

## Minutes of Planning and Development Committee

Meeting Date: Thursday, 10 October 2013 starting at 6.30pm  
Present: Councillor T Hill (Chairman)

Councillors:

S Bibby	J Rogerson
I Brown	I Sayers
B Hilton	D Taylor
J Holgate	M Thomas
S Knox	R Thompson
G Mirfin	J White

In attendance: Director of Community Services, Head of Planning Services and Senior Planning Officer x 2.

### 357 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors S Carefoot and A Yearling.

### 358 MINUTES

The minutes of the meetings held on 12 and 26 September 2013 were approved as a correct record and signed by the Chairman.

### 359 DECLARATIONS OF INTEREST

Councillor J Holgate declared an interest in planning application 3/2013/0169/P in respect of Pendle Garage site, Clitheroe Road, Barrow.

### 360 PUBLIC PARTICIPATION

Mr Hoerty spoke on agenda item 6 – planning applications with non-completed legal agreements.

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

1. APPLICATION NO: 3/2013/0715/P (GRID REF: SD 375905 442630)  
PROPOSED ERECTION OF MIXED USE (B2/B8) INDUSTRIAL UNIT AT  
BELLMAN MILL, SALTHILL, CLITHEROE, BB7 1QW

The Head of Planning Services reported additional information received from Natural England, United Utilities and LCC Ecology.

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. The permission shall relate to the development as shown on Plan Drawing numbers PR13-0305, PR13-0305-01, PR13-0305-02, PR13-0305 Rev. C and PR13-0305-04.

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

3. The additional car parking spaces proposed on plan drawing number PR13-0305-03 Rev. C shall be marked out and made available for use prior to the first use of the building hereby permitted becomes operative.

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

4. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the LPA), shall take place until a scheme that includes the following components to deal with risks associated with contamination of the site shall each be submitted to and approved, in writing, by the LPA:

- 1) 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.

- 2) 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.

- 3) The results of the site investigation and 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.

- 4) 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.

Any changes to these components require the express written consent of the LPA. The scheme shall be implemented as approved.

REASON: To ensure the proposed development does not pose a risk of pollution to controlled waters.

5. The construction of the mixed use industrial building development hereby permitted shall not be commenced until full 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 native trees and shrubs and their distribution on site, and those areas to be seeded with grass/wildflower mix seeds. The scheme shall also include details of the buffer zone requested by Natural England to surround the building.

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 provide suitable mitigation measures on site. To comply with Policies G1, ENV7, ENV8, ENV9 and ENV10 of the Ribble Valley Districtwide Local Plan, and Policies DMG1 and DME3, and Key Statement EN4 of the Core Strategy 2008 to 2028 Regulation 22 Submissions Draft.

6. Prior to their use in the development permitted, details of the type and colour of the metal profile cladding to be used for the roof and walls of the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built to conform to 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 and Policy DMG1 of the Core Strategy 2008-2028 Regulation 22 Submission Draft.

7. For the avoidance of doubt, permission is granted for the erection of a mixed use (B2/B8) industrial building to be used for the purposes of storage, manufacturing and distribution of animal feed only.

REASON: Permission has been granted for a building with a specific use, and any change in this would require further consideration from a highway safety perspective.

8. The rock face which was newly exposed as a result of the removal of spoil and rubble from against the wall of the old quarry in the northern most part of

the works site, shall be made safe from overhanging material and sufficient space shall be kept between the rock face and the proposed new building (a buffer strip of approximately 3-5m) to enable future access for geologists.

REASON: To ensure the development as submitted will not impact upon the features of the special interest for which Salthill and Bellman Park Quarries SSSI is notified.

9. No built development shall take place until details of the provisions to be made for building dependant species of conservation concern artificial nesting boxes and artificial bat roosting sites have been submitted and approved by the Local Planning Authority. The details shall be submitted on a building dependant bird/bat species development site plan and include details of the actual wall and roosting elevations into which the above provisions shall be incorporated – north/north east elevations of birds and elevations with a minimum of 5 hours morning sun for bats.

In the artificial bird/bat boxes shall be incorporated into the building during the actual construction of the submitted plan before the development is first brought into use, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that bird and b at species are protected and the habitat enhanced in accordance with the Wildlife and Countryside Act 1981 as amended and The Conservation (Natural Habitats) Regulations 1994.

#### NOTE

To ensure that surface water is discharged to a watercourse and that this may require the consent of the local authority. Surface water must not communicate directly or indirectly with the public sewerage system. The applicant is advised to contact United Utilities for further information on 0707510101 to discuss the details.

2. APPLICATION NO: 3/2013/0776/P (GRID REF: SD 376544 443538)  
PROPOSED RENEWAL OF PLANNING PERMISSION 3/2010/0378/P AT  
SHACKLETON'S GARDEN AND LIFESTYLE CENTRE, CLITHEROE ROAD,  
CHATBURN

The Head of Planning Services reported that the County Surveyor has no objections.

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. This permission shall be implemented in accordance with the proposal as detailed on drawings TRI-0559/01 REV0 proposed plans and elevations and TRI-0559/02 REV0 site block plan.

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

INFORMATIVE(S):

1. This permission shall be read in conjunction with the Section 106 Agreement dated 3 August 2009 and Deed of Variation dated 27 August 2010 which restricts the extent of the retail use on site and ensures this building does not operate independently from the site's primary use as a garden centre.
2. This site must be drained on a separate system with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the local authority. If surface water is allowed to be discharged to the public surface water sewerage system, flow rates may need to be attenuated to a maximum discharge rate determined by United Utilities.
3. A separate metered supply to each unit will be required at the applicants expense and all internal pipework must comply with current Water Supply (Water Fittings) Regulations 1999.

3. APPLICATION NO: 3/2013/0804/P (GRID REF: SD 371306 436819)  
PROPOSED DEMOLITION OF EXISTING CARPORT/STORE AND ERECTION OF A DWELLING TO PROVIDE MANAGER'S ACCOMMODATION FOR THE CARAVAN PARK/FARM AND ASSOCIATED OFFICE AND RECEPTION FACILITIES IN CONNECTION WITH THE CARAVAN PARK (AMENDED SCHEME) AT HACKINGS CARAVAN PARK, POTTERFORD FARM, ELKER LANE, BILLINGTON

GRANTED subject to the following condition(s):

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

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

2. This permission shall relate to the proposal as shown on drawing numbers HAC/01B DWG04 and DWG05.

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

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan, AND Policy DMG1 of the Core Strategy 2008 to 2018 Regulation 22 Submission Draft.

4. Unless otherwise agreed in writing with the Local Planning Authority the development (including the demolition of the existing building) shall be carried out in strict accordance with the recommendations of the Bat Survey Report dated 28 September 2012 (document reference 1451) that was submitted with the application.

REASON: To ensure that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed, or harmed, and in order to comply with the requirements of Policy ENV7 of the Ribble Valley Districtwide Local Plan and Policy DME3 of the Core Strategy 2008-2028 Regulation 22 Submission Draft.

5. The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working, or last working in the mixed use enterprise at Potterford Farm including, as the case may be, a widow or widower of such a person, and to any resident dependant.

REASON: To comply with the terms of the application and because permission would not normally be granted for a dwelling in this location for general residential occupation, and to comply with the requirements of saved Policies H2 and G5 of the Ribble Valley Districtwide Local Plan and Policies DMG2 and DMH3 of the Core Strategy 2008-2028 Regulation 22 Submission Draft.

6. This permission shall relate to the Unilateral Undertaking dated 3 September 2013 which contains a clause that restricts the occupation of the existing Potterford Farmhouse to a person solely or mainly working, or last working at Potterford Farm in the mixed agricultural, equestrian and caravan park enterprise, including, as the case may be, a widow or widower of such a person, and to any subsequent resident dependant.

REASON: As permission has been granted for the proposed new dwelling on the basis that there is an identified need for two dwellings to be occupied by managers/workers at this rural enterprise and to comply with saved Policies H2 and G5 of the Ribble Valley Districtwide Local Plan and Policies DMG2 and DMH3 of the Core Strategy 2008-2028 Regulation 22 Submission Draft.

7. The ground floor rooms annotated as "office", "reception", "meeting room" and "post room" on drawing number HAC/01B Dwg 05 shall only be used for commercial purposes associated with the mixed use enterprise at Potterford

Farm. These rooms shall not be used for any other purposes (including residential use) unless a further planning permission has first been granted in respect thereof.

REASON: As part of the justification for the proposed building relates to facilitating improvements to the operation of the business and to comply with Saved Policies H2 and G5 of the Ribble Valley Districtwide Local Plan and Policies DMG2 and DMH3 of the Core Strategy 2008 to 2028 Regulation 22 Submission Draft.

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

4. APPLICATION NO: 3/2013/0691/P (GRID REF: SD 359596 440551)  
PROPOSED CONVERSION OF THREE BARNs TO FOUR DWELLINGS,  
ERECTION OF AGRICULTURAL BUILDING FOLLOWING DEMOLITION OF  
EXISTING STRUCTURES AND CREATION OF AGRICULTURAL ACCESS  
ROAD. (RESUBMISSION OF APPLICATION 3/2013/0100) AT ELMRIDGE  
FARM, ELMRIDGE LANE, CHIPPING

WITHDRAWN from the Agenda following receipt of additional information.

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

5. APPLICATION NO: 3/2013/0169 (GRID REF: SD 374165 441802)  
DEVELOPMENT OF 28 DWELLINGS FOR A 100% AFFORDABLE HOUSING  
SCHEME CONSISTING OF TWO AND THREE BEDROOM DWELLINGS WITH  
ASSOCIATED ANCILLARY AND SERVICING.

The Head of Planning Services added a representation that had been made from Bowsall requesting that a condition be used instead of a Section 106 Agreement.

DEFERRED to allow for further negotiation and subject to a satisfactory agreement being reached in relation to the educational contribution subject to the following condition(s):

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

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

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

01: 0718/A/001 Rev H Proposed Site Plan - Amended 23rd August 2013.

02: 0718/A/020 Rev A Block 1 - Amended 23rd August 2013.

- 03: 0718/A/021 Rev A Block 2 - Amended 23rd August 2013.
- 04: 0718/A/022 Rev A Blocks 3 & 12 - Amended 23rd August 2013.
- 05: 0718/A/023 Rev A Blocks 4 & 10 - Amended 23rd August 2013
- 06: 0718/A/024 Rev A Block 5 - Amended 23rd August 2013
- 07: 0718/A/025 Rev A Block 6 - Amended 23rd August 2013
- 08: 0718/A/026 Rev A Block 7 - Amended 23rd August 2013
- 09: 0718/A/028 Rev A Block 9 - Amended 23rd August 2013
- 10: 0718/A/029 Rev A Block 11 - Amended 23rd August 2013

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

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2028 to 2018 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

4. The approved landscaping scheme submitted with this application 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 original planted.

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

5. No development shall take place until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites for that phase have been submitted to, and approved in writing by the Local Planning Authority. The details shall be submitted on a dwelling/building dependent bird/bat species development site plan and include details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building/dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated. The artificial bird/bat boxes shall be incorporated into those individual dwellings/buildings during the actual construction of those individual dwellings/buildings identified on the submitted plan before each such dwelling/building is first brought into use, unless otherwise agreed in writing by the Local Planning Authority.

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



development in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and EN4 of the Core Strategy 2008 – 2028 Regulation 22 Submission Draft.

6. The dwellings hereby permitted shall be constructed to the Code for Sustainable Homes Level 3 and the development shall follow the government's preferred hierarchy (first set out in the 2008 Zero Carbon Homes Definition) following an energy efficiency 'fabric first' approach.

REASON: In order to encourage renewable energy and to comply with Policies G1 of the Ribble Valley Districtwide Local Plan and Policies EN3, DME5 and DMG1 of the Core Strategy 2008 to 2012 Regulation 22 Submission Draft.

7. The residential units hereby permitted shall only be used for the purposes of providing affordable housing accommodation as defined in the Housing and Regeneration act 2008 to be occupied by households or individual in housing need. This condition shall not be binding upon any of the following:
  - a. A charge or mortgagee of the Registered Provider or any receiver appointed by them in the event of default of the Registered Provider under the terms of the charge or mortgage;
  - b. A tenant of a residential unit who exercise any statutory right to buy or right to acquire such residential unit or any person deriving title through that tenant or any mortgagee or charge;
  - c. A lessee of a residential unity held under a shared ownership lease who acquire 100% of the interest under that lease or any successor or any successor mortgagee or charge of that lessee.

REASON: For the avoidance of doubt as the application is for a development of 100% affordable housing units and to comply with Policy H2 of the Ribble Valley Districtwide Local Plan and Policy DMH3 of the Core Strategy 2008 to 2012 Regulation 22 Submission Draft.

8. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to an including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall even. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON: To prevent the increase in flooding, both on and off site.

9. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the

risks associated with contamination of the site shall each be submitted to an approved, in writing, by the Local Planning Authority:

1. 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
  - Potentially unacceptable risks arising from the contamination of the site.
2. A site investigation scheme, based on (1) to provide the information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. 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.
4. 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.

Any changes to these components require the express written consent of the local planning Authority. The scheme shall be implemented as approved.

REASON: To prevent the risk of pollution to controlled waters.

10. No occupation shall take place until a verification report demonstrating completion of the works set out in the remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (A "long term monitoring and maintenance plan") for longer term monitoring of all pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local planning Authority. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: To Prevent the risk of pollution to controlled waters.

11. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and all the surface water must drain in line with the Flood Risk Assessment submitted as part of this application. No surface water will be permitted to discharge directly or indirectly into existing foul, combined or surface water sewerage systems.

The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

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

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device.

The visibility splays to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed new estate road from the continuation of the nearer edge of the carriageway of Clitheroe Road to a point measured 90m along the nearer edge of the carriageway of Clitheroe Road from the centre line of the estate road, and shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority.

REASON: To ensure adequate visibility at the street junction or site access.

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

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

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

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

16. The existing accesses on to Clitheroe Road shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire

County Council Specification for Construction of Estate Roads (prior to occupation of the proposed dwellings)

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

#### NOTES

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 Ribble Valley District Highways Office, Lancashire County Council, Riddings Lane, Whalley BB7 9RW (tel. 0845 0530011) and quote the planning application number.
2. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this suspected contamination can be dealt with and obtained written approval from the Local planning Authority. The remediation strategy shall be implemented as approved.

(Mr Henderson spoke in favour of the above application. Councillor Holgate returned to the meeting)

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

WITHDRAWN from the Agenda to enable further consultation.

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

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

- 363 APPLICATIONS APPROVED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2013/0110/P (LBC)	Proposed conversion of outbuildings to provide residential accommodation (stables conversion to 3 units and motor house	Eaves Hall Moor Lane West Bradford
3/2013/0111/P Cont/		

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
Cont...	conversion to 2 units) with associated provision of car parking and hardness of landscaping to courtyard areas	
3/2013/0618/P	Proposed replacement holiday home	Forest Becks Brow Forest Becks Bolton-by-Bowland
3/2013/0620/P	Application for discharge of condition no. 3 (manure storage details) of planning consent 3/2013/0249/P at	Moor House Farm Clitheroe Road Knowle Green
3/2013/0676/P	Proposed single storey rear extension and two-storey side extension following the partial demolition of the conservatory. Re-submission of 3/2013/0213P.	5 Abbot Walk Clitheroe
3/2013/0681/P	Proposed relocation of existing garage within residential curtilage (in replacement of previously approved garage PP 3/2012/0521P) and erection of single storey sunroom/ shower room extension on site of existing garage at rear	Middle Studelhurst Barn Osbaldeston Lane Osbaldeston
3/2013/0682 (LBC) & 3/2013/0683 (PP).	Proposed reinstatement of the of the property as a family home by way of extending the house into the ground floor adjoining ancillary farm building, and providing new sanitary facilities on the first floor. The property is also in need of urgent repairs in order to maintain this heritage asset	Higher Lickhurst Farmhouse Leagram Chipping
3/2013/0690/P	Single storey extension as per submitted plans	35 St Mary's Drive Langho
3/2013/0696/P	Erection of a new gated fence across walkway fitted to the existing hinge pins. Resubmission of 3/2013/0041/P	St Michael & St John's Social Centre & Parish Hall Lowergate, Clitheroe]
3/2013/0697/P	Application to discharge Conditions No.3 (Materials), No.4 (Obscure Glazing) and No.7 (Desk study – Land Contamination) of planning permission 3/2013/0410	31 Abbots Croft Whalley

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2013/0700/P	Proposed front porch to replace existing smaller porch	4 Knowsley Road Wilpshire
3/2013/0701/P	Proposed new machinery/storage and calf building	Middle Breaks Farm Settle Road Newsholme
3/2013/0705/P	Erection of sectional timber stables for private use	Sudden Stud Whalley Old Road York Village
3/2013/0707/P	Outline application for proposed erection of a single dwelling on land adjacent	Bolton Fold Farm Alston Lane, Alston
3/2013/0712/P	Minor amendment to planning approval 3/2011/0533/P for internal alterations, enlargement of dormer to stairwell and window to bedroom 4 of recently approved dwelling on land adjacent	5 Hazeldene West Bradford
3/2013/0748/P	Proposed extension to create a collecting arena and store to East and North of the Existing building	Northcote Stud Northcote Road Langho
3/2013/0759/P	Discharge of Condition No.7 of Planning permission 3/2010/0424 (Tree Protection Measures)	Clayton Manor Ribchester Road Wilpshire

364

APPLICATIONS REFUSED

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>	<b><u>Reasons for Refusal</u></b>
3/2013/0703/P	Two storey rear extension and dormer. Skylights to front elevation	Goose Chase Preston Road Ribchester	G1, ENV3, H10, SPG (DWLP)/ EN2, DMG1, DME2, DMH5 (CS-Sub.Dr) - Incongruous, dominant, prominent, un-harmonious additions harmful to property itself and visual amenity.  Policies G1, H10 and SPG (DWLP) and Policies DMG1, DMH5 (CS-Sub.Dr) – overbearing and oppressive harmful to amenities of adjoining neighbour.

365 OBSERVATIONS TO ANOTHER LOCAL AUTHORITY

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2013/0797/P	Installation of 1no. Endurance E3120 36.6m nacelle height, 9.6m blade radius (50kw) wind turbine located at the land south of	Tops Farm Cross Edge Accrington

366 CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE OR ACTIVITY IN BREACH OF PLANNING CONDITION

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2013/0677/P	Application for a Lawful Development Certificate for the existing use of a dwelling house without compliance with an agricultural occupancy condition	Cobden Fm Bungalow Watt Street Sabden

367 SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2012/0065	Land off Dale View Billington	24/5/12	12	With Agent
3/2012/0014	Land adj Greenfield Avenue Low Moor Clitheroe	19/7/12 18/7/13	30	With applicants solicitor awaiting signature
3/2012/0379	Primrose Mill Woone Lane Clitheroe	16/8/12	14	Deed of Variation Applicants solicitor
3/2012/0497	Strawberry Fields Main Street Gisburn	11/10/12	21	With Agent
3/2012/0738	Dale View Billington	6/12/12	10	With Agent
3/2012/0785	Clitheroe Hospital Chatburn Road Clitheroe	6/12/12	57	With Lancashire County Council
3/2012/0964	Land to the north of Whalley Road Hurst Green	14/3/13	30	With applicants Solicitors
3/2013/0137	Lawsonsteads Whalley	18/7/13	260	With Agent & Lancashire County Council

**Non Housing**

3/2011/0649P	Calder Vale Park Simonstone	15/3/12	Subject to departure procedures, draft 106 received from Lancashire County Council
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368 PLANNING APPLICATIONS WITH NON-COMPLETED LEGAL AGREEMENTS  
AND TIME EXPIRED APPLICATIONS

The Director of Community Services submitted a report requesting Committee's authorisation to delegate decisions in relation to time related applications and particularly ones where there have been non-completed legal agreements to the Director of Community Services and Head of Planning Services to either refuse the application with a report going to Committee or to 'finally dispose of' applications in accordance with Article 36 of the Town and Country Planning (Development Management Procedure) Order 2010. He reminded Committee that there had been recent changes to planning legislation that has put significant pressure on Councils to determine applications promptly and in particular that if an application has not been determined within a 6 month period, there would be an opportunity for the applicant to request the planning fee back, as well as to obtain a decision. There are also targets in relation to determination rates and one such target would involve the failure to determine applications within such a period which could ultimately face Councils under what is called a 'special measures' which would give the opportunity for developers to no longer submit major applications to the Council and submit straight to the Secretary of State. He informed Committee that it was important to progress applications in an efficient manner and that it was sometimes the case that little progress had been made within a six month period in relation to the completion of a satisfactory legal agreement. He felt it may be necessary to review progress on specific applications as well to consider a revised timeframe of three months instead of six months.

In order to make progress on specific applications the report related to three applications where inadequate progress in relation to Section 106 Agreements had been made. However, in notifying the agents of imminent action, two of these applications had now been progressed to appoint where agreement was expected within two weeks. He therefore felt it only necessary to 'finally dispose of' one of the outstanding applications 3/2012/0065/P in relation to land off Dale View, Billington and asked that Committee authorise such action.

Although Members had some sympathy with the agents with regard to complex issues on these sites, it was felt that an adequate time period had passed for the legal agreements to have been dealt with.

RESOLVED: That Committee

1. authorise application 3/2012/0065/P relating to land off Dale View, Billington be 'finally disposed of' if a legal agreement had not been reached by the end of October 2013; and



2. agree to amend the delegation scheme in relation to planning applications to include 'finally disposed of' applications to be authorised to the Director of Community Services and the Head of Planning Services and that a period of three months only be given to secure a Section 106 Agreement in future.

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## DEVELOPMENT MANAGEMENT – HOUSING FIGURES

The Director of Community Services submitted a report requesting the formal adoption of a figure of 250 dwellings per annum (as an assessment of housing need) for development management purposes. He reminded Committee that in respect of the housing requirement review, they had agreed that the Core Strategy be amended to reflect the housing requirement of 5000 dwellings over the plan period 2008 to 2028 with a figure of 250 dwellings per annum as the target for the new housing in the borough and the proposed amendments to the Core Strategy be published for consultation and submitted to the Inspector. However, at that time, for the purposes of determining planning applications and pending the outcome of the public consultation, the current figure of 200 dwellings per annum continued to be used for decision making.

The public consultation period on the aforementioned documentation had now closed with the responses received having been submitted to the Inspector for consideration as part of the Examination process. The housing figure had also been an issue taken into consideration at a recent Public Inquiry in that 250 dwellings per annum was the figure being currently consulted upon, if the borough was to meet its full objectively assessed needs as outlined within the Nathaniel Litchfield Partnership report.

The other issue that needed to be considered was that of the methodology of determining the extent of housing land supply. It was apparent from recent Inquiries that the Planning Inspector had used the Sedgefield method to establish whether a five year supply of housing could be demonstrated and that there was strong support for this approach across the country. It was felt that as such, the Borough Council should be using the Sedgefield method rather than the Liverpool/Residual method that had been used to date.

It was felt important for the credibility of the decision making process that the Council reflected on its position in respect of housing need and method of calculating supply in order that it can fulfil the key role of boosting significantly the supply of housing that NPPF requires it to do. This would not be growth at any cost but only insofar as it is consistent with the policies set out in the Framework.

RESOLVED: That Committee

1. confirm that for the purposes of determining planning applications pending the outcome of the Examination in public into the Core Strategy, which will evaluate the evidence base having due regard to the Council's duty to co-operate with neighbouring authorities, the figure of 250 dwellings per annum be used for decision making purposes. This figure

to be reviewed following the outcome of the Examination in public having regard to any relevant appeal decisions; and

2. confirm that in terms of the calculation of housing land supply, the Council adopts the Sedgefield approach.

370 GROWTH AND INFRASTRUCTURE ACT 2013

The Director of Community Services submitted a report informing Committee of two recent changes to planning legislation which would have implications for the development management service from 1 October 2013. These legislative changes form part of the Government's wider plan reform agenda, the aim of which is to simplify and speed up planning procedures. The amendments made to the legislation would enable applicants of applications for planning permission and reserved matters applications to request a refund of the application fee if it remains undetermined after 26 weeks and also on assessment of planning performance in relation to major applications would allow the Government to designate poorly performing local planning authorities if they fail to meet targets.

RESOLVED: That the report be noted.

371 SAMLESBURY ENTERPRISE ZONE PROPOSED MASTERPLAN AND LOCAL DEVELOPMENT ORDERS

The Director of Community Services submitted a report updating Committee on the progress in relation to the consultation process of the proposed Masterplan and Local Development Order at Samlesbury. The formal consultation document was included in the report.

372 APPEALS

There were no appeals.

373 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from Representatives on Outside Bodies.

The Head of Planning Services reported that Senior Planning Officer, Graeme Thorpe was leaving the authority at the end of the week. He was formally thanked for his service to the Borough Council.

The meeting closed at 7.45pm.

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