

Minutes of Planning and Development Committee

Meeting Date: 17 December 2009 starting at 6.30pm
Present: Councillor R E Sherras (Chairman)

Councillors:

D Berryman	J Rogerson
R Croasdale	J S Sutcliffe
A Gridley	D Taylor
T Hill	M Thomas
J Holgate	.J White
C Punchard	

In attendance: Director of Development Services, Building and Development Control Manager, Legal Services Manager, Forward Planning and Regeneration Manager and Senior Planning Officer.

656 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors R Elms and M Fielding.

657 MINUTES

The minutes of the meeting held on 26 November 2009 were approved as a correct record and signed by the Chairman.

658 DECLARATIONS OF INTEREST

Councillors D Berryman and JS Sutcliffe declared an interest in planning application 3/2009/0890/P with reference to Roefield Leisure Centre, Clitheroe.

659 PUBLIC PARTICIPATION

There was no public participation.

660 REFERENCES FROM OVERVIEW AND SCRUTINY COMMITTEE

There were no references from Overview and Scrutiny Committee.

661 PLANNING APPLICATIONS

1. APPLICATION NO: 3/2009/0643/P (GRID REF: SD 374045 440757)
PROPOSED ERECTION OF TWO DETACHED DWELLINGS WITHIN RESIDENTIAL GARDEN, INCLUDING IMPROVEMENT OF EXISTING ACCESS AND FORMATION OF NEW PAVEMENT TO LITTLEMOOR AT MILLERSDENE, WHALLEY ROAD, CLITHEROE

GRANTED subject to the following condition(s):

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

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

2. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on 16 November 2009 which show a repositioning of the dwellings within the plots and changes the design of both dwellings.

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

3. Prior to the commencement of the development hereby permitted, details of the type, coursing and jointing of the natural stone to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built to conform with the details which shall have been so approved.

REASON: In the interest of the visual amenity of the area and so that the Local Planning Authority shall be satisfied as to the details and in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

4. Precise specifications and samples of walling and roofing materials and details of any window and door surrounds including materials to be used shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) the dwelling on Plot 2 shall not be altered by the insertion of any window at first floor level on the eastern gable without the formal written permission of the Local Planning Authority.

REASON: In order to safeguard nearby residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. The window(s) on the eastern first floor elevation of the dwelling on Plot 2 serving a bathroom shall be obscure glazed to the satisfaction of the Local Planning Authority and remain in that manner in perpetuity.

REASON: In order to protect nearby residential amenity as required by with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever possible the retention of existing trees, have 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 and the types and details of all fencing and screening to be used 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 becomes seriously diseased, by a species of similar size to those originally planted.

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

8. Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services trees identified: T1/T2/T3/T4/T5/T6/T7/T8 in the Millersdene Tree Preservation Order 2009 shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be agreed in writing, [including a Tree Protection Monitoring Schedule] implemented in full and inspected by the local planning authority before any site works are begun.

The root protection zone shall be 12 x the DBH and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone. In addition no impermeable surfacing shall be constructed within the protection zone and all building materials shall be delivered to and stored in an area of the site which has first been submitted to and agreed in writing by the Local Planning Authority.

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

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

In order to comply with planning policies G1, ENV13 of the District Wide Local Plan.

NOTE

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

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

2. APPLICATION NO: 3/2009/0706/P(GRID REF: SD 362641 437266)
CONSTRUCTION OF FISHING LAKE FOR PERSONAL USE ONLY (RE-SUBMISSION) AT LAND OFF FLEET STREET LANE, DUTTON, PRESTON, LANCASHIRE.

GRANTED subject to the following condition(s):

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

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

2. The proposed fishing lake shall inure for the benefit of Mr John Carlisle and accompanied friends/family only and not for the benefit of the land nor any other person or persons, whether or not having an interest in the land, and there shall be a maximum of only two vehicles allowed to visit the site at any one time.

REASON: In order to comply with Policy G1 of the Ribble Valley Districtwide Local Plan, in that permission has been granted based on the individual circumstances applying in this case, and its use separate from the above could be injurious to the amenities of the neighbouring occupiers, to the character of the area and to highway safety. It would also require further consideration by the Local Planning Authority.

3. Any tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall only be carried out between the beginning of August and the end of February inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections.

REASON: In order to prevent the unnecessary loss of habitats, in accordance with Policy ENV7 of the Districtwide Local Plan.

4. Prior to the commencement of development, further details of the proposed earthworks involved in the creation of the two mounds, the pipe and sluice elements and the 'silt trap', shall have been submitted to and approved in writing by the Local Authority, in consultation with specialist advisors.

REASON: In order to fully assess the earthworks involved and the implications of the use of a 'silt trap', with regards to restricting sediment movements through the lakes.

5. Prior to the commencement of development, details of a method statement for the protection of Page Brook during the construction of the personal fishing lake hereby approved shall have been submitted to and approved in writing by the Local Planning Authority, in consultation with specialist advisors.

REASON: In order to prevent the unnecessary loss of habitats, in accordance with Policy ENV7 of the Districtwide Local Plan.

6. No site clearance, site preparation or development work shall take place until a detailed habitat creation/enhancement and management plan for the site shall be submitted to and approved in writing by the Local Planning Authority, in consultation with specialist advisors. The approved management plan shall be implemented in full, in accordance with the approved scheme.

REASON: In order to protect and provide aftercare and long-term habitat management of the site in accordance with Policy ENV7 of the Districtwide Local Plan.

7. All mitigation and enhancement for biodiversity shall be implemented in the first twelve months following completion of the engineering works involved in the development and maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. All mitigation/enhancement measures shall be in accordance with the details identified in the Bowland Ecology 'Extended Phase 1 Survey report'.

REASON: In accordance with Policy ENV7 of the Ribble Valley Districtwide Local Plan, in order to protect, enhance and mitigate for biodiversity on the site.

8. The landscaping scheme submitted with the application shall be implemented in the first planting season following completion 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 also include the replacement of any tree or shrub on site that is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of the amenity of the area and to comply with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan.

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

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

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

REASON: In order to ensure that any trees affected by development and considered to be of visual, historic or botanical value are afforded maximum physical protection from the adverse affects of development, and in order to comply with planning policies G1 and ENV13 of the District Wide Local Plan.

NOTE(S)

1. Grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpaths 9 and 10 in the parish of Ribchester run through the site.
2. The applicant should ensure that there is no possibility of contaminated water entering and polluting surface or groundwater, both pre-/post-construction. Only clean surface water from the roof should be discharged to any surface water soakaway or watercourse. Any contaminated surface water-run off must be disposed of in such a way as to prevent any discharge to any borehole, well, spring, soakway or watercourse. It is the responsibility of the landowner to ensure that any activities undertaken on site do not cause pollution of the adjacent watercourse.
3. Under the terms of the Water Resources Act 1991, an Impounding Licence may be required from the Agency for the impounding of any watercourse, ditch or stream (e.g. by dam, weir etc)
4. Under the terms of the Water Resources Act 1991, the abstraction of more than 20 cubic metres of water per day from a surface water source (e.g. stream or drain) or from underground strata (via borehole or well) for any particular purpose will require an Abstraction licence from the Environment Agency. There is no guarantee that a licence will be granted as this is dependant on available water resources and existing protected rights.

5. Before applying for an Impounding or Abstraction Licence, we advise the applicant contact our water resources permitting staff on (08708) 506506 to obtain pre-application advice.
6. Any fish introduced to a lake in this location would need to be native species already established within the catchment. Any fish stocking requires prior written consent from the Environment Agency.
7. Any works to the watercourse including construction of the bunds and sluices and any temporary works will require Land Drainage consent under Section 23 Land Drainage Act 1991. The Applicant is advised to contact Mr J. C. Welsby (Development Control Engineer) on 01772 714016 to discuss the need to apply for Land Drainage Consent. In applying for consent, the applicant would need to demonstrate that any structures would not adversely affect river flows and lead to an unacceptable risk of flooding elsewhere.
8. Excavated material generate during any lake construction should only be placed in areas of semi-improved grassland of low biodiversity value. Advice must be sought from the Environment Agency to check whether or not an exemption from Environmental Permitting is needed to dispose of the material in this manner.

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

3. APPLICATION NO: 3/2009/0777/P(GRID REF: SD 377749 434780)
 PROPOSED SMALL LOCATION SIGN SHOWING LOCATION AND DESCRIPTION OF SITE, 100M BEFORE EITHER SIDE OF ENTRANCE AND ONE AT ENTRANCE AT PUMP HOUSE DENE WOOD, TRAPP LANE, SIMONSTONE

GRANTED subject to the following conditions:

1. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

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

2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

REASON: Required by the Town and Country Planning (Control of Advertisements) Regulations 2007.

3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

REASON: Required by the Town and Country Planning (Control of Advertisements) Regulations 2007.

4. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aids to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

REASON: Required by the Town and Country Planning (Control of Advertisements) Regulations 2007.

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

4. APPLICATION NO: 3/2009/0786/P (GRID REF: SD 37749 434780)
PROPOSED ACTIVITY CENTRE IN WOODLAND ENVIRONMENT WITH PROPOSED USAGE TO FACILITATE EDUCATION, YOUTH, CORPORATE AND PRIVATE SECTOR, BY INTERACTION WITH THE NATURAL ELEMENTS AND PHYSICAL ACTIVITY AT PUMP HOUSE DENE WOOD, TRAPP LANE, SIMONSTONE

(The Chairman received a petition with a total of 418 signatories of which 258 were identifiable as Ribble Valley residents against the proposed creation of an outdoor elements activity centre in the naturally preserved local woodland environment of Dene Wood, Trapp Lane. The Building and Development Control Manager also reported three more letters of objection).

GRANTED subject to the following condition(s):

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

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

2. Prior to the commencement on site of any construction works, or works affecting any trees, precise details of all the mitigation and enhancement measure identified in the submitted Extended Phase 1 Habitat, Breeding Bird Survey and Bat Tree Risk Assessment (Bowland Ecology June 2009) shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include the location and design of all mitigation and enhancement measures, a Habitation Management Plan, a timescale for the implementation of each of the measures and details of monitoring of the measures by a qualified ecologist. The measures shall only be carried out in accordance with the approved details.

REASON: To ensure that no species are harmed or habitat destroyed in order to comply with Policies ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan.

3. The planting scheme comprised in the required enhancement measures shall comprise native species of the following mix:

- Ash *Fraxinus excelsior*
- Alder *Alnus glutinosa*
- Silver birch *Betula pendula*
- Oak *Quercus robur/petraea*
- Hawthorn *Crateagus monogyna*
- Hazel *Coryllus avellana*
- Willow *Salix cinerea/fragilis*
- Bramble *Rubus fruticosus*
- Wych elm *Ulmus glabra*

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

REASON: In the interests of the amenity of the area and to comply with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan.

4. No walls, fences or gates shall be erected anyway on the boundaries or within the site unless precise details of their location, height, materials, design and colour have first been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of visual amenity and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. Prior to the first use of the site for the purpose hereby permitted, the vehicular access into the site and the parking spaces and turning/manoeuvring areas shall have been fully formed in accordance with the approved plans and shall be available for use. Thereafter, these facilities shall be kept permanently clear of any obstruction to their designated use.

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

6. Prior to the first use of the site for the purpose hereby permitted, sightlines from the site access of 160m to the north and 100m to the south, when measured from 2.4m from the carriageway edge, shall have been formed in accordance with a plan that has first been submitted to and approved in writing by the Local Planning Authority. Thereafter, any construction, obstacles or planting within these splays shall be maintained at no higher than 0.9m. A landscaping scheme shall be submitted to replace the hedgerows that are lost due to the visibility splay and details of the scheme shall be submitted to and agreed in writing by the Local Planning Authority

and implemented within the first available planting season and thereafter retained in perpetuity.

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

7. Prior to the first use of the site for the purpose hereby permitted, the field access identified as 'Access A' on the submitted site survey plan shall be permanently closed and the verge reinstated to the satisfaction of the Local Planning Authority.

REASON: To prevent any use of this access in the interest of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

8. Prior to the first use of the site for the purpose hereby permitted that part of the access extending from the highway boundary for a distance of 10m (5.5 to the gated and a further 4.5m to accommodate the first waiting vehicle) shall be appropriately paved in tarmacadam, concrete or other approved material.

REASON: To prevent loose material from spreading on to the public highway in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

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

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

10. Only pre booked groups shall at any time be permitted to use the facility.

REASON: In order to ensure that the nature and scale of the use is in accordance with the details given in the application in the interests of amenity, and because use of the site by persons who have not booked could result in parking on the adjoining highway to the detriment of highway safety contrary to Policy G1 of the Ribble Valley Districtwide Local Plan.

11. There shall be no floodlighting installed anywhere within the site unless a further planning permission has first been granted in respect thereof.

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

12. There shall be no amplified music at the site at any time.

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

13. In the event that the business ceases to operate (for whatever reason) within three months of the last use of the site for the permitted purpose, the two buildings shall be removed from the site and the surfacing materials for the access, parking and manoeuvring areas shall be removed and the land returned to its former condition to the satisfaction of the Local Planning Authority.

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

14. The use of the premises in accordance with this permission shall be restricted to the hours between 0800 to 1900.

REASON: In order to comply with Policies G1 and S10 (delete as appropriate) of the Ribble Valley Districtwide Local Plan. The use of the premises outside these hours could prove injurious to the character of the area and in order to safeguard residential amenities.

(Mr Bowden spoke in favour of the above application. Mrs Hardman spoke against the above application).

5. APPLICATION NO: 3/2009/0792/P (GRID REF: SD 369916 436709)
PROPOSED TWO BEDROOMED DWELLING WITH INTEGRAL GARAGE IN THE GARDEN AREA OF AN EXISTING DWELLING AT STONYHURST VIEW, BROCKHALL VILLAGE

GRANTED subject to the following condition(s):

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

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

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

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

6. APPLICATION NO: 3/2009/0795/P (GRID REF: SD 376921 455983)
PROPOSED CONSTRUCTION OF A 26 SPACE CAR PARK AS AN
OVERSPILL CAR PARK FOR THE COMMUNITY HALL AND THE GENERAL
PUBLIC ON A SITE ADJACENT TO THE SMITHY AT LAND OPPOSITE
TOSSIDE COMMUNITY HALL, TOSSIDE

GRANTED subject to the following condition(s):

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

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

2. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on 1 December 2009 which detail revisions to the car park in order to satisfy highway requirements.

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

3. No part of the development shall be commenced until all the highway works have been constructed in accordance with the details submitted on the amended plan and accompanying letter received on 1 December 2009.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

4. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the nearside edge of the carriageway and visibility splay fences or walls shall be erected from the gateposts to the existing highway boundary, such splays to be not less than 45° to the centre line of the access. The gates shall open away from the highway. Should the access remain ungated 45° splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the carriageway.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to permit vehicles to pull clear of the carriageway when entering the site and to assist visibility.

5. Notwithstanding the submitted details, the car park shall be bounded by a dry stone wall the precise details of which, in terms of height and location, shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority shall be satisfied with the details in the interest of the visual amenities of the area in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan.

NOTE(S):

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

7. APPLICATION NO: 3/2009/0806/P (GRID REF: SD 377257 434500)
PROPOSED DEMOLISH EXISTING GARAGE AND PORCH AND CONSTRUCT NEW ENTRANCE TO THE FRONT WITH ROOM OVER AND A TWO STOREY SIDE EXTENSION AT 1 LAWRENCE AVENUE, SIMONSTONE

(The Building and Development Control Manager reported receipt of two more letters and corrected factual errors in the report.)

GRANTED subject to the following condition(s):

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

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

2. The dwelling as extended and altered in accordance with this permission shall only be occupied as a single residential unit and shall not be occupied as two separate self-contained residential units unless a further planning permission has first been granted in respect thereof.

REASON: For the avoidance of doubt as the occupation of the dwelling as two units could be detrimental to the amenities of the locality and nearby residents contrary to Policy G1 of the Ribble Valley Districtwide Local Plan.

(Mr Marshall spoke in favour of the above application. Mr Parkinson spoke against the above application).

8. APPLICATION NO: 3/2009/0807/P(GRID REF: SD 372592 436653)
PROPOSED DEMOLISH AN EXISTING AGRICULTURAL BUILDING AND REPLACE IT WITH FOUR HOLIDAY COTTAGES IN TWO STONE BUILDINGS TOGETHER WITH GARDEN AREAS AND PARKING AT ABBEY BARN, NETHERTOWN CLOSE, WHALLEY
GRANTED subject to the following condition(s):

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
 - a) The expiration of three years from the date of this permission; or
 - b) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 30 November 2009 which detail design amendments to the chimneys, removal of first floor window in the south western elevation of units 3 and 4 and show a revised position of the mobility parking space.

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

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

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

4. The unit(s) of accommodation shall not be let to or occupied by any one person or group of persons for a continuous period of longer than 3 months in any one year and in any event shall not be used as a permanent accommodation. A register of such lettings shall be kept and made available to the Local Planning Authority to inspect on an annual basis.

REASON: In order to comply with Policies G1, G5, ENV3 and RT1 of the Ribble Valley Districtwide Local Plan. The building is located in an area where the Local Planning Authority would not normally be minded to grant the use of building for a permanent residential accommodation.

5. The application to be submitted for the approval of reserved matters shall include precise details of the landscaping of the site and boundary treatments.

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

6. No development approved by this permission shall be commenced until
- a) A desk study report has been undertaken which assesses the risk of the potential for on-site contamination and ground gases. If the desk study identifies potential contamination and ground gases, a detailed site investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of risk to receptors as defined under the Environmental Protection Act 1990, Part 2A, focusing primarily on risk to human health and controlled waters.

The investigation shall also address implications of the health and safety of site workers on nearby occupied buildings and structures, on services and landscaping schemes and to the wider environmental receptors including ecological systems and property.

The sampling and analytical strategy shall be approved in writing by the Local Planning Authority prior to the start of the site investigation survey.

- b) A remediation statement detailing the recommendations in remedial measures to be implemented within the site. Such remedial works shall be implemented by the developer prior to the occupation of the site.
- c) On completion of the remedial works the developer shall submit written confirmation in the form of a site completion report to the Local Planning Authority that all works were completed in accordance with the agreed remediation statement.

REASON: To ensure a safe form of development that poses an acceptable risk of pollution to the water resources or to human health in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. The units of holiday accommodation hereby approved shall not benefit from the permitted development rights afforded to dwellings under the provisions of the Town and Country Planning (General Permitted Development) Order (or any Order revoking or re-enacting that Order). Specifically, any future extensions and for alterations to the units including any development within their curtilage as defined in Schedule 2, Part 1, Classes A to H shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: In the interests of the amenity of the area in accordance with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan and for the avoidance of doubt.

9. APPLICATION NO: 3/2009/0833/P (GRID REF: SD 369279 432936)
PROPOSED CHANGE OF USE OF DOMESTIC GARAGE FOR USE AS A
COMMERCIAL KITCHEN AT LEVEN BANK, 120 WHALLEY ROAD,
WILPSHIRE

GRANTED subject to the following condition(s):

1. This permission shall be for a temporary period expiring on 31 December 2011 on or before which date the business shall cease and the garage shall revert to its original use unless a renewal of this permission has first been granted.

REASON: In order that the Local Planning Authority can monitor the effects of the proposed commercial use on the amenities of nearby residents and highway safety as required by Policy G1 of the Ribble Valley Districtwide Local Plan, and be in a position to make an informed decision on any application to renew the temporary permission.

2. No extraction flues or fans shall be fitted unless precise details of such equipment has first been submitted to and approved in writing by the Local Planning Authority.

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

(Councillors D Berryman and S Sutcliffe declared an interest in the next item of business and left the meeting)

10. APPLICATION NO: 3/2009/0890/P (GRID REF: SD 372767 441459)
PROPOSED ENLARGED WINDOW TO THE AEROBICS ROOM.
ALTERNATIVE DESIGN FOR THE EXTERNAL BALUSTRADE TO GLASS
INFILLS. AMENDMENT IS TO PREVIOUS APPROVAL 3/2009/0213/P AT
ROEFIELD LEISURE CENTRE, EDISFORD ROAD, CLITHEROE

GRANTED subject to the following conditions:

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

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

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

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

3. This permission relates to the plans submitted with this application – drawing number 09/136/024 and 08-139-LP.

REASON: For the avoidance of doubt.

(Councillors D Berryman and S Sutcliffe returned to the meeting)

11. APPLICATION NO: 3/2009/0907/P(GRID REF: SD 369672 450400)
PROPOSED GARAGE/STORE AT THE COTTAGE. AMENDMENTS (ADDITION OF 3 NO. VELUX WINDOWS IN REAR ROOF ELEVATION, RENDER TO BE APPLIED TO REAR ELEVATION, REPLACEMENT OF GARAGE DOOR WITH SINGLE DOOR AND ALTERATIONS TO WINDOW OPENINGS) TO THE PREVIOUSLY APPROVED GARAGE BUILDINGS 3/2008/0762/P AT THE COTTAGE, NEWTON-IN-BOWLAND, CLITHEROE, LANCASHIRE, BB7 3DZ

(The Building and Development Control Manager reported a late representation)

GRANTED subject to the following condition(s):

1. The proposed velux roof lights shall be of the Conservation Type, recessed with a flush fitting, details of which shall be submitted to and agreed in writing by the Local Planning Authority before their insertion into the building.

REASON: In the interests of visual amenity in order to retain the character of the property and to comply with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan.

2. All doors and windows shall be in timber and retained as such in perpetuity.

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

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance - "Extensions and Alterations to Dwellings".

4. The proposed garage/workshop/store shall be for private and domestic purposes only and no trade or business whatsoever shall be carried out from within the building.

REASON: In order to safeguard nearby residential amenities as provided for within Policies G1 and H10 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance "Extensions and Alterations to Dwellings".

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the building as defined in Schedule 2 Part 1 Classes A to H shall not be carried out without the formal written consent of the Local Planning Authority.

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

NOTES

1. Consent of the Environment Agency is required prior to the discharge of effluent to surface or underground waters. Consent will only be considered if discharge to the foul sewer is not practicable, in which case the applicant should consider:
 - (i) Construction of a soakaway area with no residual discharge to watercourse.
 - (ii) Construction of a soakaway area with a high level overflow discharging to watercourse.

Direct discharge to watercourse which will only be considered where options (i) and (ii) are impracticable. The applicant should be advised to contact the Environment Agency, Area Planning Liaison Officer, Lutra House, Dodd Way, Off Seedlee Road, Walton Summit, Bamber Bridge, Preston PR5 8BX for any option not involving discharge to foul sewer.

2. No building material or rubbish must find its way into the watercourse.
3. The applicant should ensure that the land proposed for the soakaway has adequate permeability in accordance with BS6297:1983.
4. It is suggested that the soakaway is sited not less than 10m from the nearest watercourse, 10m from any other foul soakaway area and 50m from the nearest source of potable water supply.
5. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or groundwater.
6. Only clean surface water from roofs and paved areas should be discharged to any soakaway.

12. APPLICATION NO: 3/2009/0921/P(GRID REF: SD 368387 432244)
PROPOSED CHANGE OF USE OF PART OF FARMYARD AND BUILDING TO
THE STORAGE AND SUPPLY OF LANDSCAPING MATERIALS AT ALKER
BOTTOMS FARM, BROOKLYN ROAD, WILPSHIRE

(The Building and Development Control Manager reported an additional representation)

GRANTED subject to the following condition(s):

1. The storage of materials and the parking of vehicles associated with the landscaping business shall be restricted only to the areas of the farmyard and buildings outlined and hatched in red on the submitted 1:2500 scale and 1:500 scale plans.

REASON: To comply with the terms of the application and to ensure that the scale of the development is controlled in the interests of the amenities of nearby residents and highway safety, and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

2. The business shall be operated on the basis that customers order their goods which are then delivered to them by the applicants. Customers shall not visit the site in order to collect their own goods.

REASON: To comply with the terms of the application and to ensure that vehicle movements are controlled in the interests of the amenities of nearby residents and highway safety, and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

NOTE

1. Any works to the water courses within or adjacent to the site which involve infilling, diversion, culverting or which may otherwise restrict flow, require the formal Consent of the Environment Agency under Section 23 of the Land Drainage Act 1991. Culverting other than for access purposes is unlikely to receive Consent, without full mitigation for loss of flood, storage and habitats. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or ground water.

(Mrs Douglas spoke in favour of the above application)

13. APPLICATION NO: 3/2009/0957/P(GRID REF: SD 373327 436565)
PROPOSED TWO-STOREY EXTENSION TO SIDE ELEVATION TO PROVIDE
ADDITIONAL STAIRCASE TO ALLOW ACCESS TO PROPOSED LOFT,
DORMER WINDOW TO REAR ROOF ELEVATION AND TO INCORPORATE
NEW FRONT ENTRANCE AND BUILD NEW FRONT BAY WINDOW (RE-
SUBMISSION) AT 20 LIMEFIELD AVENUE, WHALLEY, LANCASHIRE,
BB7 9RJ

(The Building and Development Control Manager reported an additional letter of objection)

GRANTED subject to the following conditions.

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

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990J04.

2. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out in strict accordance with the recommendations of the bat survey and report submitted with the application dated 13 August 2009.

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

3. Notwithstanding the details submitted on Drawing no. PA-0075, the two storey side extension hereby approved shall be constructed with its rear elevation window at first floor, obscure glazed, details of which shall be submitted to, and agreed in writing, by the Local Planning Authority before development commences; and also fitted with restrictors limiting the degree of opening of each opening light to not more than 45°. Thereafter it shall be maintained in that condition in perpetuity to the satisfaction of the Local Planning Authority.

REASON: In order to protect nearby residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

14. APPLICATION NO: 3/2009/0960/P (GRID REF: SD 383250 446650)
PROPOSED APPLICATION FOR THE VARIATION OF CONDITION NO 2 OF PLANNING CONSENT 3/2006/0620/P TO ALLOW IT TO READ "THE CHALETS SHALL BE USED FOR THE PURPOSE OF HOLIDAY ACCOMMODATION ONLY AND NOT AS A PERMANENT RESIDENCE" AT TODBER CARAVAN PARK, BURNLEY ROAD, GISBURN

(The Building and Development Control Manager reported that the Parish Council object to the application)

GRANTED subject to the following condition(s):

1. Notwithstanding the submitted details, the terms of occupancy of the 22 chalets on the red edged approved plan shall be as follows:

- (i) The chalets shall be occupied for holiday purposes only.
- (ii) The chalets shall not be occupied as a persons sole or main place of residence.
- (iii) The owners/operators shall maintain an up to date register of the names of all owners/occupiers of individual chalets on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

REASON: In accordance with Policies G5 and RT5 of the Ribble Valley Districtwide Local Plan in order to ensure that the approved holiday accommodation is not used for unauthorised permanent residential accommodation. The register required in (iii) above shall normally be collected by the caravan site licence holder or his/her nominated person.

15. APPLICATION NO: 3/2009/0952/P (PA) & 3/2009/0953/P (LBC) (GRID REF: SD 373321 436096)
 PROPOSED CHANGE OF USE OF PART OF GROUND FLOOR TO A HAIR SALON, WITH INTERNAL ALTERATIONS AND A NEW REAR ENTRANCE AT 35 KING STREET, WHALLEY

REFUSED for the following reason(s):

- 1. The proposed alterations to the historic stair window and interior plan form would be harmful to features integral to the character of 35 King Street as a building of special architectural and historic interest, and to the character and appearance of Whalley Conservation Area. This would be contrary to Policies ENV20 and ENV16 of the Ribble Valley Districtwide Local Plan.

RECOMMENDATION 2 (3/2009/0953): That listed building consent be REFUSED for the following reason(s):

- 1. The proposed alterations to the historic stair window and interior plan form would be harmful to features integral to the character of 35 King Street as a building of special architectural and historic interest.

16. APPLICATION NO: 3/2009/0646/P(GRID REF: SD 360019 437256)
 DEMOLITION OF EXISTING INDUSTRIAL BUILDING ALONG THE VICTORIA STREET FRONTAGE OF CAREFOOT PLC WORKS SITE AND CONSTRUCTION OF A RESIDENTIAL DEVELOPMENT COMPRISING :- 4 NO. 3 BED NEW BUILD TERRACED HOUSES, 1 NO. PAIR NEW BUILD 3 BED SEMI-DETACHED HOUSES, 1 NO. PAIR OF 3 BED SEMI-DETACHED HOUSES IN A CONVERTED EXISTING STONE BUILDING, 3 NO. 2 BED

APARTMENTS IN A CONVERTED EXISTING STONE BUILDING (AFFORDABLE HOUSING). ASSOCIATED GARDENS, COMMUNAL AREAS AND CAR PARKING FACILITIES. WALTER CAREFOOT & SONS LTD, BLACKPOOL ROAD, LONGRIDGE, LANCASHIRE.

That Committee be minded to approve the application subject to the following conditions and therefore DEFER AND DELEGATE to the Director of Development Services to negotiate the satisfactory completion of a Section 106 Agreement to deal with the requested contributions and how the three units proposed will be delivered as affordable housing units in the future.

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. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 26 of November 2009.

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

3. This permission shall be read in accordance with the Section 106 Agreement dated...

REASON: For the avoidance of doubt as the permission is subject to an agreement in relation to the low cost/affordable housing approved and the requested contribution towards Waste Management by Lancashire County Council.

4. This permission shall relate to the proposed conversion in accordance with the structural survey submitted as part of the application and dated July 2009. Any deviation from the survey may need to be the subject of a further planning application.

REASON: To comply with Policies G1 and H16 of the Ribble Valley Districtwide Local Plan since the application is for the conversion of the building only.

5. Precise specifications and samples of walling and roofing materials and details of any window and door surrounds including materials to be used shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

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

6. Prior to the commencement of development, an investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by a competent person and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
 - 1) a survey of the extent, scale and nature of contamination;
 - 2) an assessment of the potential risks to:
human health, property (existing or proposed) including buildings, crops, livestock, pet, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.
 - 3) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11."

REASON: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the dwellings including any development within the curtilage as defined in Schedule 2, Part 1, Classes A, B, C, D, and F, and Part 2, Class A, shall not be carried out without the formal written permission of the Local Planning Authority.

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

8. All new and replacement door and window head and sills shall be natural stone to match the building to be converted.

REASON: To comply with Policies G1, H16 and H17 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

9. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out in strict accordance with the recommendations of the bat survey and report submitted with the application dated 14th of August 2009, with special regard had to the section, 'Creation of roosts', on page 19 of the document.

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

10. Before the units hereby permitted become occupied, the car parking area indicated on the approved plans shall be completed and clearly marked out in accordance with a scheme, including details of any proposed landscaping, to be submitted to and approved in writing by the Local Planning Authority.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan to ensure the effective use of parking areas and to ensure adequate visibility for the drivers of vehicles entering and leaving the site.

11. No works (including demolition of buildings) shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site.

12. No part of the development, hereby approved, shall be occupied until the approved scheme referred to in Condition 10 has been constructed and completed in accordance with the scheme details.

REASON: To comply with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan and in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the development.

13. Prior to commencement of development a scheme identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be provided in accordance with the approved details prior to occupation of development and thereafter retained.

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

NOTE(S):

1. If any part of the proposed development encroaches on to neighbouring property the approval of the adjoining owners must be obtained before the development is commenced.
2. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the

County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning Area Surveyor East 01254 823831 or writing to the Area Surveyor East, Lancashire County Council, Area Office, Riddings Lane, Whalley, Clitheroe BB7 9RW quoting the planning application number.

17. APPLICATION NO: 3/2009/0791/P (GRID REF: SD 373 794 438 190)
PROPOSED MIXED USE DEVELOPMENT COMPRISING OF A VOCATIONAL LEARNING CENTRE, CHILDREN'S NURSERY, COMMERCIAL ELEMENTS 10 LIVE/WORK UNITS AND 70 RESIDENTIAL UNITS AT LAND AT BARROW BROOK, BARROW

That the application be Deferred and Delegated to the Director of Development Services in consultation with the Chairman of Planning and Development to negotiate a Section 106 Agreement which shall including affordable housing contributions, public open space contributions and other appropriate contributions and the following conditions:

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

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

2. This permission shall be in accordance with the proposal as amended by letters received on 16 December 2009 and drawing number 1506-300C as well as drawing numbers:

1506-310A Prop Apartment Block A/Plans & Elev; 1506-320A Prop Apartment Block B/Plans & Elev; 1506-330 Prop House Type G/Plans & Elev; 1506-331 Prop House Type H1, H2/Plans & Elev; 1506-332 Prop House Type J1, J2/Plans & Elev; 1506-333 Prop House Type K/Plans & Elev; 1506-334 Prop House Type H3/Plans & Elev; 1506-335 Prop House Type J3/Plans & Elev; 1506-340 Prop Commercial Unit/Option 1; 1506-341 Prop Commercial Unit/Option 2; 1506-350 Prop Site Plan-Areas; 1506-370 L/W and L/W Nursery, Prop Plans & Elev; R-03 Ground & First Floor & Section A-A; R-04 Prop Roof Plan; R-05 Prop Elevations

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments and to clarify what plans are relevant.

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

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

4. Prior to commencement of development of the scheme for the boundary treatment adjacent to the watercourse shall be submitted to and approved by the Local Planning Authority. The scheme shall include details of the timing and phasing of the proposed works and shall be completed in accordance with the approved plans.

REASON: To preserve the integrity of the habitat provided by the watercourse and to comply with Policies G1 and ENV10 of the Districtwide Local Plan.

5. Prior to commencement of development approved by this planning permission (or such other date or a stage in the development that may be agreed in writing with the Local Planning Authority) the following components of the scheme to deal with the risk associated with the contamination of the site shall be submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has been identified:
 - all previous uses;
 - potential contamination associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from the contamination at the site.
2. The site investigate 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.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an option appraisal and remediation strategy given full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identify any requirements for longer term monitoring of pollutants, leakages, maintenance and arrangements for contingency action.

REASON: To prevent pollution of controlled waters from potential contamination on site and to comply with Policy G1 of the Districtwide Local Plan.

6. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation

system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

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

7. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

REASON: To ensure a satisfactory means of drainage in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

8. Prior to commencement of development details of a secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented before occupation of the units for which cycle storage facilities are to be allocated.

REASON: In the interest of providing adequate cycle storage to assist a sustainable transport and comply with Policy G1 of the Districtwide Local Plan.

9. Prior to commencement of development details of the renewable energy provisions within the site shall be submitted to and implemented to the satisfaction of the Local Planning Authority. Any such scheme shall incorporate a phased implementation of renewables to be agreed in writing by the Local Planning Authority.

REASON: In the interests of promoting sustainable development and to comply with Policy G1 of the Districtwide Local Plan.

10. This permission shall relate to a Section 106 Agreement dated which includes a mechanism for the delivery of affordable housing and community provision for public open space facilities and appropriate contributions if deemed necessary.

REASON: For the avoidance of doubt and to comply with Policy G1 of the Districtwide Local Plan.

11. Prior to commencement of development or the time to be agreed, details of the management plan for the landscaped areas shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of visual amenity and to comply with Policy G1 of the Districtwide Local Plan.

12. Prior to commencement of development precise details of a new entrance gateway to the adjoining public open space shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In order to ensure there is adequate access to the adjoining public open space and in the interests of visual amenity.

13. Unless otherwise agreed in writing by the Local Planning Authority no more than 25 of the market dwellings hereby permitted shall be completed until the construction of the Aspire Centre has commenced or until one of the proposed two blocks of commercial units shown as C on site plan drawing 10506-300C has been completed.

REASON: In order to ensure that there is appropriate phased development and that elements of employment usage are implemented before completion of the residential element of the sites to ensure that there is a mix use development of the site and to comply with Policy EMP11 of the Districtwide Local Plan.

14. This permission shall relate to the bat survey ecological report and arboricultural report submitted with the application. All details shall comply fully with the report. The landscaping details including hard landscaping where appropriate shall be submitted to and agreed in writing by the Local Planning Authority.

The approved landscaping scheme shall thereafter be implemented in the first planting season following occupational use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than five years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies or is seriously damaged or diseased by a species of similar size to those originally planted.

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

15. Within 6 months of the occupation of any individual commercial unit a travel plan with measurable and enforceable outcomes for its implementation, including a robust strategy for reducing single occupant car journeys shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented to its satisfaction.

REASON: In the interests of highway safety and to reduce the need for vehicular traffic generation and to comply with Policy G1 of the Districtwide Local Plan.

18. APPLICATION NO: 3/2009/0995/P(GRID REF: SD 360587 43771)
PROPOSED TWO STOREY SIDE EXTENSION INCLUDING CAR PORT AND UTILITY ROOM AND PROPOSED REBUILDING OF EXISTING CONSERVATORY IN THE SAME FOOTPRINT WITH A SLATE/TILE ROOF TO MATCH THE EXISTING AT 3 HAZEL GROVE, LONGRIDGE

(The Building and Development Control Manager reported the Town Council had no objections)

That the application be Deferred and Delegated to the Director of Development Services to await consultation period lapsing and on the basis that no new material planning issues referred to in this report are received regarding this application.

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

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

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

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

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

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and/or turning facilities to serve the dwelling in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance “Extensions and Alterations to Dwellings”.

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APPLICATIONS APPROVED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0554/P	Construction of new underground pumping main pipe from existing reed bed lagoons to river	Castill Laithe Sawley
3/2009/0644/P	Alterations and extensions to existing house, incorporation of former agricultural buildings (including alterations) within residential curtilage and adjustment to curtilage to create rear garden area	Watery Gate Farm Watery Gate Lane Bleasdale Chipping

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0677/P	Extension to side and conservatory to rear garden area, shed to rear garden area, and solar panels to roof	4 St Nicholas Avenue Sabden
3/2009/0728/P	Single storey rear extension	95 Clitheroe Road Sabden
3/2009/0748/P	First floor dormer extension	8 Whittam Crescent Whalley
3/2009/0762/P	Create two, one bedroomed flats from the existing property	22 Corporation Street Clitheroe
3/2009/0778/P	Proposed loft conversion with new roof construction forming a steeper pitched roof. Dormer windows to the north elevation and Velux rooflights to the south elevation	61 Glendale Drive Mellor
3/2009/0787/P	Two part externally illuminated fascia signs and the retention of the existing hanging sign with new non-illuminated design	Boots 15-19 Castle Street Clitheroe
3/2009/0788/P	Side extension	39 Abbey Fields Whalley
3/2009/0798/P	Listed building consent to display two new externally illuminated fascia signs and one non-illuminated hanging sign	Boots 15-19 Castle Street Clitheroe
3/2009/0800/P	Rear single storey extension and first floor extension over the garage	12 Bradyll Court Brockhall Village Old Langho
3/2009/0820/P	Proposed two-storey extension on north elevation	Lower Dutton Farm Gallows Lane Ribchester
3/2009/0822/P	Creation of a vehicular access	Knott End Farm Leagram
3/2009/0831/P	Extension and alterations to an existing detached bungalow with increased roof pitch to form additional bedrooms in the roof space at	1 Windermere Avenue Clitheroe
3/2009/0832/P (PA)	Erection of new garage following demolition of existing garage	32 The Sands Whalley
3/2009/0835/P	Erection of agricultural building for Alpacas	2 Pinfold Farm Barn Preston Road Ribchester
3/2009/0837/P	Proposed demolition of existing dwelling and construction of replacement dwelling including associated external works	Greenfields Neddy Lane Billington

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0840/P	Proposed porch and two-storey side extension	15 Mellor Lane Mellor
3/2009/0845/P	Proposed rebuilding of existing outbuilding and construction of new 'link' and porch extensions	Pinfold Farm Pinfold Lane Longridge
3/2009/0851/P	Alterations to existing loft conversion to provide dormer windows to front and rear elevations	Shenstone off Lovely Hall Lane Copster Green
3/2009/0852/P	Extension to existing cottage known	Keeper's Cottage Wolfen Hall, Chipping
3/2009/0853/P	Demolition of the existing garage	32 The Sands, Whalley
3/2009/0857/P	Erection of new or replacement 3.5m high fencing with gated access and eaves protection fencing	Kemple View Hospital Longsight Road Langho
3/2009/0859/P (LBC)	Extension to existing cottage known	Keeper's Cottage Wolfen Hall, Chipping
3/2009/0864/P	Non-material amendment for alteration to glazing and roof detail	Stanley House Further Lane, Mellor
3/2009/0860/P	Erection of tile-roofed timber framed structure to display sign	St Marys R C Church York Lane, Langho
3/2009/0865/P	Proposed single storey rear kitchen extension including demolition of sun lounge and utility	Ratcliffe Farm Cottage Lower Road Longridge
3/2009/0869/P	Erection of a upvc 'Orangery' type conservatory on the side elevation	The Bungalow Back Commons Clitheroe
3/2009/0870/P	Application for the discharge of condition no.3 (relating to containment/storage of manure) and condition no.6 (relating to disposal of foul and surface waters) of planning consent 3/2007/1061/P	Newlands Ribchester Road Hothersall Preston
3/2009/0872/P	Outdoor play canopy	St Mary's RC Primary School, Longsight Road, Osbaldeston
3/2009/0874/P	Renewal of planning consent 3/2006/0845/P, for a two storey extension and a single storey double garage	Cuthbert Hill Garstang Road Chipping
3/2009/0881/P	Single storey extension to rear	11 Hodder Grove Clitheroe

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0888/P (LBC)	To repaint the exterior of the building, redecorate internally and replace soft furnishings. Remove the modern anaglypta wall coverings and to replace the modern floor tiles. Strip and polish the modern timber floor boarding. Remove the lobby into the restaurant which acts as a barrier	The Parkers Arms Newton-in-Bowland
3/2009/0892/P	Replacement non-illuminated fascia sign and replacement hanging panel to existing projecting bracket utilising the existing external illumination	8 Townley Parade Berry Lane Longridge
3/2009/0898/P	Proposed first floor extension over existing single storey garage	23 Browgate Sawley
3/2009/0908/P	Creation of a garden room extension to the rear. Proposed extension of the existing single storey garage and stores/utility space to the rear elevation and a new first floor to be built over the garage. Proposed chimney formed on the lounge gable wall. The existing flat roofed dormer windows to have pitched roofs and a new half glazed entrance porch to be added to the front elevation	6 Shays Drive Clitheroe
3/2009/0919/P	Lean-to conservatory to rear	64 Chatburn Road Clitheroe
3/2009/0929/P	Replacement porch, new gable elevation windows, new velux roof windows and new sliding folding doors in adjusted opening (Re-submission)	Oaktree Farm Barn Preston Road Alston

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APPLICATIONS REFUSED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2009/0735/P	Proposed wooden agricultural storage shed for storage of tractor and hay/straw on land adjacent	Manor Croft Glen Avenue Knowle Green	G5, ENV3 and SPG "Agricultural Buildings and Roads – No agricultural justification resulting in further
Cont'd ...			

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
			development to the detriment of the Open Countryside.
3/2009/0846/P	Proposed new dwelling within existing garden area (Re-submission of 3/2009/0214/P)	34 Green Lane Longridge	Inappropriate design and siting, impact on streetscene and loss of privacy. Contrary to Policy G1.
3/209/0862/P	Re-rendering west facing gable of the property with a 1-2-9 mix cement – lime – sand mortar with a spa finish	35 Lowergate Clitheroe	The proposal would have a harmful impact upon the character (including fabric) and setting of the listed building because of the application of a non-traditional render of modern appearance and form.
3/2009/0871/P	Side conservatory	40A Knowsley Road Wilpshire	Policies G1, H10, SPG-Extensions and Alterations to Dwellings – the proposed extension by virtue of its design considered detrimental to visual amenities of street scene.
3/2009/0880/P	Two storey rear extension	2 Cowper Place Sawley	Policies G1, ENV1, ENV16, H10, SPG “Extensions and Alterations to Dwellings” –
Cont'd ...			

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2009/0905/P	Rear hardwood lean-to conservatory	Byre Barn Edisford Road Clitheroe	extension by virtue of scale, design and massing detrimental to visual amenities, street scene, AONB and Conservation Area. Policies G1, ENV3 and H17 – Unsympathetic extension to the detriment of the character of the building and visual amenity of the area.

664 SECTION 106 APPLICATIONS

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

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

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0920/N	Lean-to off an existing building to cover a cattle feed yard	Dairy Barn Farm Green Lane, Leagram Chipping

666 AGRICULTURAL NOTIFICATIONS WHERE PLANNING CONSENT **WILL** BE NECESSARY

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0916/N	Steel portal framed building to cover the existing midden	Halsteads Farm Grindleton Road West Bradford

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2009/0025 D	28.7.09	Mr C Thorne Retrospective application for a garden fence 6 Queen Street Clitheroe	WR	—	APPEAL DISMISSED 12.11.09
3/2008/1029 D	10.8.09	Withgill Farm Ltd Construction of 2no. agricultural workers dwellings, extension of farm track and alterations to access and parking layouts Withgill Farm Mitton	—	Hearing held 27.10.09	APPEAL DISMISSED & APPLICATION FOR COSTS FAILED 11.11.09
3/2009/0463 Not yet determined	26.8.09	East Lancashire Developments Ltd Erection of three terraced houses, one detached dormer bungalow with private car park and diversion of existing sewer (Resubmission) Land at Greenacres/Tenny-son Avenue Read	WR	—	AWAITING DECISION
3/2008/0674 & 0675 D	27.8.09	John Reilly Civil Engineering Ltd Proposed alterations to listed boundary wall including the creation of a new access point and track to serve stud farm The Stud Farm Woodfold Park Further Lane Mellor	WR	Now to be determined under the written reps procedure	Awaiting site visit
3/2009/0466 D	10.9.09	Mr John Bailey & Miss Kirsty Sellers Erection of two storey rear extension and additional accommodation for dependent relatives Dean Slack Head Smalden Lane Grindleton	WR	—	Site visit 11.12.09 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>
3/2009/0321 O	16.9.09	Mr Terry Griffiths Erection of a new industrial unit (class B2 use) at the rear of the existing industrial unit Unit 3 90 Berry Lane Longridge	WR	—	Site visit 14.12.09 AWAITING DECISION
3/2009/0079 D	25.9.09	Mrs Christine Verity Proposed single storey garden room to front elevation Holkers Cottage Whins Lane Read	WR	—	Awaiting site visit
3/2009/0383 & 0384 C	8.10.09	Individual Inns Ltd Extension to first floor to form bedrooms and associated works (Resubmission) The Spread Eagle Hotel Sawley	WR	—	Awaiting site visit
3/2009/0352 D	2.11.09	Mr H Berry Retention of agricultural workers dwelling and residential curtilage for temporary period of three years Lower Monubent Farm Hellfield Road Bolton-by-Bowland	—	Hearing – to be held 23.2.10, commencing at 10am	
3/2009/0631 D	5.11.09	Mr & Mrs J Hayes First floor extension to side of dwelling Seedalls Barn Easington Road Cow Ark	Householder Appeal	—	Site visit 15.12.09 AWAITING DECISION

668 PROPOSED REGENERATION OF SITES AROUND AND INCLUDING PRIMROSE MILL FOR RESIDENTIAL DEVELOPMENT – PROPOSED SECTION 106 AGREEMENT

Mr Wilcock was given permission to speak on this item.

The Director of Development Services submitted a report advising Committee of the ongoing negotiations regarding the Section 106 Agreement in relation to the Primrose Development. He reminded Committee that they had considered an application for the regeneration of sites around and including Primrose Mill for residential development including improved site access, highways improvements and provision of public open space under application 3/2008/0526 on 18 June 2009. That application had been delegated to the Director of Development Services to negotiate the satisfactory completion of a Section 106 Agreement to

achieve various terms. He reported that there had been an ongoing dialogue between officer and the applicants and their representatives since the scheme had been considered by Committee and that a draft of the Section 106 Agreement had now been made. However, there still needed to be clarification about the level of affordable housing on the site. Notwithstanding the precise remit given to officers to seek to achieve a number of rental units being a minimum of 25 dwellings, the applicants had requested that a fall back position be included in any legal agreement to cover them should insufficient or no social housing grant be secured. This had been considered by the Strategic Housing Working Group who had accepted 13 social rented units as a preferred option which was significantly less than either the target of 30% or the agreed minimum of 20% affordable units on site as required by the Affordable Housing Memorandum of Understanding. He informed Committee that in the current economic climate, social rented units are accepted as the only true form of affordable housing and the waiting lists for Clitheroe clearly demonstrates high demand. The District Valuer had commented that the viability of the scheme had changed in the years since his last report, both in terms of the financial market and the fact that the developer was being asked to contribute £60,000 towards highway improvement works necessitated by the number of dwellings proposed as part of this application. Committee debated the details of the element of affordable housing in some detail alongside the financial viability of the scheme.

RESOLVED: That

1. In the first phase to be negotiated or fixed period of time, there would be a requirement of 8% of the total housing units on the entire site to be affordable and authorisation be given to the Director of Development Services in consultation with the Chairman of the Planning and Development Committee to negotiate appropriate phasing/review mechanisms in order to achieve a maximum of 30% contribution towards affordable housing across the whole development, should viability change over the life of the development;
2. Committee advise the applicant that in respect of the actual delivery of affordable housing and its phasing with the market housing, this should relate to physically completed dwellings and not exchange of contracts. Should a housing association receive funding, then it is likely that they would build all the units at the same time but Committee need to cover the eventuality that no funding is forthcoming. This is considered to be the only way to ensure that properties come on stream within reasonable timescales should funding not be secured;
3. Committee agree for the Council's solicitors to investigate the most appropriate way of securing the £40,000 for priority working arrangements – Section 106 or Section 278 Agreement; and
4. Committee agree for the Council's solicitors to investigate in conjunction with planning officers and the highway officer at Lancashire County Council the timescale for payment of the £20,000 for footpath widening works to ensure this would be available for use at such time as

neighbouring sites are developed and able to implement the necessary works.

669 LOCAL DEVELOPMENT FRAMEWORK – ANNUAL MONITORING REPORT

The Director of Development Services submitted a report including a copy of the annual monitoring report asking them to agree submission to the Secretary of State. Legislation requires an AMR report to be submitted to Government Office by 31 December 2009.

RESOLVED: That Committee authorise the Director of Development Services to submit the AMR report to Government Office in accord with statutory requirements.

670 INTRODUCTION OF CHARGES IN RELATION TO PLANNING ENQUIRIES

The Director of Development Services submitted a report asking Committee to ratify the introduction of a fee for requests for various planning advice, including pre-application discussions and other planning requests. He reminded Committee that they had agreed the principle of charges for pre-application advice and other planning related requests on 16 July 2009 and that the resolution was to authorise the Director of Development Services to proceed with further investigation as to the relevant charges and fees. The report outlined the suggested fees and the anticipated start date for charging for such advice beginning 1 January 2010.

RESOLVED: That Committee accept the charging mechanisms and that the Council operate this policy on all new enquiries submitted after 1 January 2010.

671 LANCASHIRE RURAL GROWTH STUDY

The Director of Development Services submitted a report for Committee's information on the Lancashire Rural Growth Study 2009.

RESOLVED: That the report be noted.

The meeting closed at 9.25pm.

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