has already been established. It is for the Council to consider whether the variation of conditions 02 (plans) and 21 (highway works), and the removal of condition 05 (code for sustainable homes) is acceptable. If it is considered by Members that these three conditions can be varied/removed as requested by the applicant, then permission should be granted. However, if Members consider that these same conditions should remain as originally imposed then the application should be refused.
- 6.2 Notwithstanding the above, it should be again noted that if this application is refused, the applicant can still implement the permission as originally allowed by the Inspectorate (3/2012/0637).

RECOMMENDATION: That consent be GRANTED subject to the following conditions:

Commencement of Development

1. The development hereby permitted shall begin no later than 27th June 2016.

Drawings and Plans

2. This permission shall be implemented in accordance with the proposal as detailed on drawings:

Site location plan NW-09-16
Boundary Plan NW-09-17
Proposed Planning Layout - Plan NW-09-06F
House Type Portfolio Plans NW-09-07 Rev E (listed as follows):
House Type CE4 House Ref H421---5 planning 2 of 2
House Type CE4 House Ref H421---5 (Brick) planning 1 of 2
House Type CE4 House Ref H421---5 (Render) planning 1 of 2
House Type CE5 House Ref H431---5 (Render) planning 1 of 2
House Type CE5 House Ref H431---5 planning 2 of 2
House Type CE6 House Ref H431---5 (Brick) planning 1 of 2
House Type CE6 House Ref H431---5 planning 2 of 2
House Type CE7 House Ref H436--X5 planning 2 of 2
House Type CE7 House Ref H436--X5 (Brick) planning 1 of 2
House Type CE7 House Ref H436--X5 (Render) planning 1 of 2
House Type CE8 House Ref H455---5 planning 1 of 2
House Type CE8 House Ref H455---5 planning 2 of 2
House Type CE9 House Ref H469---5 planning 1 of 2
House Type CE9 House Ref H469---5 planning 2 of 2
House Type CE11 House Ref H500---5 planning 1 of 2
House Type CE11 House Ref H500---5 planning 2 of 2

House Type CE13 House Ref H536---5 planning (Render) 1 of 2
House Type CE13 House Ref H536---5 planning 2 of 2
House Type CE15 House Ref H588---5 planning 1 of 2
House Type CE15 House Ref H588---5 planning 2 of 2
House Type CY1 House Ref P206---5 planning
House Type CY2 House Ref SH35---5 Rev A (Brick) planning
House Type CY2 House Ref SH35---5 Rev A (Brick) planning
House Type CY2 House Ref SH35---5 Rev A (Render) planning
House Type CY2 House Ref SH35---5 (Stone) planning
House Type CY3 House Ref P231-W-5 (Brick) planning
House Type CY4 House Ref P231-V-5 planning
House Type CY6 House Ref P331---5 planning
House Type CY7 House Ref P382---5 (Brick) planning
House Type CY7 House Ref P382---5 (Stone) planning
House Type CY8 House Ref H431---5 planning 1 of 2
House Type CY8 House Ref H431---5 planning 2 of 2
House Type CY8SP House Ref H431---5 (Stone) planning 1 of 2
House Type CY8SP House Ref H431---5 planning 2 of 2
House Type CY10 House Ref H455---5 (Stone) planning 1 of 2
House Type CY10 House Ref H455---5 planning 2 of 2
House Type CY11 House Ref H469---5 planning 1 of 2
House Type CY11 House Ref H469---5 planning 2 of 2
House Type CY12 House Ref SH27---5 (Brick) Rev A planning

House Type CY12 House Ref SH27---5 (Stone) planning
House Type CY13 House Ref Walsham planning
House Type CY14 House Ref SH38---5 Rev A (Brick) planning
House Type CY15 House Ref Walsham Splayed planning
House Type CY16 House Ref P206-Stone planning
House Type CY17 House Ref S341-Stone planning 1 of 2
House Type CY17 House Ref S341-Stone planning 2 of 2
House Type V1 House Ref Ruby planning
House Type V2 House Ref Ruby planning
House Type V3 House Ref Ruby planning
Plan NW-09-11A Planning Plots 39-48 and 137
Plan NW-09-12 Planning Drawing Plots 93-102
Country Edge Garages planning drawings
Courtyard Garages planning drawings
Materials Plan NW-09-13E
Colour Street Scenes Plan NW-09-14B

External Materials

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Energy Supply

4. Not less than 10% of the energy supply required for the development (after completion) shall be secured from decentralised and renewable or low carbon energy sources. Details and a timetable of how this is to be achieved shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development on site. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter.

Flooding and Drainage

5. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment submitted by David Wilson Homes/RSK dated July 2012 and letter from RSK dated 30 August 2012 given reference number 880213/CW/L02.
6. No development other than the formation of the site access 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 scheme shall be implemented, maintained and managed in accordance with the approved details prior to completion of the first dwelling for that phase of the development and adhered to at all times thereafter.
7. No development other than the formation of the site access shall take place until a strategy outlining the system of drainage for foul and sewage waste arising from the entire site has been submitted to the Local Planning Authority and approved in writing. This strategy shall include details of any necessary infrastructure including the foul water pumping station. The foul water pumping station shall have a maximum foul pumping rate set at no greater than 5 l/s and shall include sufficient foul storage to satisfy the design

criteria outlined in SFA 6th edition. Thereafter the detailed schemes for foul and sewage waste disposal for the development shall be submitted for approval in accordance with the strategy for the entire site approved under this condition. No dwellings shall be occupied until the approved foul drainage scheme has been completed in accordance with the approved details.

8. No development shall commence on site until a scheme, hereinafter called the Sewer Approved Method Statement, for working near the sewers on site has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the Sewer Approved Method Statement, unless agreed otherwise in writing with the Local Planning Authority.

Landscaping, Trees and Nature Conservation

9. In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs v) and vi) below shall have effect until the expiration of 5 years from completion of the final phase of development:
 - i) Before the development begins (including any site preparation works and the delivery of materials or any excavations) all trees and hedgerows identified for retention in the Tree Report dated July 2012 by Pinnacle Environment Ltd shall be protected in accordance with British Standard 5837 2012 (Trees in Relation to Demolition, Construction and Design), the details of which shall be agreed in writing by the Local Planning Authority and implemented in full. A Tree Protection Monitoring Schedule shall also be agreed and the tree protection measures shall be inspected by the Local Planning Authority before the site works are begun.
 - ii) 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 tree Root Protection Areas. No impermeable surfacing shall be constructed within the Root Protection Areas.
 - iii) No disturbance, pruning or other arboricultural works to any retained tree identified within Table 3.2 of the Ecological Survey and Assessment dated July 2012 as suitable or with low to moderate potential for bat roosts shall take place until a detailed investigation by a qualified and licensed ecologist has taken place. The results of any investigation including details of any mitigation measures required, along with an implementation plan, shall be submitted to and approved in writing by the Local Planning Authority before any tree works take place.
 - iv) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
 - v) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be planted at such time as may be specified in writing by the Local Planning Authority.
 - vi) The development shall be carried out in full compliance with the Tree Report dated July 2012 unless the Local Planning Authority agrees in writing to any variations to the requirements of the assessment.

10. No development shall take place until a detailed Method Statement for the removal and/or treatment and control of Japanese Knotweed (*Fallopia Japonica*) on site has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include details of the proposed working methods to be adopted to prevent the spread of the species during any operation such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/root/stem of any invasive plant covered under Schedule 9 of the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved Method Statement.
11. Before practical completion of the first dwelling details of an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall demonstrate that artificial illumination of wildlife habitats (including the River Calder and its banks, boundary trees and shrubs and hedgerows) is prevented and minimised. The approved lighting scheme shall be carried out and permanently maintained in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.
12. No tree felling/vegetation clearance works, or other works that may affect nesting birds shall take place between 1 March and 31 August inclusive. In the event that works are required to be carried out during the nesting period a comprehensive risk assessment in order to establish the absence/presence of nesting birds should be undertaken. The report of the assessment (together with proposals for mitigation/compensation, if required) shall be submitted to and approved in writing by the Local Planning Authority prior to any works being undertaken. Thereafter, the works shall be carried out in accordance with any necessary and approved measures.
13. No development (including clearance of site vegetation) shall take place until a repeat survey for the presence of badgers has been undertaken. The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to and approved in writing by the Local Planning Authority in consultation with specialist advisors. Any necessary and approved measures for the protection of badgers shall thereafter be implemented in full.
14. The removal of any hedgerow, shrub, vegetation or tall grass or other works that may affect brown hares shall be avoided between 1 February and 30 September inclusive. In the event that works are required to be carried out during the breeding season the area shall be surveyed by a suitably experienced ecologist for the presence/absence of brown hares and their young four weeks prior to the commencement of activities. The results of the survey shall be submitted to and approved in writing by the Local Planning Authority prior to any works being carried out. If the survey demonstrates absence of brown hare and their young then development may commence. However, if the survey determines their presence, then the area must be avoided and further surveys conducted at four-week intervals with the results submitted to the Local Planning Authority for approval in writing until their absence can be demonstrated.
15. Prior to occupation of the first dwelling, a landscape management plan including long term design objectives, timing of the works, management responsibilities and maintenance schedules for all landscaped areas (other than within curtilages of buildings) including the play area, shall be submitted to and approved in writing by the Local Planning Authority.

The management plan shall also provide precise details of all play equipment and its maintenance and indicate a timescale when the play space shall be provided and made available for use. The landscape management plan shall be carried out in accordance with the details so approved.

16. Prior to practical completion of the first dwelling details of the landscaping of the site, incorporating the recommendations of paragraphs 5.10.3 to 5.10.13 inclusive of the Ecological Survey and Assessment dated July 2012 (identifying how the biodiversity of the site will be enhanced, and including wherever possible the retention of existing trees) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform, specific details for the creation of the pond including its size, shape, location, planting list, cross section drawing and management plan and the types and details of all fencing and screening throughout the site.

The approved landscaping scheme shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 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 diseased, with one of the same species to those originally planted, and of similar size to that removed.

17. Before practical completion of the first dwelling details of all garden boundary fencing shall be submitted to and approved in writing by the Local Planning Authority to identify the measures to be taken to encourage habitat connectivity in accordance with paragraph 5.8.1 of the submitted Ecological Survey and Assessment dated July 2012.

Noise Mitigation

18. Prior to first occupation of plots 1-5 the noise mitigation measures as detailed in paragraphs 3.4 and 3.6 of the submitted Noise Assessment dated July 2012 shall be provided and thereafter retained.

Construction Management Plan

19. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing, by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;

- vi) a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures;
- vii) a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- viii) a Management Plan to identify potential ground and water contaminants; details for their storage and how the River Calder will be protected against spillage incidents and pollution during the course of construction; and
- ix) a scheme to control noise during the construction phase.

Roads, Parking and Travel

- 20. No part of the development hereby approved shall be occupied until the site access (plan SCP/12036/SCP1/REVB) and a bus stop on the western side of Mitton Road have been constructed in accordance with details first submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Prior to first occupation or within six months of work commencing on site, whichever is the sooner, the King Street lay-by (plan SCP/12036/FO2) shall have been constructed in accordance with details first submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- 21. No part of the development hereby approved shall commence until a scheme for the construction of the emergency access (plan SCP/12036/FO3/REVB) has been first submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The scheme shall be constructed in accordance with the approved details prior to the occupation of the 50th dwelling and thereafter retained.
- 22. No more than 50 dwellings shall be occupied until the Full Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan shall include objectives, targets, measures and funding mechanism to achieve targets, monitoring, implementation timescales for delivery (which exceeds the build out period), and the provision of a travel plan co-ordinator. The plan will be carried out, audited and updated in accordance with the approved details.
- 23. At no time in the future shall the emergency route onto Broad Lane be opened up as a public highway for all vehicular traffic. The link shall remain solely for the use of pedestrians, cyclists, public and emergency services.
- 24. No heavy goods vehicles shall enter or leave the site between the hours of 0830 and 0930 and 1500 and 1600 hours.

PLANNING APPLICATION STATISTIC REPORT

APPLICATIONS DETERMINED – 14/1/16 – 14/4/16

<u>Approved with conditions</u>	<u>Approved with no conditions</u>	<u>Applications Refused</u>	<u>Total Applications</u>
155	30	40	252

(This list does not include prior determinations, split decisions, observations to other Local Planning Authorities and other less frequent application types).

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2015/0495	Land at Worthalls Farm Westfield Avenue, Read	11/2/15	5	With Legal

<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>
3/2015/0895	Land at Higher Standen Farm & Part Littlemoor Farm, Clitheroe	17/12/15	N/A	N/A	Decision 12/4/16
3/2015/0266	Primrose Works Primrose Road Clitheroe	20/8/15	36 weeks	18	Decision 26/4/16

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0794/P	Demolition of existing industrial units and construction of a pay and display car park	Abbey Works King Street, Whalley
3/2015/0882/P	Proposed extension to outbuilding	Lane Ends Cottage Nightfield Gate Lane Balderstone
3/2015/1001/P	Variation of condition 6 of planning application 3/2012/0490 to allow use as a wedding venue for up to 40 days per year	The Outbarn Clough bottom Rabbit Lane, Bashall Eaves
3/2016/0288/P	Fell one Sycamore	Ribble Lane Chatburn (roadside tree 80m south of transmitter mast)
3/2016/0234/P	Fell mature Oak tree and replace with two more appropriately sited trees such as Rowans	17-19 Watt Street Sabden

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>
3/2014/0697R	29/06/15	Land adjacent Clitheroe Road West Bradford	WR		Awaiting Decision
3/2014/0846R	12/08/15	Land at 23-25 Old Row Barrow	Hearing	18/11/15 20/01/16	Adjourned until 11/05/16
3/2014/0183R	13/08/15	Land at Malt Kiln Brow Chipping	Hearing	Provisionally 15/03/16	Appeal Allowed 18/04/16
3/2014/0226R	13/08/15	Kirk Mill and Kirk House Chipping	Hearing	Linked with 3/2014/0183	Appeal Allowed 18/04/16
3/2014/1025 R	18/11/15	Rattenclough Farm, Wesley Street, Sabden	WR		Appeal Dismissed 15/04/16
3/2015/0734 U	Awaiting start date from PINS. Agent has deliberately made the appeal invalid to use as a threat (see email from Miss Robinson)	New Hall Barn Blackburn Rd Ribchester			
3/2015/0385 R	29/01/16	Land east of Clitheroe Rd Whalley	WR		Awaiting Decision
3/2015/0886 R	18/03/16	Barracough Cottage Whalley Rd Pendleton	WR		Statement due 22/04/16
3/2015/0647 R	16/02/16	Pinfold Farm Barn, Preston Rd, Ribchester	WR		Awaiting Decision
3/2015/0910 U	02/03/16	Primrose House Primrose Rd Clitheroe	HH		Awaiting Decision
3/2016/0050 R	22/02/16	Land adj Newton Village Hall, Main St Newton	WR		Awaiting Decision
3/2015/0978 R	14/03/16	Hetton House Eastham St Clitheroe	HH		Awaiting Decision

<u>Application No</u>	<u>Date Received</u>	<u>Applicant Proposal/Site</u>	<u>Type of Appeal</u>	<u>Date of Inquiry/Hearing</u>	<u>Progress</u>
3/2015/0492 R	Awaiting start date from PINS	Longridge CE Primary School Berry Lane Longridge			
3/2015/0873 R	05/04/16	The Paddocks Stoneygate Lane Knowle Green	WR		Statement due 10/05/16
3/2016/0095 R	20/04/16	Mayfield Ribchester Rd Clayton le Dale	WR		Statement due 25/05/16
3/2015/0571 R	16/03/16	Four Acres Pendleton Rd Wiswell	WR		Statement due 20/04/16
3/2015/0159 C	Awaiting start date from PINS	Former Golf Driving Range Upbrooks Lincoln Way Clitheroe			
3/2015/0074 R	Awaiting start date from PINS	Land adj Petre Arms Langho			
3/2016/0172 R	Awaiting start date from PINS	Stydd Garden Centre Ribchester (Shed 2 - education)			
3/2016/0174 R	Awaiting start date from PINS	Stydd Garden Centre Ribchester (Shed 1 – deli)			
3/2016/0022 R	21/04/16	1 & 2 Abbeycroft, The Sands Whalley	HH		Awaiting Decision
3/2016/0086 R	03/05/16	22 Simonstone Lane Simonstone	HH		
3/2016/0091 R	Awaiting start date from PINS	Great Mitton Hall, Mitton Road, Mitton			
3/2015/0605 R	03/05/16	Little Snodworth Fm Snodworth Rd Langho	WR		Statement due 21/06/16