

## Minutes of Planning and Development Committee

Meeting Date: Thursday, 16 October 2014 starting at 6.30pm  
Present: Councillor T Hill (Chairman)

Councillors:

S Bibby	I Sayers
I Brown	R Sherras
S Carefoot	D Taylor
S Knox	M Thomas
G Mirfin	J White
J Rogerson	A Yearing

In attendance: Director of Community Services, Head of Planning Services, Head of Legal and Democratic Services, Senior Planning Officer and Countryside Officer.

Also in attendance: Councillors S Hirst, R Newmark, D Smith and R Swarbrick.

### 332 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors B Hilton and R Thompson.

### 333 MINUTES

The minutes of the meeting held on 18 September 2014 were approved as a correct record and signed by the Chairman.

Councillor Sherras raised a query with regard to Minute 305, resolution No 1 which referred to the methodology in the topic paper in relation to ongoing work relating to settlement boundaries and asked that special attention to anomalies be given in relation to the ongoing work relating to the settlement boundaries.

### 334 DECLARATIONS OF INTEREST

There were no declarations of interest.

### 335 PUBLIC PARTICIPATION

Mr Francis Hesketh spoke on agenda item No 7 – Tree Preservation Order at Dilworth, Longridge. He was speaking on behalf of the landowners and expressed the view that the Tree Preservation Orders were not necessary, as the planning process covers the protection of the trees.

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

1. APPLICATION NO: 3/2014/0592/P (GRID REF: SD 371966 446630)  
PROPOSED DEMOLITION OF THE MOORCOCK INN AND THE ERECTION OF 7 NO DWELLINGHOUSES INCLUDING ASSOCIATED DRIVES, GARDENS AND EXTERNAL LANDSCAPING WORK AT THE MOORCOCK INN, SLAIDBURN ROAD, WADDINGTON

The Head of Planning Services informed Committee of the revised comments received from the Parish Council.

REFUSED for the following reason(s):

1. The proposed development is contrary to Key Statement DS1 and Policy DMG2 and DMH3 of the Ribble Valley Core Strategy submission version as proposed to be modified as it would involve the construction of 7 dwellings in an isolated open countryside location that do not meet an identified local need. As such, the proposal would cause harm to the Development Strategy for the Borough as set out in the emerging Core Strategy leading to unsustainable development.
2. Permission for the proposed development would create a harmful precedent for the acceptance of other similar proposals without sufficient justification which would have an adverse impact on the implementation of the emerging planning policies of the Council contrary to the interests of the proper planning of the area in accordance with the core principles and policies of the NPPF.

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

2. APPLICATION NO: 3/2014/0517 (GRID REF: SD 361304 437393)  
OUTLINE APPLICATION FOR UP TO 220 DWELLINGS WITH ALL MATTERS RESERVED, SAVE FOR MEANS OF ACCESS FROM DILWORTH LANE/BLACKBURN ROAD, LONGRIDGE

The Head of Planning Services reported upon 9 additional items of objection and also highlighted changes that would need to be made to several of the conditions.

MINDED TO REFUSE and report to go back to next Committee with draft reasons for refusal in relation to visual impact and residential amenity issues.

(Mr Dickson spoke in favour of the above application. Mr Britcliffe spoke against the above application. Councillors R Swarbrick and D Smith were given permission to speak on the above application).

3. APPLICATION NO: 3/2014/0597/P (GRID REF: SD 373905 442207)  
OUTLINE APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF UP TO  
275 DWELLINGS ON LAND OFF WADDINGTON ROAD, CLITHEROE, BB7  
2DE

The Head of Planning Services reported 3 additional letters of objection and also indicated revisions to two of the conditions and referred to a letter from the agent.

DEFERRED AND DELEGATED to the Director of Community Services for approval following the conclusion of departure procedures, satisfactory completion of a legal agreement (substantially in accordance with the terms described in the Section 106 Agreement sub-heading of this report) within 3 months from the date of this departure decision or delegated to the Director of Community Services in conjunction with the Chairman and Vice Chairman of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following condition(s):

1. Approval of the details of the siting, design and external appearance of the building[s], and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.
2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the siting, design and external appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.
3. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of [three] years from the date of this permission.
4. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later
5. The submission of reserved matters in respect of layout, scale, appearance and landscaping shall be carried out in accordance with the Design and Access Statement and the 'illustrative master plan' (Drawing number 1110.1) submitted with the application.

REASON: To define the scope of the permission.

6. The development hereby permitted in outline relates to the erection of up to 275 residential units. The application for reserved matters shall not exceed 275 residential units.

REASON: To define the scope of the permission.

7. Prior to the commencement of development, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall provide details of:
- i) Sustainable travel options for journeys to and from work for the site operatives, including pedestrian routes, travel by bicycles, journeys by train, car sharing schemes and other opportunities to reduce journeys by motor car.
  - ii) The parking of vehicles of site operatives and visitors;
  - iii) Loading and unloading of plant and materials;
  - iv) Storage of plant and materials used in the construction of the development;
  - v) The erection and maintenance of security fencing;
  - vi) Wheel washing facilities;
  - vii) Measures to control the emission of dust and dirt during construction; and
  - viii) A scheme for recycling/disposing of waste resulting from construction works.
  - ix) Periods when plant and materials trips should not be made to and from the site (mainly peak hours, but the developer to suggest times when trips of this nature should not be made).
  - x) Routes to be used by vehicles carrying plant and materials to and from the site which shall have been constructed to base course level.
  - xi) Measures to ensure that construction vehicles do not impede adjoining accesses.
  - xii) Plans identifying the existing surface water and foul drainage systems both within the site and outside the site; measures for the protection of those systems; and a remediation strategy in respect of any damage that might be caused to any parts of the existing drainage system whether within or outside the application site
  - xiii) Details of how existing habitat features, hedgerows/streams shall be retained and protected during the lifetime of the development from the adverse effects of development works by maintaining construction exclusion zones the details of which shall have first been submitted to and approved in writing by the Local Planning Authority prior to commencement of each phase of development.

The approved construction method statement shall be adhered to throughout the entire period of construction works.

REASON: In order to ensure safe working practices on or near the highway in the interests of safety and in the interests of the amenities of nearby residents in accordance with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

8. Prior to the commencement of the development hereby permitted in outline a scheme for flood risk mitigation shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be in accordance with the details contained in the flood risk assessment submitted

with the application (reference 263 – FRA Rev 2.0 dated 2 July 2014) and shall be carried out in their entirety and thereafter retained in perpetuity.

REASON: To prevent flooding by ensuring the satisfactory storage/disposal of surface water from the site in order to prevent a mitigate the risks of flooding on and off site and to comply with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan; Policy DMG1 of the Core Strategy Submission Version as proposed to be modified and the requirements of the National Planning Policy Framework.

9. 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 scheme shall include details of grey water recycling and details of the phasing of the provision of its various elements. The surface water drainage scheme shall demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details (including the approved phasing) and shall be retained in perpetuity thereafter in a condition commensurate with delivering the approved objectives.

REASON: To prevent flooding by ensuring the satisfactory storage/disposal of surface water from the site in order to prevent a mitigate the risks of flooding on and off site and to comply with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan; Policy DMG1 of the Core Strategy Submission Version as proposed to be modified and the requirements of the National Planning Policy Framework.

10. Prior to the commencement of development, a strategy outlining the general system of foul drainage arising from the entire site shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall include details of any necessary infrastructure including details of the phasing of the provision of its various elements. Thereafter, the detailed scheme for foul drainage for any phase of the development shall be submitted for approval in accordance with the strategy for the entire site that has been approved under this condition.

REASON: To secure proper drainage and to reduce the risk of flooding and pollution and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified and to comply with the requirements of the National Planning Policy Framework.

11. Any reserved matters applications submitted pursuant to this outline permission shall indicate the provision of a buffer zone extending 8 metres on each side of the watercourse that crosses the site. This buffer zone shall be measured from the top of the bank of the watercourse. No development, including the erection of any structures, buildings, fences, walls or other

means of enclosure or formation of hard standings shall be carried out within this area unless precise details of any such developments have first been submitted to and approved in writing by the Local Planning Authority. No planting shall take place within this area except with the prior written permission of the Local Planning Authority.

REASON: To protect the watercourse and the wildlife using the river corridor and to reduce the impact of the development on biodiversity in accordance with Policies G1 and ENV10 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

12. Once works commence on the site, should site operatives discover any adverse ground conditions and suspect it to be contaminated, they should report this to the Site Manager and the Contaminated Land Officer at Ribble Valley Borough Council. Works in that location should cease and the problem area roped off. A Competent Person shall be employed to undertake sampling and analysis of the suspected contaminated materials. A Report which contains details of sampling methodologies and analysis results, together with remedial methodologies shall be submitted to the Local Planning Authority for approval in writing. The approved remediation scheme shall be implemented prior to further development works taking place and prior to occupation of the development.

Should no adverse ground conditions be encountered during site works and/or development, a Verification Statement shall be forwarded in writing to the Local Planning Authority prior to occupation of the building(s), which confirms that no adverse ground conditions were found.

REASON: To ensure that the site investigation and any necessary remediation strategy will prevent pollution of ground and surface waters both on and off site and to ensure that the site is suitable for its end use in accordance with Policies ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

13. No development shall begin until a scheme identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented in accordance with the approved details prior to occupation of the development and thereafter retained in a condition commensurate with delivering the agreed level of energy generation.

REASON: In order to encourage renewable energy and to comply with the requirements of the National Planning Policy Framework.

14. No tree pruning or removals shall be implemented at the site, with the exception of emergency situations without the prior consent of the Local Planning Authority, which will only be granted when the Local Planning

Authority is satisfied that it is necessary. All tree works shall be implemented in accordance with BS3998:2010 Tree Work – Recommendations, and carried out by an approved arboricultural contractor. Note: these restrictions shall not apply to planned systematic hedgerow maintenance works.

REASON: In order to ensure that any trees affected by the development are afforded maximum physical protection from the adverse effects of development in accordance with policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME2 of the Core Strategy Submission Version as proposed to be modified.

15. No development shall begin until details of a lighting scheme have been submitted to and approved in writing by the Local Planning Authority. [The lighting scheme shall include details to demonstrate how artificial illumination of wildlife habitats (trees with bat roost potential and hedgerows used by foraging areas bats) is minimised] and how light spillages can be minimised close to existing residential properties around the site. Lighting columns should reflect the scale and character of the town. The approved lighting scheme shall be implemented in accordance with the approved details and thereafter retained in perpetuity in a condition commensurate with delivering the agreed levels of illumination.

REASON: In order to reduce the impact of the development on biodiversity in accordance with Policies G1 and ENV10 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

16. The dwellings shall achieve a minimum Level of the Code for Sustainable Homes in force on the date of occupation. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that the appropriate Code Level has been achieved.

REASON: In order to encourage an energy efficient development in accordance with the requirements of the National Planning Policy Framework.

17. Prior to the commencement of development, precise details of the means of preventing the use of the bus lane within the development by vehicles other than authorised buses and emergency vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details and thereafter retained in a condition commensurate with delivering the desired control.

REASON: In the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

18. The finished floor levels of all dwellings hereby permitted in outline shall be a minimum of 150mm above ground levels at the site as existing prior to any ground level changes carried out as part of the development.

REASON: In order to mitigate the risks of flooding to properties in accordance with the requirements of Section 10 of the National Planning Policy Framework.

19. Prior to the demolition or any renovation works on the barn in the north eastern corner of the site, appropriate surveys shall be carried out to determine whether the barn is used as a roost for bats and, if so, to provide detailed advice on mitigation and design requirements. The results of the survey and any proposed mitigation measures shall be submitted for the written approval of the Local Planning Authority; and any mitigation measures shall be carried out in accordance with the approved details.

REASON: In order to minimise the impact of development on a protected species (bats) and to comply with Policy ENV7 of the Ribble Valley Districtwide Local Plan and Policy DME3 of the Core Strategy Submission Version as proposed to be modified.

20. Prior to the commencement of any site works, including the formation of the vehicular accesses, a plan, prepared in accordance with guidance in BS5837:2012, shall be submitted to the Local Planning Authority and approved in writing. The plan shall include the following:
  - a) Details of trees to be retained;
  - b) Details of trees proposed for removal as part of the enablement works;
  - c) Details of the locations and type of temporary protective fencing to be erected, in accordance with the advice contained in BS5837 2012;
  - d) Details of proposed pruning of trees to be retained as part of the enablement works, whether located on site or on adjacent land;
  - e) Details of all development related proposals, including ground level changes and excavations, within 10 metres of the Root Protection Area of any tree to be retained, including those located on adjacent land.

In addition to the plan a schedule of proposed enablement related tree works shall be provided to the Local Planning Authority and approved in writing prior to the commencement of any site works.

Following the implementation of the enablement related tree works the temporary protective fencing detailed in item c) shall be erected to form Construction Exclusion Zones in accordance with BS5837 2012 and the details on the approved plan. Prior to the commencement of any development works the temporary protective fencing shall be inspected and approved in writing by the Local Planning Authority. The Construction Exclusion Zones shall remain in place until all construction works have been completed and the removal of the fencing has been agreed, in writing, with the Local Planning Authority.

During the construction works no excavations or changes in ground levels of any type shall take place within the Construction Exclusion Zones. In



addition, no construction materials, including spoil, soil, rubble, etc., shall be stored or redistributed within the Construction Exclusion Zones.

REASON: To enable the Local Planning Authority to consider the details of the proposed development in relation to the existing trees.

21. No development shall take place until a check for nesting birds has been undertaken if vegetation removal is to take place between 1 March to 31 August, inclusive. The nesting bird check shall be undertaken by a suitably qualified ecologist.

REASON: To safeguard nesting bird species in accordance with the provisions of the Wildlife & Countryside Act 1981 (as amended).

22. No development shall take place until a scheme for the enhancement of the watercourse and retained hedgerows has been submitted to and approved by the local planning authority. The scheme for habitat enhancement shall include details of physical modifications to the watercourse, proposed habitat planting within the channel and details of proposals for hedgerow management. All new habitat planting to comprise locally occurring native plant species.

REASON: To safeguard and enhance the biodiversity value of the watercourse and hedgerows.

23. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i) The numbers, type, size (including number of bedrooms), tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units/bed spaces;
- ii) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) The arrangements for the transfer of the affordable housing to an affordable housing provider (or the management of the affordable housing if no RSL is involved); the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

REASON: To ensure the provision of affordable housing in order to comply with Policy H2 of the Ribble Valley Districtwide Local Plan and Policy DMH3 of the Core Strategy Submission Version as proposed to be modified and the

advice contained in Section 6 'Delivering a wide choice of high quality homes' of the National Planning Policy Framework.

24. No development shall take place until a survey has been undertaken to identify any overland routes used by otters within any areas likely to be affected by construction activities. A scheme for the protection of such routes during construction and in the future shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and the approved scheme shall be implemented in accordance with the timescales set out therein.

REASON: In order to ensure that any otters in the locality of the site are appropriately protected from any potential adverse effects of the development.

25. A visibility splay at the junction of the site access onto Waddington Road shall be provided in accordance with the details shown on drawing number J087/Site access/Fig 1. This shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority. 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 within the visibility splay defined any building, wall, fence, hedge, tree, shrub or other device over the height of 0.6m from the channel level.

REASON: To ensure adequate visibility at the street junction or site access and in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified

26. No phase or 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.

REASON: To enable construction traffic to enter and leave the premises in a safe manner without causing hazard to other road users, in the interests of highway safety and to comply with policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

27. The new estate road for the layout or for any phase of the layout shall be constructed in accordance with the Lancashire County Council Specification for the Construction of Estate Roads to at least base course level before any other construction work takes place within the site or within that phase.

REASON In order to ensure the provision of satisfactory and safe accesses into the site for construction vehicles in the interests of highway safety and to

comply with policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

28. No phase or part of the development hereby approved shall be occupied or opened for trading until all the offsite highway works and works required for improved access as listed below have been constructed in accordance with a scheme which shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
- a. Restricted access off Kirkmoor Road for buses, emergency vehicles, pedestrians and cyclists;
  - b. New mini-roundabout junction improvement at Waddington Road/Railway View Road;
  - c. Capacity improvements to the existing Whalley Road/Queensway Road mini-roundabout junction.

REASON: In order that traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of completion of the highway works, in the interests of highway safety and to comply with policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

29. No development shall be commenced until a scheme of off-site works of highway improvements has first been submitted to and agreed in writing by the Local Planning Authority. The highway improvements referred to in this condition include the junction at Waterloo Road and Shawbridge Street, together with other junctions in the vicinity (not otherwise considered for improvement) which are demonstrated by additional analysis of the performance of the local highway network to require improvement works to achieve acceptable capacity. These off-site highway works shall be carried out and delivered in line with agreed trigger points (to be determined). The scheme may make provision for a monetary contribution towards these off-site highway works subject to the agreement of the Local Planning Authority.

REASON: In order that traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of completion of the highway works, in the interests of highway safety and to comply with policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

30. The proposed phasing of the construction and implementation of the development applied for (including numbers to be included in each phase) shall be submitted to and approved in writing by the Local Planning Authority before any construction work takes place. No phase or part of the development hereby approved shall be occupied or opened for trading until all the off-site highway works and means of access related to the phasing of the development of the site have been constructed in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works, in the interests of highway safety and to comply with policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

31. No phase or part of the development hereby approved shall commence until a scheme for the improvement of cycle and pedestrian facilities (cycle tracks and footpaths) related to the phasing of the development of the site has been submitted to and approved in writing by the Local Planning Authority. Thereafter development shall be carried out in accordance with the approved details.

REASON: In order to encourage sustainable transport and to satisfy the Local Planning Authority and the Highway Authority that the details of improvements to cycle and pedestrian facilities are acceptable before work commences on site in the interests of highway safety and to comply with policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

32. Prior to the commencement of development, a Framework Travel Plan for the whole development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, prior to the commencement of development of any phase or portion of development, a separate Travel Plan (or up-dated information for the Framework Travel Plan) for each phase shall also be submitted to and approved in writing by the Planning Authority. The Travel Plan shall be implemented, audited and updated within the timescale set out in the approved plan.

REASON: To ensure a multimodal transport provision for the development and to reduce the traffic impact on the local road network, in the interests of highway safety and to comply with policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

## INFORMATIVES

- i. The applicants are advised that the 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 would need to be subject of an Order under the appropriate Act.
- ii. The applicants are advised that the grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority reserved the right to provide the highway work within the highway associated with this proposal. Provision of the highway works includes design, procurement of the works by contract and supervision of the works. The applicant is advised to contact the Developer Support Manager at Lancashire County Council by email to [developeras@lancashire.gov.uk](mailto:developeras@lancashire.gov.uk).

(Ms Dickman spoke in favour of the above application. Mrs Parkinson spoke against the above application. Councillor R Newmark was given permission to speak on the above application).

4. APPLICATION NO: 3/2014/0779/P (GRID REF: SD 372508 436005)  
OUTLINE APPLICATION FOR A PROPOSED DEVELOPMENT OF 18 DWELLINGS TO INCLUDE 5 AFFORDABLE UNITS AND 13 OPEN MARKET DWELLINGS, TOGETHER WITH ASSOCIATED ACCESS ROADS, GARAGES AND GARDENS ON LAND OFF DALE VIEW, BILLINGTON, BB7 9LL

The Head of Planning Services reported a late item.

DEFERRED and DELEGATED to the Director of Community Services for approval following the satisfactory completion of a Legal Agreement within 3 months from the date of this Committee Meeting or delegated to the Director of Community Services in conjunction with Chairman and Vice Chair of Planning & Development Committee should exceptional circumstances exist beyond the period of three months and subject to the following conditions:

1. Application for approval of reserved matters must be made not later than the expiration of 3 years beginning with the date of this permission and the development must be begun not later than whichever is the latter of the following dates:
  - (a) the expiration of 3 years from the date of this permission; or
  - (b) the expiration of 2 years from final approval of the reserved matters, or in the case of approval of different dates, the final approval of the last such matter to be approved.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

2. Detailed plans indicating the design and external appearance of the buildings, landscape and boundary treatment, parking and manoeuvring arrangements of vehicles, including a contoured site plan showing existing features, the proposed slab floor level and road level (called the reserved matters) shall be submitted to and approved by the Local Planning Authority before development commences.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified and in order that the Local Planning Authority should be satisfied as to the details and because the application was made for outline permission.

3. The development hereby permitted in outline is for a maximum of 18 dwellings. Any reserved matters application shall be submitted in accordance with the submitted illustrative layout plan (drawing no Gel/454/1817/01).

REASON: For the avoidance of doubt and to ensure that the development does not contravene the Council's development strategy as defined by Key Statement DS1 and Policy DMG2 of the Core Strategy Submission Version as proposed to be modified.

4. Prior to the commencement of development, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:
  - (a) A Desk Study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on and off-site contamination and ground gases.
  - (b) 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 the risk to receptors as defined under Part IIA of the Environmental Protection Act 1990, focusing primarily on risks to human health and controlled waters. The investigation shall address implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property. The sampling and analytical strategy shall be submitted to and approved in writing by the LPA prior to the site investigation survey.
  - (c) If the site investigation indicates remediation is necessary, a Remediation Statement detailing the recommendations and remedial measures to be implemented within the site shall be submitted to and approved in writing by the LPA. The remediation shall be carried out in accordance with the agreed statement and on completion of the development/remedial works, the developer shall submit a Verification Report to the LPA for approval in writing that certifies that all works were completed in accordance with the agreed Remediation Statement prior to the first occupation of the development.

REASON: To prevent pollution of ground and surface waters both on and off site and to ensure the site is suitable for its end use in accordance with Policies ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

5. The new estate road between the site and Dale View shall be constructed in accordance with the Lancashire County Council Specification for the Construction of Estate Roads to at least 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 in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

6. No development shall take place until a construction method statement has been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority . The approved statement shall be adhered to throughout the construction period. It shall provide for:
  - a) The parking of vehicles of site operatives and visitors
  - b) The loading and unloading of plant and materials
  - c) The storage of plant and materials used in constructing the development
  - d) The erection and maintenance of security hoarding
  - e) Wheel washing facilities.

REASON: In the interests of highway safety and the amenities of nearby residents during the construction period and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

7. The development hereby permitted in outline shall not be commenced until details of the landscaping of the site, species mix, plant type and density have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall incorporate new tree lines and hedgerows as well as shrub areas and shall include substantial landscape screen planting close to the northern and western boundaries of the site, including the retention of existing trees as appropriate.

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 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 Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

8. The development hereby permitted in outline shall be carried out in accordance with the recommendations and mitigation measures contained in Section 7 of the Ecological Appraisal Report by Envirotech (report reference 1643) that was submitted with the application.

REASON: In order to protect the ecology of the locality and wildlife habitats in accordance with the requirements of Policy ENV7 of the Ribble Valley

Districtwide Local Plan and Policy DME3 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

9. Prior to the commencement of the development hereby permitted in outline, a scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall show the drainage of the site on a separate system with only foul drainage connected into the combined sewer with surface water discharging to the soakaway watercourse. The scheme shall be constructed and completed in accordance with the approved details.

REASON: To ensure satisfactory drainage of the site and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

10. 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 the development and thereafter retained.

REASON: In order to encourage renewable energy and to comply with the requirements of the National Planning Policy Framework.

11. The dwellings hereby permitted in outline shall achieve a minimum level of the Code for Sustainable Homes in force on the date of occupation. No dwellings shall be occupied until a final Code Certificate has been issued for it certifying that the appropriate code level has been achieved.

REASON: In order to encourage an energy efficient development in accordance with the requirements of the National Planning Policy Framework.

12. Prior to the commencement of any development works, including delivery of building materials and excavations for foundations or services, all existing trees identified for retention in the landscaping details required by condition No.7 of this outline permission shall be protected with a root protection area in accordance with the BS5837 [Trees in Relation to Construction]. Details of a tree protection monitoring schedule shall also be submitted to and agreed in writing by the Local Planning Authority before any site works are begun. The monitoring schedule shall then be implemented in accordance with the agreed details.

The root protection area 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.



No tree surgery or pruning shall be implemented without prior written permission of the Local Planning Authority, which will only be granted when the Authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and will be carried out by an approved arboricultural contractor.

REASON: In order to ensure that the trees within the site that are to be retained are afforded maximum physical protection from the adverse effects of development in order to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified

## NOTES

1. This outline permission shall be read in conjunction with the Legal Agreement dated .....
2. The granting 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. Footpath no's 40 and 41 in the Parish of Billington affect the site.
3. A public sewer crosses the site and United Utilities (UU) will not permit building over it. UU will require an access strip the width of 6m, 3m either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the Applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the Applicant must discuss this at an early stage with Graham Perry Developer Engineer at [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk) as a lengthy lead in period may be required if a sewer diversion proves to be acceptable. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems. No habitable buildings shall be erected within 15m of the pumping station unless otherwise agreed in writing by the Local Planning Authority.
4. The Local Planning Authority operates a pre-planning application advice service which applicants are encouraged to use. Whether or not this was used, the Local Planning Authority has worked proactively and positively at formal application stage in order to secure amendments to the proposal that, subject to the imposition of appropriate conditions, will deliver a sustainable form of development.

(Mr Hoerty spoke in favour of the above application. Mr Mulligan spoke against the above application).

336

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:

337

APPLICATIONS APPROVED

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2014/0493/P	Installation of new shop front to provide independent access to first floor	20 Whalley Road Clitheroe
3/2013/0508/P	Application for the renewal of planning permission 3/2010/0194/P for the proposed conversion and change of use of a redundant building into a live/work unit to provide a 3 bedroom dwelling and a café and bunk barn accommodation	New Barn Holden Lane Slaidburn
3/2014/0459/P (LBC)	Essential repairs including roof slating, rainwater goods, masonry repair and repointing, renewal of timber windows and some internal repairs	Park House Farm Gisburn Road Bolton-by-Bowland
3/2014/0512/P	Proposed removal of redundant garages, sheds and outbuildings to the rear and construction of two storey extensions to side and rear to create a new function suite, bar and lounge together with additional letting bedrooms over	Derby Arms Longridge Road Thornley Longridge
3/2014/0580/P	Discharge of condition 5 (renewable energy) and condition 6 (travel plan)	Clitheroe Hospital Chatburn Road Clitheroe
3/2014/0600/P	Proposed alterations to existing single storey side lean-to garage to create additional first floor space (bedroom and study) and alterations to the drive to create an additional car parking space	12 Denbigh Drive Clitheroe
3/2014/0611/P	Discharge of conditions 3-Materials, 4-Drainage, 5- Landscaping, 6-Landscaping of planning consent 3/2013/0271 on land adjacent to the south	The Barn George Lane Read
3/2014/0626/P	Proposed subdivision of the existing property into two dwellings and change of use of existing detached garage to a detached dwelling	7 Isle of Man Ramsgreave

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2014/0662/P	Residential development one dwelling at land adjacent	Elker Mews Whalley Road Billington
3/2014/0653/P	Proposed new agricultural livestock building	The Hills Farm Higher Road Longridge
3/2014/0655/P	Proposed alterations to the front elevation	Copley Cottage, Martin Top Lane, Rimington
3/2014/0677/P (LBC)	Extension of the existing handrail to the top of the entrance steps to the Conference Centre, Whalley Abbey	Whalley Abbey Whalley
3/2014/0690/P	Retrospective application for siting of air conditioning condensers to the rear elevation	Lloyds Pharmacy 40 King Street Whalley
3/2014/0698/P	Extension to lambing shed	Midge Hall Farm Haggs Hall Fields off Showley Road Ramsgreave
3/2014/0704/P	Proposed demolition of rear entrance porch, boiler room and wc. Erection of a two and single storey rear extension to create additional living and bedroom space. Proposed alterations to detached garage to increase roof pitch to create family hobby room over existing garage with external steps, fenestration changes and external works. (Resubmission of application No. 3/2014/0387).	Rookward School Lane Simonstone
3/2014/0715/P	Proposed change of use of former Police Office to use as part of the existing dwelling including use of former Police House and office as a dwelling	2 Police Houses Main Street Gisburn
3/2014/0729/P	Extension to dining room	Gibbon Bridge Hotel Green Lane, Chipping
3/2014/0731/P	External alterations including removal of garage door opening and replacement with window on the west elevation and insertion of bi-folding doors on the east elevation	78 King Street Whalley
3/2014/0736/P (LBC)	Restoring the opening between Arundell Library and the former Rhetoric Common Room	Stonyhurst College Stonyhurst

## APPLICATIONS REFUSED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2014/0312/P	Temporary (12 months) use of land for a creation of car park	Time House Lower Road Knowle Green	G1, DMG1 – Detrimental to highway safety.
3/2014/0557/P	Proposed new two bedroom dwelling within the curtilage of St James House with shared access	St James House St James Street Clitheroe	G1, ENV19 / DMG1, DME4, EN5 - stark, unsympathetic and incongruous form of development, being of detriment to the visual amenities of the area and the character, appearance, significance and setting of heritage assets  G1 / DMG1 – Parking area would lead to noise, disturbance and overlooking to the occupiers of St James House.
3/2014/0595/P	Two 3 bedroom detached houses including change of use of land to residential at land adjacent	Chapel House off Chapel Lane West Bradford	Key Statement DS1 and Policy DMG2 of the Core Strategy Submission Version as proposed to be modified – provision of 2 market dwellings in a tier 2 settlement contrary to the emerging spatial vision leading to unsustainable development.  Policies G1 and ENV13 of the DWLP and EN2, DMG1, DME1 and DME2 – insufficient information submitted regarding impact on

Cont/

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
Cont...			trees from the formation of the roadway within the site. Create a harmful precedent.
3/2014/0679/P	Demolition of single house and development of three detached houses	Mill Cottage Victoria Terrace Mellor Brook	ENV4, EN1 – Inappropriate development in the Green Belt. G1, ENV3, ENV4, EN1, DMG1, DME2 – Design detrimental to visual amenities of the area. G1, ENV13, DMG1, DME1, DME2 - Inadequate information submitted to assess impact on trees. G1 and DMG1 – Detrimental to highway safety.

339 CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0621/P	Application for a Lawful Development Certificate for proposed taxi operating from residential property	84 West View Clitheroe

340 TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 PARTS 6 & 7 PRIOR NOTIFICATION OF AGRICULTURAL AND FORESTRY BUILDINGS AND ROADS PRIOR APPROVAL **NOT** REQUIRED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0807/P	Agricultural livestock building for the winter housing of sheep and young stock	Lower West Clough Farm Grindleton Road West Bradford

341

## SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2012/0785	Clitheroe Hospital Chatburn Road Clitheroe	6/12/12	57	With Applicants Solicitor
3/2014/0981	Land at Chatburn Road Clitheroe	13/2/14	23	Ongoing negotiations with Agent & LCC
3/2014/0666	15 Parker Avenue Clitheroe	18/9/14	15	With Legal

**Non Housing**

3/2011/0649 P	Calder Vale Park Simonstone	15/3/12		Subject to departure procedures, draft 106 received from Lancashire County Council
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<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Time from First Going to Committee to Decision</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2013/0771	Land off Middle Lodge Road Barrow	13/2/14 24/7/14	33 weeks	102	Decision 29/9/14

342

## REVIEW OF FEES AND CHARGES

The Director of Resources submitted a report seeking Committee's approval on proposals to increase this Committee's fees and charges with effect from 1 April 2015.

RESOLVED: That Committee approve the fees and charges as outlined in the report for implementation with effect from 1 April 2015.

343

## TREE PRESERVATION ORDER – DILWORTH LANE, LONGRIDGE

The Director of Community Services submitted a report requesting Members to make a new Tree Preservation Order relating to land at Dilworth Lane, Longridge to be named Dilworth Lane, Longridge Tree Preservation Order 2014, No 4. He informed Committee that Taylor Wimpey had approached the Council for pre-application advice relating to a proposed residential development to the north of Dilworth Lane, Longridge and as part of that process, it had been made clear to the developer that the trees on site were a valuable resource that must be duly considered throughout the process. Several members of the public had independently contacted the Council to request that a Tree Preservation Order

be served on all the trees on the development site, and on all of the trees along the Dilworth Lane frontage on the approach to Longridge. He reminded Committee that the TPO was not a barrier to development and could not be used as such. Its purpose was to ensure that the trees were given due consideration throughout the planning process and that if permission was granted once development was completed, the trees are retained for as long as they remain in a reasonable condition.

RESOLVED: That Committee

1. agree to the making of the Tree Preservation Order so named the Dilworth Lane, Longridge Tree Preservation Order 2014, No 4; and
2. agree to the confirmation of the Tree Preservation Order by the Director of Community Services with or without modification should no objections be received (in accordance with the requirements for consultation outlined within the Town and Country Planning Act and the Town and Country Planning (Trees) (England) Regulations 2012.

344 2013/2014 YEAR END PERFORMANCE INFORMATION

The Director of Resources submitted a report for Committee's information of the year-end report for 2013/2014 that details performance against our local performance indicators.

RESOLVED: That the report be noted.

345 REVENUE MONITORING 2014/2015

The Director of Resources submitted a report informing Committee of the position for the first six months of this year's revenue budget as far as this Committee was concerned. At the present time there was an overall underspend of £61,560 on the net cost of services. After allowing for estimated transfers to and from earmarked reserves, this underspend is increased to £69,865. The main variations were highlighted for Committee's information.

RESOLVED: That the report be noted.

346 APPEALS

- (a) 3/2014/0319/P – New three bed dwelling at Land to the North East of Whitehall Lane, Grindleton – appeal dismissed.
- (b) 3/2013/0445/P – Conversion of barn to form agricultural workers accommodation at Higher Flass Farm, Settle Road, Bolton-by-Bowland – appeal dismissed.
- (c) 3/2014/0116/P – Detached garage without complying with a condition attached to planning permission reference 3/2009/0334/P – regarding private domestic use only at Blue Trees, Copster Green – appeal dismissed.

347

REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from Representatives on Outside Bodies.

The meeting closed at 9.15pm.

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