

Minutes of Planning and Development Committee

Meeting Date: Thursday, 1 November 2018, starting at 6.30pm
Present: Councillor A Brown (Chairman)

Councillors:

| | |
|-------------|------------|
| S Atkinson | S Hind |
| I Brown | S Knox |
| S Brunskill | J Rogerson |
| P Dowson | R Sherras |
| P Elms | R Thompson |
| M French | N Walsh |
| G Geldard | |

In attendance: Director of Economic Development and Planning, Head of Planning Services, Head of Legal and Democratic Services, Head of Financial Services.

Also in attendance: Councillors M Fenton, G Scott and M Robinson.

395 APOLOGIES

An apology for absence from the meeting was submitted on behalf of Councillor R Bennett.

396 MINUTES

The minutes of the meeting held on 4 October 2018 were approved as a correct record and signed by the Chairman.

397 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no declarations of pecuniary and non-pecuniary interest.

PUBLIC PARTICIPATION

There was no public participation.

398 PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

1. APPLICATION REF: 3/2018/0500
GRID REF: SD 373731 437844

DEVELOPMENT DESCRIPTION:

ERECTION OF TEN BUNGALOWS AND ASSOCIATED WORKS AT LAND TO THE EAST OF CLITHEROE ROAD BARROW BB7 9BN

DEFERRED and DELEGATED to the Director of Economic Development and Planning for approval subject to receipt of acceptable highway and drainage details, amended plans and the satisfactory completion of a Legal Agreement,

within 3 months from the date of this Committee meeting or delegated to the Director of Economic Development and Planning in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions:

Timings and Commencement

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 drawings:

Proposed Site Layout Drwg no.1218-PL03C received 04.10.18
Other Drawings TBC

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

Matters of Design

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. The development thereafter shall be constructed utilising the approved materials.

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

4. Prior to the commencement of the development details of the design and position of the external meter boxes shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the details shall indicate that no meter boxes will be located on the primary elevations of the proposed dwellings or on locations that are afforded a high level of visibility upon the streetscene. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality and results in acceptable standard of appearance in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

Landscape

5. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of the alignment, height

and appearance of all boundary treatments, fencing, walling, retaining wall structures and gates to be erected within the development shall have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the submitted details shall include the precise nature and location for the provision of measures to maintain and enhance wildlife movement within and around the site by virtue of the inclusion of suitable sized gaps/corridors at ground level. The development shall be carried out in strict accordance with the approved details.

REASON: To comply with Key Statement EN4 and Policies DMG1, DME3 of the Ribble Valley Core Strategy, to ensure a satisfactory standard of appearance in the interests of the visual amenities of the area and to minimise the potential impacts of the development through the inclusion of measures to retain and enhance habitat connectivity for species of importance.

6. The approved soft landscaping scheme (drg. no. TBC) 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 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

The hard landscaping shall be implemented in accordance with the approved details prior to the first occupation of the development and retained thereafter at all times.

REASON: To ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

7. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON: To ensure the proper long-term management and maintenance of the landscaped areas in the interests of visual amenity and biodiversity enhancement, in accordance with Policies DMG1, DME1 and DME3 of the Ribble Valley Core Strategy.

Highways

8. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

REASON: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

9. Each dwelling shall incorporate provision to charge electric vehicles and a scheme to provide these facilities shall be submitted to the local planning authority for approval prior to any building work commencing on site. The development shall be carried out in strict accordance with the approved details.

REASON: To ensure that provision is made for electric powered cars and to support sustainable methods of travel in accordance with Key Statement DMI2 and Policy DMG3 of the Core Strategy.

10. No development approved by this permission shall commence until a Construction Method Statement/Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Statement/Management Plan shall be adhered to throughout the construction period and shall provide for:

- i) the routing of construction and delivery vehicles including periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- ii) parking of vehicles of site operatives and visitors within the site;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in constructing the development;
- v) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vi) measures to ensure that construction and delivery vehicles do not impede access to adjoining properties;
- vii) a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures including measures to prevent pollution of habitats adjacent to development areas;
- viii) a scheme for recycling/disposing of waste resulting from construction works (there shall be no burning on site);
- ix) A scheme to control noise during the construction phase;
- x) details of lighting to be used during the construction period which should be directional and screened wherever possible;
- xi) Details of hours of working including delivery times for construction materials;
- xii) Pollution prevention measures to be adopted throughout the construction process to ensure watercourses on and adjacent to the works are adequately protected; and
- xiii) Contact details of the site manager.

REASON: In the interests of protecting the residential amenities of the locality and highway safety and to comply with Policy DMG1 of the Core Strategy.

11. Other Highways Conditions TBC

Residential Amenity

12. No building or engineering operations within the site or deliveries to and from the site shall take place other than between 07:30 hours and 18:00 hours Monday to Friday and between 08:30 hours and 14:00 hours on Saturdays, and not at all on Sundays or Bank Holidays.

REASON: In order to protect the amenities of existing residents in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

Drainage and Flooding

13. Foul and surface water shall be drained on separate systems.

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

14. Other Drainage Conditions TBC

Further Control over Development

15. Notwithstanding the provisions of Classes A, B, C and E of Part 1 of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking and re-enacting that Order, plots 19-23 inclusive hereby permitted shall not be altered or extended and no buildings or structures shall be erected within the curtilage of the new dwellings 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 neighbour amenity in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

Ecology and Trees

16. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until an arboricultural method statement and tree protection plan has been submitted to and approved in writing by the Local Planning Authority. This must provide for the protection of all existing trees within the site except those identified for removal in the Arboricultural Impact Assessment by Bowland Tree Consultancy Ltd dated May 2018 and shall include details of the special materials and working methods for proposed construction within RPAs. Thereafter the development shall be implemented wholly in accordance with the approved details..

Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees to be retained shall be protected in accordance with the BS5837:2012 [Trees in Relation to Demolition, Design & Construction]. 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 of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

REASON: To protect trees and hedges on and adjacent to the site and to ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Policies DME1 and DME3 of the Ribble Valley Core Strategy.

17. The development shall be carried out in STRICT accordance with the recommendations of the submitted Ecological Appraisal dated 17 May 2018.

REASON: To minimise the impact on ecology in accordance with Policies DMG1 and DME3 of the Core Strategy.

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

For the avoidance of doubt the details shall be submitted on a dwelling/building dependent bird/bat species site plan and include details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building/dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.

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

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and protected species in accordance with Section 9 of the NPPF, and Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

19. No part of development shall commence until the details of artificial lighting have been submitted to and agreed in writing by the local planning authority. The information shall include details on the type and intensity of lighting and how its impact on the natural roosting and foraging activity of protected/species of conservation concern shall be mitigated. The lighting thereafter shall be implemented in accordance with the approved details.

REASON: In order to mitigate impact on wildlife and habitat and to comply with Policies DMG1 and DME3 of the Ribble Valley Core Strategy Adopted Version.

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

2. APPLICATION REF: 3/2018/0688
 GRID REF: SD 372823 440546

DEVELOPMENT DESCRIPTION:

OUTLINE PLANNING APPLICATION FOR THE ERECTION OF UP TO 110 DWELLINGS WITH PUBLIC OPEN SPACE, LANDSCAPING AND SUSTAINABLE DRAINAGE SYSTEM (SUDS) AND VEHICULAR ACCESS POINT FROM HENTHORN ROAD. ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS. LAND OFF HENTHORN ROAD, CLITHEROE

The Head of Planning Services reported three additional letters of objection.

DEFERRED FOR FURTHER INFORMATION

(Mr Lewis spoke in favour of the above application. Councillor A Knox on behalf of Clitheroe Town Council spoke against the above application).

(Councillors M Fenton and M Robinson were given permission to speak on the above application).

399 SECTION 106 APPLICATIONS

| <u>Plan No</u> | <u>Location</u> | <u>Date to Committee</u> | <u>Number of Dwellings</u> | <u>Progress</u> |
|-----------------------|-------------------------------------|---------------------------------|-----------------------------------|------------------------|
| 3/2017/0653 | Land at Chatburn Road, Clitheroe | 28/6/18 | 30 | Out for signature |
| 3/2018/0008 | Peel Park Avenue Clitheroe | 4/10/18 | 34 | With Planning |
| 3/2018/0500 | Land to East Clitheroe Road, Barrow | 4/10/10 | 10 | With Planning |

400 APPLICATIONS WITHDRAWN

| <u>Plan No</u> | <u>Proposal</u> | <u>Location</u> |
|-----------------------|---|--|
| 3/2018/0606 | Change of use from a holiday let to a dwelling | School House Cottage Newton in Bowland |
| 3/2018/0887 | T1 Alder – cut back growth from site to 5.2m | Beeches Alderford Close Clitheroe |
| 3/2018/0655 | Removal of existing shop front and insertion of domestic window and door to match neighbouring houses | 3 Whalley Road Read |

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APPEALS UPDATE

| <u>Application No and reason for appeal</u> | <u>Date Received/ Appeal Start Date</u> | <u>Site Address</u> | <u>Type of Appeal Procedure</u> | <u>Date of Inquiry/ Hearing if applicable</u> | <u>Progress</u> |
|---|---|---|-----------------------------------|---|---|
| 3/2016/1192 R | 16/11/17 | Hammond Ground Whalley Road Read | Inquiry adjourned | 09/10/18 | Inquiry changed to a Hearing, resumed on 9 October – awaiting decision Awaiting Decision |
| 3/2017/1139 Conditions disputed | 13/08/18 | Sands Cottage The Sands Whalley | WR | | Awaiting Decision |
| 3/2017/0857 R | 13/08/18 | Lowood Whins Lane, Read | WR | | Awaiting Decision |
| 3/2018/0113 Conditions not discharged | 13/08/18 | 102 Lowergate Clitheroe | WR | | Awaiting Decision |
| 3/2018/0217 linked with 3/2018/0218 R of prior approval | 29/08/18 | Eastham House Fm Clitheroe Road Mitton | WR | | Awaiting Decision |
| 3/2017/0961 R (Variation of S106 Ag) | Awaiting start date from PINS | Land at Chapel Hill, Longridge | Hearing (to be confirmed by PINS) | | |
| 3/2017/0962 R | 03/10/18 | Land off Sheepfold Crescent, Barrow | Hearing | Wed 16/01/2019 Cttee Rm 1 booked | Statement and SoCG due 07/11/2018 |
| 3/2018/0159 R | 16/07/18 | 5 Barn Croft Clitheroe | HH | | Appeal Dismissed 05/10/2018 Costs application dismissed. Awaiting Decision |
| 3/2018/0069 R | 29/08/18 | Land off Whalley Rd Mellor Brook | WR | | Awaiting Decision |
| 3/2018/0263 R | 20/08/18 | Showley Brook Rest Home 10 Knowsley Road Wilpshire | WR | | Awaiting Decision |
| 3/2018/0303 R | 28/09/18 | Croftlands Chipping | WR There is a costs application | | Statement due 02/11/2018 |
| 3/2018/0537 R | 28/09/18 | Wiswell Brook Fm Moorside Lane | WR | | Statement due 02/11/2018 |
| 3/2018/0079 R | 23/07/18 | New Ings Farm Hellifield Road Bolton by Bowland | WR | | Awaiting Decision |

| <u>Application No and reason for appeal</u> | <u>Date Received/ Appeal Start Date</u> | <u>Site Address</u> | <u>Type of Appeal Procedure</u> | <u>Date of Inquiry/ Hearing if applicable</u> | <u>Progress</u> |
|---|---|---------------------------------------|---|---|-----------------|
| 3/2018/0480 R | Awaiting start date from PINS | The Tythe Barn Station Road Rimington | HH form submitted in error by appellant. Appellant has asked for WR Costs applied for HH appeal procedure | | |
| 3/2018/0474 R | Awaiting start date from PINS | Great Mitton Hall Mitton Road Mitton | Hearing requested (to be confirmed by PINS) | | |
| 3/2018/0468 R | Awaiting start date from PINS | Great Mitton Hall Mitton Road Mitton | LB Hearing (to be confirmed by PINS) | | |

402 REVIEW OF FEES AND CHARGES

The Director of Resources submitted a report seeking Committee's approval on proposals to increase this Committee's fees and charges with effect from 1 April 2019. These proposals were the first stage in the review of the Committee's budget for the forthcoming 2019/2020 financial year.

The Budget Working Group had considered the overall 3 year budget forecast which showed a potential budget deficit for 2019/2020 of £101,000 after taking £250,000 from general fund balances.

The Council's latest budget forecast allows for a 2% increase in the level of income raised from fees and charges and this review aims to increase budgeted income for 2019/2020 by this amount as a minimum. Planning application fees are currently set by the Ministry of Housing, Communities and Local Government; pre-application fees are however set by ourselves as the relevant Local Planning Authority. On 21 February 2017 the government wrote to all planning authorities with an offer to increase planning fees by 20% with the proviso that the increased income raised should be invested in their planning departments. The government's offer was accepted and we are currently using these increased charges with the extra income funding the new Director's post. There are no further increases anticipated for 2019/2020.

With regard to building regulation fees and charges, there is a national requirement within the Building (Local Authority Charges) Regulations 2010 which states that the charges should be based on achieving a full cost recovery. Work on calculating the building regulation fees and charges will be done as part

of the budget process and the proposed fees for 2019/2020 would be brought to a future meeting.

The review of the fees and charges had been coordinated by financial services working together with Heads of Service and budget holders to enable the budget holder to propose a set of fees and charges for their services.

The proposed set of fees and charges was set out for Committee's information.

At their meeting in June 2018 Personnel Committee had resolved to approve a proposed change to the establishment post of Pre-application Advice Officer to a full time post, which was subsequently approved by Policy and Finance Committee. It is anticipated by the planning service that the establishment of a full time pre-application post will result in a more efficient service that in itself will generate an increase in the usage of the pre-application advice service.

RESOLVED: That Committee approve the proposed fees and charges to be levied for this Committee for 2019/2020 as outlined in the report at Annex 1.

403 CAPITAL PROGRAMME REVIEW AND NEW BIDS 2019/2024

The Director of Resources submitted a report recommending the future five year capital programme for the financial years 2019/2020 to 2023/2024 for this Committee. For this Committee there was originally one scheme already approved for 2019/2020 to 2022/2023. No changes had been made to this scheme.

Heads of Service had been asked to put forward new bids for 2023/2024 and no new bids had been submitted for this Committee.

RESOLVED: That committee approve the proposed five year capital programme for 2019/2020 to 2023/2024 and recommend this to Policy and Finance Committee.

404 REGULATION 19 CONSULTATION LANCASHIRE JOINT MINERALS AND WASTE LOCAL PLAN – REPORT OF DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

The Director of Economic Development and Planning submitted a report on the current development of new planning policy relating to mineral and waste issues throughout Lancashire through a review of the current Local Minerals and Waste Plan and to specifically inform Committee regarding a response to the formal consultation on the regulation 19 publication stage of the proposed document that will replace the current plan.

The review plan contains an overview of minerals and waste needs assessments over the plan period, a set of policies that will guide the assessment of planning applications relating to minerals and waste development and a set of site allocations for a variety of mineral facilities and waste facilities. It was emphasised that Ribble Valley Borough Council is not the decision maker in applications involved with minerals and waste but is a statutory consultee in minerals and waste plan making and in the judgement of planning applications.

It was highlighted that in terms of waste facilities the current plan allocates a variety of sites to host such facilities and that this will be replaced in the review plan by Policy MW19. This policy does not proposed the formal allocation of sites and as such the current allocation of a site in the Ribble Valley Borough Council area at Salthill Industrial Estate for a built waste management facility would not be carried forward in the review plan.

The proposals set out in the plan do not raise any planning related issues that warrant a formal objection or representation being submitted by the Council.

RESOLVED: That Committee note the Regulation 19 consultation plan and that the Joint Authorities are advised that this Council has no representation to make.

405 CAPITAL MONITORING 2018/2019

The Director of Resources submitted a report providing Members with information on the progress of the approved Planning and Development Committee 2018/2019 capital programme for the period to the end of September 2018. The report gave a summary of the planning and development capital programme expenditure to date and variances and included the full capital programme by scheme with details, financial information and the budget holders comments. At the end of September 2018 there had been no spend on the annual capital programme for this Committee.

RESOLVED: That the report be noted.

406 REVENUE MONITORING 2018/2019

The Director of Resources submitted a report for Committee's information on the position for the period April to September 2018 of this year's revenue budget as far as this Committee was concerned. The report outlined by cost centre a comparison between actual expenditure and the original estimate for the period to the end of September and highlighted the variations along with the budget holders comments and agreed action plans.

RESOLVED: That the report be noted.

407 APPEALS UPDATE

- i) 3/2018/0159 – two storey side extension and single storey rear extension at 5 Barn Croft, Clitheroe - appeal dismissed.
- ii) Application for Costs – 5 Barn Croft, Clitheroe – refused.

REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from Representatives on Outside Bodies.

The meeting closed at 7.10pm.

If you have any queries on these minutes please contact Nicola Hopkins (414532).