

## Minutes of Planning and Development Committee

Meeting Date: Thursday, 27 June 2019 starting at 6pm  
Present: Councillor A Brown (Chairman)

Councillors:

T Austin (6.20pm)	A Humphreys
I Brown	S Knox
B Buller	S O'Rourke
S Carefoot	J Rogerson
J Clark	R Sherras
M French	R Thompson
B Holden	N Walsh

In attendance: Director of Economic Development and Planning, Head of Legal and Democratic Services, Head of Regeneration and Housing, Principal Planning Officer and Assistant Planning Officer.

Also in attendance: Councillors A Knox and S Hore.

### 115 APOLOGIES

There were no apologies for absence from the meeting.

### 116 MINUTES

The minutes of the meeting held on 30 May 2019 were approved as a correct record and signed by the Chairman.

### 117 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

Councillor J Rogerson declared an interest in planning application 3/2019/0786 Dog & Partridge at Chipping.

### 118 PUBLIC PARTICIPATION

There was no public participation.

### 119 BRIEFING SESSION ON THE LOCAL DEVELOPMENT PLAN

The Head of Regeneration and Housing gave a brief overview of the Local Development Plan. He reminded Members that the Local Development Plan was enshrined in national policy and that there was a duty to cooperate at a strategic level by working with partners. There was also the sustainability process that tested and measured how the plan was developed and this was done in parallel with the plan making process, not by officers but independently. The National Policy Planning Framework was used as a guideline and the plans are tested by government Inspectors. The key driver for the plan is evidence which means a lot of documents and reports.

He highlighted two key dates for Members – 17 July 2019 - a briefing session on the Local Development Plan for Members and 16 December 2019 – the five year

anniversary of when the Core Strategy was adopted and the date by which the plan must be reviewed.

Contained in the Local Development Plan is not only the development plan itself but the Housing and Economic Development Plan, and the Minerals and Waste Local Plan. Topic areas will include housing, employment land, affordable housing, infrastructure delivery and environmental protection.

The Head of Regeneration and Housing informed Committee that they would be receiving regular reports outlining the process of amending, consulting upon and approving the plan to ensure it remains up to date.

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

1. APPLICATION REF: 3/2018/1133  
GRID REF: SD 372727 437334

#### DEVELOPMENT DESCRIPTION:

CHANGE OF USE OF SITE FROM HAULAGE YARD (SUI GENERIS USE) TO AN AUCTION STORAGE AND DISTRIBUTION SITE (B8 USE) INCLUDING EXTENSION OF STORAGE USE INTO ADJACENT LAND AND CREATION OF ADDITIONAL HARDSTANDING AREAS, AND THE ERECTION OF A NEW STORAGE BUILDING FOLLOWING THE DEMOLITION OF AN EXISTING BUILDING ON SITE AT NEW GARAGE, MITTON ROAD, WHALLEY

APPROVED subject to the imposition of 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 by Section 51 of the Planning and Compulsory Purchase Act 2004

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

Location Plan (scale 1:2500)  
ML/DS/5706 (amended plan received 13/06/19)  
ML/DS/5708 ML/DS/5709 (amended plan received 09/05/19)  
MR18-005/101 Rev D (amended plan received 12/06/19)

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

3. The building hereby approved shall only be used for storage and for the repair of items (vehicles, plant and machinery) associated with the existing business at this site.

REASON: For the avoidance of doubt as the use of the building for other purposes and/or in association with another business could have a detrimental effect upon the amenity of the locality or highway safety.

4. The development hereby approved shall be carried out in complete accordance with the materials detailed within section 7 of the submitted application form.

REASON: In order to ensure that the materials to be used are appropriate to the locality.

#### *Landscaping/Ecology*

5. During the construction period, including delivery of building materials and excavations for foundations or services, all the existing/retained trees and hedging shown on drawing MR18-005/101 Rev D (amended plan received 12/06/19) shall have been enclosed with temporary protective fencing in accordance with BS5837:2012 [Trees in Relation to Demolition, Design & Construction].

The fencing shall be retained during the period of construction and no work, excavation, tipping, or stacking/storage of materials shall take place within such protective fencing during the construction period.

REASON: To ensure that existing trees are adequately protected during construction in the interests of the visual amenity of the area.

6. Within three months of commencement of development on site, a timetable for the implementation of the approved landscaping areas, as shown on approved drawing MR18-005/101 Rev D (amended plan received 12/06/19) shall have been submitted for the written approval of the Local Planning Authority. The development shall be carried out in strict accordance with the duly approved timings and the areas which are landscaped shall be retained as landscaped areas thereafter.

Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

REASON: To ensure the proposed landscaped areas are provided on a phase by phase basis.

7. Any removal of vegetation, including trees and hedges, should be undertaken outside the nesting bird season (March to August) unless an up-dated pre-clearance check has by carried out by a licensed ecologist within the 24 hours prior to any removal and no nesting birds are found to be present. The up-dated pre-clearance check shall be have submitted to the Local Planning Authority prior to the removal of any trees and/or hedges

REASON: To ensure that there are no adverse effects on the favourable conservation status of birds and to protect the bird population from damaging activities.

8. The development hereby approved shall be carried out in complete accordance with the Mitigations/Recommendations detailed within Section 7 of the submitted Ecological Appraisal (Report Ref: 4470).

REASON: In the interests of biodiversity and to enhance opportunities for species of conservation concern and reduce the impact of development.

9. No above ground level works 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 building dependent bird/bat species site plan and include details of the numbers, types and locations of artificial bird nesting boxes and artificial bat roosting boxes.

The artificial bird/bat boxes shall be provided and be made available for use before the building is first brought into use 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.

#### *Amenity*

10. Details of any external air conditioning vents, extraction systems or any other external plant equipment shall have been submitted to and approved in writing by the Local Planning Authority prior to installation on the building/site. The submitted information shall include details of the design, positioning, specification, noise levels, fixing and finish of all external plant equipment and the development shall be carried out in complete accordance with the approved details.

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

11. The use of the premises in accordance with this permission shall be restricted to the hours 08:00 to 18:00 hours Monday to Friday inclusive and between 09:00 to 13:00 hours on Saturday and not at all on Sunday and Bank Holidays.

REASON: The use of the premises outside these hours could prove injurious to the character of the area and in order to safeguard residential amenity

12. No goods/items measuring in excess of 2m in height shall be stored within 50 metres of the western boundary of the site (Mitton Road).

REASON: To ensure that the development hereby permitted is not visually detrimental to the amenity of the surrounding area

13. No external lighting, other than that shown on the approved plans, shall be installed on the new unit, or elsewhere on the site, without the prior written approval of the Local Planning Authority. Details of any such lighting shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The approved details shall thereafter be fully implemented.

REASON: In order to ensure a satisfactory appearance in the interests of visual amenity and to prevent nuisance arising.

#### *Highways*

14. No development shall take place, including any works of demolition, 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. It shall provide details in respect of:

- Timing of delivery of all off site highway works
- The parking of vehicles of site operatives and visitors
- The loading and unloading of plant and materials
- The storage of plant and materials used in constructing the development
- The erection and maintenance of any security hoarding
- Contact details for the site manager
- Routes to be used by vehicles carrying plant and materials to and from the site
- Details of wheel washing facilities and road sweeper (where necessary).

REASON: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings and to ensure the development would not be of detriment to the safe operation of the immediate highway during the construction of the development.

15. Prior to the commencement of development, including any demolition works, the alterations to the site access onto the highway of Mitton Road ML/DS/5709 (amended plan received 09/05/19) shall have been constructed under a Section 278 Agreement of the 1980 Highways Act and shall be retained as such thereafter.

REASON: In order to provide a safe access into the site which is suitable for the types of vehicles that will use it.

REASON FOR PRE-COMMENCEMENT: The altered/improved site access needs to be provided before works can commence on site.

#### *Contamination*

16. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the local planning authority.

This strategy shall include the following components:

- i. A preliminary risk assessment which has identified:
  - all previous uses;
  - potential contaminants associated with those uses;
  - a conceptual model of the site indicating sources, pathways and receptors; and
  - potentially unacceptable risks arising from contamination at the site.
- ii. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- iii. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- v. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

#### Drainage

17. The site shall be drained via separate systems for the disposal of foul and surface water.

REASON: To secure a satisfactory system of drainage and to prevent pollution of the water environment.

18. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

19. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and

approved in writing by the local planning authority. Those details shall include:

- a) A final surface water drainage layout plan; appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels and external ground levels (in AOD);
- b) A full set of flow calculations for the surface water drainage network. The calculations must show the full network design criteria, pipeline schedules and simulation outputs for the 1 in 1 year, 1 in 30 year and 1 in 100 year return period, plus an appropriate allowance for climate change. The calculations must also demonstrate that the post development surface water run-off rate shall not exceed the existing pre-development surface water run-off rate for the corresponding rainfall event.
- c) A final plan showing all on-site surface water catchment areas, i.e. areas that will contribute to the proposed surface water drainage network;
- d) A final plan showing all overland flow routes and flood water exceedance routes, both on and off site;
- e) Details of measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses; and
- f) Details of an appropriate management and maintenance plan for the surface water drainage network for the lifetime of the development.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

REASON: To ensure that the proposed development can be adequately drained, that there is no flood risk on or off the site resulting from the proposed development, that water quality is not detrimentally impacted by the development proposal and that appropriate maintenance mechanisms are put in place for the lifetime of the development.

20. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority. The development thereafter shall be undertaken in accordance with the approved prevention measures.

REASON: To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere and that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

REASONS FOR PRE-COMMENCEMENT CONDITIONS: Drainage is not only a material consideration but an early and fundamental activity in the ground construction phase of any development and it is likely to be physically inaccessible at a later stage by being buried or built over. It is of concern to all flood risk management authorities that an agreed approach is approved before development commences to avoid putting existing and new communities at risk.

INFORMATIVE:

The applicant is advised that the amended site access will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Community Services before works begin on site. Further information and advice can be found at [www.lancashire.gov.uk](http://www.lancashire.gov.uk) and search for "278 Agreement".

There is a public right of way through part of the site and the granting of planning permission does not entitle the developer/applicant to obstruct this right of way and any proposed stopping up or diversion of the right of way should be the subject of an Order under the appropriate Act.

2. APPLICATION REF: 3/2019/0293  
GRID REF: SD 372379 445748

DEVELOPMENT DESCRIPTION:

PROPOSED DEMOLITION OF EXISTING GARAGE/WORKSHOP WITH A REPLACEMENT HOLIDAY COTTAGE TO BE CONSTRUCTED AT MILL FARM, MILL LANE, WADDINGTON BB7 3JJ

DEFERRED and DELEGATED to the Director of Economic Development and Planning for approval subject to an amendment to condition 14 to require an updated Management Plan which addresses the parking associated with the wider building complex.

Approve subject to the following conditions (conditions 2, 11 and 14 have been amended):

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

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

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

A100 PROPOSED PLANS & ELEVATIONS (amended 12/06/2019)  
A200 PROPOSED SITE PLAN (amended 21/06/2019)  
A300 LOCATION PLAN (amended 21/06/2019)  
A400 EXISTING PLANS & ELEVATIONS  
A500 EXISTING SITE PLAN  
A600 PARKING PLAN (amended 21/06/2019)

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

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

REASON: To ensure that the materials to be used are appropriate to the locality.

4. 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 prior to their installation.

Before the development hereby permitted becomes operative all boundary treatments shown in the approved details to bound the site shall be erected.

REASON: To ensure a visually satisfactory form of development.

5. The siting and details of the construction and design of external refuse recycling/bin stores shall be submitted to and approved in writing by the Local Planning Authority. The duly approved facilities shall be made available for use before the development hereby approved is first occupied and retained thereafter.

REASON: To ensure the provision of satisfactory facilities for the storage of refuse and in the interest of visual amenity.

6. The proposed roof lights shall be of Conservation Type, recessed with a flush fitting, and shall be retained as such in perpetuity.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

7. All windows and doors shall be constructed in timber, of which the elevational and section details shall have been submitted and agreed in writing by the Local Planning Authority prior to their use in the development. The development shall be carried out in strict accordance with the approved details; the approved details shall thereafter be retained in perpetuity.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

8. Notwithstanding the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the holiday cottage hereby approved shall only be used as holiday accommodation and for no other purpose, including any other purpose within Use Class C3.

REASON: For the avoidance of doubt, and to avoid an over-intensive use and to ensure that the development remains compatible with the character of the area and the intensity and frequency of usage remains proportionate to the use hereby approved.

9. The proposed holiday cottage shall be restricted to short-term holiday purposes only. No cottage on the site shall be occupied at any time as permanent residential accommodation or as a person's main place of residence.

The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of the cottage, and of their main home addresses, and shall make this information available, on request, to the Local Planning Authority.

REASON: To prevent the permanent residential occupation of the site in a location where new residential development is unacceptable in principle and to define the scope of the permission hereby approved.

10. Notwithstanding the provisions of Classes A to H of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, the holiday cottage hereby permitted shall not be altered or extended, no new windows shall be inserted (including rooflights) and no additional buildings or structures shall be erected within its external area unless planning permission has first been granted by the Local Planning Authority.

REASON: In the interests of the amenity of the area

11. The parking and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of the building hereby approved; such parking facilities shall thereafter be permanently retained for that purpose

REASON: To allow for the effective use of the parking areas.

12. Site contractors and site project managers shall be made aware of the legal protection afforded all species of bats in the UK. The building contractors shall take additional care when removing fascia boards, verge tiles, ridge tiles & lead flashing.

In the event that any bats are found or disturbed during any part of the development, all work shall cease until further advice has been sought from a licensed ecologist.

Bat access slates, as denoted on approved drawing A100, shall be incorporated into the building during the construction works before the holiday cottage is first brought into use.

REASON: To protect the bat population from damaging activities and reduce or remove the impact of development and to ensure that there are no adverse

effects on the favourable status of a bat population before and during the proposed development.

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. Notwithstanding the submitted details, prior to first occupation of the development hereby approved an updated Site Management Plan shall have been submitted to, and agreed in writing by, the Local Planning Authority. For the avoidance of doubt the submitted document shall provide details of the vehicular parking to serve the holiday cottage hereby approved and the surrounding complex of buildings (included within the blue edge of the approved location plan) , identify areas where parking will be strictly prohibited, and include measures that will be taken to ensure that the parking is provided and managed accordingly. Thereafter, the development shall be operated in strict accordance with the approved details.

REASON: To ensure the satisfactory management of the site in the interests of general amenity of the area, to safeguard where appropriate neighbouring residential amenity and to ensure adequate parking is available within the site.

15. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standard.

REASON: In order to ensure that trees growing within influencing distance of the development are given maximum physical protection from the potential adverse effect of the development.

(Mr Barnsley spoke against the above application).

3. APPLICATION REF: 3/2019/0388  
GRID REF: SD 373753 440773

DEVELOPMENT DESCRIPTION:

RESTORATION AND ENHANCEMENT OF PRIMROSE LODGE TO CHANGE THE FORMER MILL LODGE INTO A PUBLIC OPEN SPACE. TO INCLUDE DE-SILTING 3000 SQUARE METRES OF THE LODGE TO CREATE PERMANENT OPEN WATER HABITAT WITH VARYING DEPTHS, PLANTING THE MARGINS WITH SUITABLE MARGINAL POND VEGETATION; CONSTRUCTION OF AN ALASKAN A FISH PASS AND CREATION OF A FOOTPATH THROUGH THE SITE AT PRIMROSE LODGE WOONE LANE CLITHEROE

DEFERRED and DELEGATED to the Director of Economic Development and Planning for approval subject to the satisfactory consultation response from LCC Highways 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 conditions listed within the report:

*Time*

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

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

*Plan related*

- 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:

Title	Reference
Footpath and access plan	DPLAC01 Revision D
Fish Passage Details	DPLFP01 Revision H
General Arrangement and Specification Plan	DPLDG01 Revision F
Planting and Species specification document	2/13/2019

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

*Materials*

- 3. Notwithstanding the submitted information full details of the materials including any retaining walls for the footpaths and level details, fencing and footbridge shall have been submitted to and approved in writing by the Local Planning Authority prior to their use on site. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

*Highways*

- 4. Prior to the commencement of works on the internal footpath details of any pedestrian access on to Woone Land shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the pedestrian access shall be implemented in accordance with the approved details and retained in perpetuity thereafter

REASON: In the interest of highway safety and to ensure suitable pedestrian access is achieved as part of the development

### *Drainage*

5. Prior to the commencement of the construction of the fish pass (ref: drawing DPLF01, Rev H, 16 Apr 19) full details of the installation of the fish pass shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that flood risk to upstream areas is not increased and shall include timings/ phasing arrangements for its installation and the future maintenance proposals.

The fish pass thereafter shall be installed and maintained in accordance with the submitted details.

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

### *Highways*

6. 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.

7. 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. It shall provide for:

- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and material;
- the storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding;
- routes to be used by vehicles carrying all plant and materials to and from the site;
- contact details for the site manager.

REASON: To protect existing road users in the interest of highway safety.

8. Demolition or construction works shall not take place outside 08:00 hours to 17:00 hours Mondays to Fridays nor at any time on Saturdays, Sundays or Bank Holidays.

REASON: To protect the amenities of the nearby residents.

### *Biodiversity*

9. This proposal shall be in accordance with the recommendations of the Bowland Ecology report dated April 2019.

Prior to public access to the site the location of the additional bat boxes within the site shall be submitted to and approved in writing by the Local Planning Authority. The bat boxes shall be erected in accordance with the approved details prior to public access to the site.

REASON: To encourage and promote biodiversity.

#### *Archaeology*

10. No works shall take place until the applicant, or their agent or successors in title, have secured the implementation of a programme of site recording and analysis works. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works shall include the creation of a record of the elements of the site which will be affected by the fish pass to Level 1, as set out in 'Understanding Historic Buildings' (Historic England 2016). Upon completion of the programme of recording and analysis it shall be submitted to the Local Planning Authority.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historic importance associated with the approved fish pass.

#### INFORMATIVES:

##### Environmental permit - advice to applicant for flood risk activities

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

##### Environmental permit - advice to applicant for waste activities

Any development using waste or other material for engineering works may require an environmental Permit, unless it is exempt from the need for a permit. If a permit is required, it must be obtained prior to commencing the activity and the

applicant should allow three months for the determination of a standard rules permit and four months for the determination of a bespoke permit. Waste transported to and from the development must only be carried by a registered waste carrier.

If planning permission is granted, the applicant should arrange a meeting with the Environment Agency to discuss the permitting implications. For information, the applicant will have to agree a waste recovery plan with the Environment Agency for any activity involving the recovery of waste on land as part of End 3 the Environmental Permit (unless the activity is exempt from the need for a permit).

Please contact our National Customer Call Centre (Tel: 03708 506 506) for advice prior to commencing work. General waste advice is available at: <https://www.gov.uk/topic/environmental-management/waste>

The public register is available at:  
<https://www.gov.uk/guidance/access-the-public-register-for-environmental-information>

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

4. APPLICATION REF: 3/2018/0786  
GRID REF: 361865 441312

DEVELOPMENT DESCRIPTION:

CONVERSION OF EXISTING RESTAURANT TO CREATE 12 APARTMENTS AND SITING OF FOUR HOLIDAY LETS AT DOG AND PARTRIDGE, HESKETH LANE, CHIPPING PR3 2TH

The Principal Planning Officer reported upon an additional letter asking Members to visit the site and informing them that legal advice had been sought regarding the shared drain and upon an amendment to condition 3.

DEFERRED and DELEGATED to the Director of Economic Development and Planning for approval subject to 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 conditions listed within the report.as follows:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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

2. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:

Location Plan Reference GA3147-LP-01  
Landscaping Plan Reference Dog and Partridge  
Proposed Block Plan Reference BP-01A dated 18/10/18  
Proposed Floor Plan and Elevations GA3147-PL01  
Proposed Floor Plan and Elevations GA3147-PL02

REASON: To ensure that the development as carried out does not vary from the approved plans.

3. Prior to the commencement of development full details of the means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. The units hereby approved shall not be brought into use until the duly approved foul water drainage/ disposal system has been completed and is fully operational, and shall be retained and maintained as approved thereafter.

REASON: In order to protect the nearby watercourse and to ensure adequate provision is provided on site to deal with foul drainage

4. The proposed holiday cottages shall be restricted to short-term holiday purposes only. No cottage on the site shall be occupied at any time as permanent residential accommodation or as a person's main place of residence.

The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of the individual lodges on the site, and of their main home addresses, and shall make this information available, on request, to the Local Planning Authority.

REASON: To prevent the permanent residential occupation of the site in a location where new residential development is unacceptable in principle and to define the scope of the permission hereby approved.

5. Prior to work on any of the buildings 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 indicate the type of provision to be provided and identify the actual wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into those buildings during the construction and be made available for use before each flat or holiday let is occupied and thereafter retained. The development shall be carried out in strict accordance with the approved details.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and to reduce the impact of development.

6. Notwithstanding the submitted details, details or specifications of all materials to be used on the external surfaces, including details of external stairways, of the development hereby approved shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the area.

#### *Noise*

7. The residential development hereby permitted shall be designed in full compliance with the revised acoustic report dated 28/1/19 and incorporate the glazing, ventilation and acoustic specifications detailed in the report prior to occupation of any of the units.

REASON: To protect and safeguard residential amenity.

8. Prior to occupation of any of the units details of any external lighting scheme to the development hereby permitted shall be submitted to and approved in writing by the LPA and be implemented in accordance with the submitted scheme.

REASON: To protect and safeguard residential amenity.

9. The permitted hours of operation in relation to all construction works and ancillary operations (including deliveries and removal of plant, equipment, machinery and waste) shall be 08.00 to 18:00, Monday to Friday, 08.00 to 13:00 hours on Saturdays, and at no time on Sundays and Bank Holidays.

REASON: To protect and safeguard residential amenity.

10. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

- a) A final surface water drainage layout plan; appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels and external ground levels (in AOD);
- b) A full set of flow calculations for the surface water drainage network. The calculations must show the full network design criteria, pipeline schedules and simulation outputs for the 1 in 1 year, 1 in 30 year and 1 in 100 year return period, plus an appropriate allowance for climate change and urban creep. The calculations must also demonstrate that the post development surface water run-off rate shall not exceed 5l/s;
- c) A final plan showing all on-site surface water catchment areas, i.e. areas that will contribute to the proposed surface water drainage network;

- d) A final plan showing all overland flow routes and flood water exceedance routes, both on and off site;
- e) Details of measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses; and
- f) Details of an appropriate management and maintenance plan for the surface water drainage network for the lifetime of the development.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system and ordinary watercourses shall be retained, managed and maintained in accordance with the approved details.

REASON: To ensure that the proposed development can be adequately drained and that there is no flood risk on or off the site resulting from the proposed development. Also to ensure that water quality is not detrimentally impacted by the development proposal and that appropriate maintenance mechanisms are put in place for the lifetime of the development

- 11 No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

REASON: To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere and that that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

12. Prior to occupation of any of the units further details of a scheme showing the alterations to the access point including the blocking up of one of the access points shall be submitted to and approved in writing by the LPA. The scheme shall thereafter be implemented and retained in that manner in perpetuity.

REASON: In the interest of highway safety.

13. Prior to occupation of any of the units precise details of location and details of cycle provision and bin storage areas shall be submitted and approved in writing by the LPA. The facilities shall be made available before occupation of the individual units.

REASON: In order to encourage sustainable travel and general amenity issues

14. No development shall take place, including any works of demolition, 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. It shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development

- iv) The erection and maintenance of security hoarding
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) Details of working hours which shall be in accordance with Condition 9 of this consent.
- ix) Routing of delivery vehicles to/from site

REASON: in the interest of highway safety and residential amenity.

15. Notwithstanding the provisions of Classes A to H of Part 1 of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking and re-enacting that Order, the holiday cottage hereby permitted shall not be altered or extended and no additional buildings or structures shall be erected within its external area unless planning permission has been previously approved by the LPA.

REASON: In the interest of the amenity of the area.

16. Notwithstanding the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the holiday cottage hereby approved shall only be used as holiday accommodation and for no other purpose, including any other purpose within Use Class C3.

REASON: To prevent the permanent residential occupation of the site in a location where new residential development is unacceptable in principle and to define the scope of the permission hereby approved.

#### INFORMATIVE

1. The applicant is advised that the new site access will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Community Services before works begin on site. Further information and advice can be found at [www.lancashire.gov.uk](http://www.lancashire.gov.uk) and search for "278 agreement".
2. The developer should be aware that the any works on, or immediately adjacent to the adopted highway network, would require the appropriate permits from Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on [lhsstreetworks@lancashire.gov.uk](mailto:lhsstreetworks@lancashire.gov.uk) or on 01772 533433.
- 3 In accordance with Condition 7 the noise levels at each dwelling should not exceed the following levels as assessed in accordance with British Standard 8233 (2014) and World Health Organisation guidelines (or any subsequent replacement national standards/guidance):

LAeq 50 dB 16 hours – gardens and outside living areas, daytime (07.00-23.00)  
 LAeq 35 dB 16 hours – indoors, daytime (07.00-23.00)  
 LAeq 30 dB 8 hours – indoors, night-time (23.00-07.00)  
 LAFmax 45 dB 8 hours – indoors, night-time (23.00-07.00)  
 LAFmax 45 dB 4 hours – indoors, evening (19.00-23.00)\*  
 LAFmax 60 dB 8 hours - façade level, night time (23.00-07.00)  
 LAFmax 60 dB 4 hours - façade level, evening (19.00-23.00)\*

Alternative levels and monitoring locations may be used subject to the prior written approval of the Local Planning Authority. The evening standard LAFmax will only apply when the evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour. In relation to Condition 7 the LAF max marked with an\* the evening standard LAFmax will only apply when the evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.

- 4 In relation to condition 8 it shall be designed so that light intrusion into the windows of the nearest sensitive premises will not exceed 5 Lux before 23.00, and 1 lux after 23.00 (Environmental Zone E2), as described by The Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 (or any subsequent replacement guidance).

(Mr Salisbury spoke in favour of the above application. Mr Stanley spoke against the above application. Councillor Hore was given permission to speak on the above application).

(Councillor Rogerson returned to the meeting).

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SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2018/0924	Land South West of Barrow & West of Whalley Road Barrow	7/2/19	39	With Applicants Solicitor
3/2018/0914	Land off Clitheroe Road (Lawsonsteads Phase 2) Whalley	14/3/19	188	With Applicants Solicitor
3/2018/1037	Land off Pimlico Link Road Clitheroe	11/4/19	19	With Legal
3/2019/0012	Land South West of Barrow & West of Whalley Road Barrow	30/5/19	233	With Applicant

<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>
3/2018/0844	Land off Longsight Road, Langho	10/1/19	21 weeks	42	Decision 5/6/19

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## APPEALS UPDATE

<b>Application No and reason for appeal</b>	<b>Date Received/ Appeal Start Date</b>	<b>Site Address</b>	<b>Type of Appeal Procedure</b>	<b>Costs application received</b>	<b>Date of Inquiry or Hearing if Applicable</b>	<b>Progress</b>
3/2017/0961 R (Variation of S106 Ag)	25/04/2019	Land at Chapel Hill Longridge	Hearing		18/06/2019	Withdrawn by Appellant 29/05/2019
3/2018/0474 R of pp	Awaiting start date from PINS	Great Mitton Hall Mitton Road Mitton BB7 9PQ	HH appeal procedure Hearing requested (to be confirmed by PINS)			
3/2018/0468 R of LBC	Awaiting start date from PINS	Great Mitton Hall Mitton Road Mitton BB7 9PQ	LB Hearing (to be confirmed by PINS)			
3/2018/1020 R of pp	Awaiting start date from PINS	Calding Bank Cottage Whalley Old Rd Billington BB7 9JE	WR (to be confirmed)			
3/2018/0915 R of outline pp	19/02/19	Daniels Farm Preston Road Alston PR3 3BL	WR			Appeal Dismissed 16/05/2019
3/2018/0688 R of outline pp	04/02/19	land off Henthorn Road Clitheroe	Inquiry		08/05/2019 09/05/2019 10/05/2019	Awaiting Decision
3/2018/1025 R of prior notification	05/02/2019	Low Laithe Barn Gisburn Road Newsholme	WR			Awaiting Decision
3/2018/0651 R of pp	01/03/2019	Land adj Glenetta Parsonage Rd Wilpshire BB1 4AG	WR			Appeal Dismissed 12/06/2019

<b>Application No and reason for appeal</b>	<b>Date Received/ Appeal Start Date</b>	<b>Site Address</b>	<b>Type of Appeal Procedure</b>	<b>Costs application received</b>	<b>Date of Inquiry or Hearing if Applicable</b>	<b>Progress</b>
3/2018/0582 R of permission in principle	21/05/2019	Land to the south of Chatburn Old Rd Chatburn	WR			Statement Due 25/06/2019
3/2018/0768 R of pp	27/03/2019	Land at Osbaldeston Ln Osbaldeston	WR			Awaiting Decision
3/2018/0479 R of pp	03/06/2019	74 Church St Ribchester	HH			Awaiting Decision
3/2018/1076 R of pp	Awaiting start date from PINS	Sabden House Wesley Street Sabden	HH (to be confirmed by PINS)			
3/2018/1006 R of LBC	Awaiting start date from PINS	Sabden House Wesley Street Sabden	WR (to be confirmed by PINS)			
3/2018/1148 R of pp	10/06/2019	Wolfen Lodge Fish House Ln Chipping	HH			Awaiting Decision
3/2019/0057 R of pp	21/05/2019	Seven Acre Bungalow Forty Acre Lane Longridge	WR			Statement Due 25/06/2019
3/2019/0117 R to discharge condition	Awaiting start date from PINS	Susie Cottage Rimington Lane Rimington	WR (to be confirmed by PINS)			
3/2019/0241 R of pp	Awaiting start date from PINS	23 Church Street Clitheroe	HH (to be confirmed by PINS)			
3/2019/0242 R of LBC	Awaiting start date from PINS	23 Church Street Clitheroe	WR (to be confirmed by PINS)			

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## VALIDATION CRITERIA

The Director of Economic Development and Planning submitted a report enclosing the draft revision of the Council's validation checklist for planning applications that had been prepared in conjunction with the guidelines set out by MCHLG. The document had been out for a 6 week consultation period where key stakeholders had been consulted on the draft checklist, as well as the document

being available for a public view on the Council's website. The responses received had been in support of the introduction of a checklist and suggestions received have been incorporated into the document. A summary of the responses received along with the resultant amendments to the validation checklist were included in the report.

Councillor S Hore was given permission to speak on this item and referred to Appendix F of the validation checklist with regard to proof of marketing and the rigidity of the rules.

The Council's local list of validation requirements was not intended to be overly prescriptive and it was advised that early pre-application discussions were entered into so the documents, plans and drawings which reflect the nature and scale of the development required to support the planning application could be identified. It was intended that the checklist would be reviewed and updated where necessary on a frequent basis.

RESOLVED: That Committee

1. note the consultation responses and suggested changes to the validation checklist as outlined in the Appendix to the report;
2. agree to the new pro forma to be submitted with agricultural determinations; and
3. agree to formally adopt the planning application validation criteria as attached to the report.

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APPEALS

- a) 3/2018/0651 – Proposed new dwelling at land adjacent Glenetta, Parsonage Road, Wilpshire – appeal dismissed.

The meeting closed at 7.20pm.

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