

Minutes of Planning and Development Committee

Meeting Date: Thursday, 30 May 2019 starting at 6pm
Present: Councillor A Brown (Chairman)

Councillors:

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

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

Also in attendance: Councillors A Knox, M Hindle, S Rainford and J Schumann.

23 APOLOGIES

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

24 MINUTES

The minutes of the meeting held on 11 April 2019 were approved as a correct record and signed by the Chairman.

25 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

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

26 PUBLIC PARTICIPATION

There was no public participation.

27 BRIEFING ON THE WORK OF PLANNING AND DEVELOPMENT COMMITTEE

The Director of Economic Development and Planning informed Committee of the arrangements for the Planning and Development Committee including details as to Lead Officer, Committee Clerk and Officers that would usually attend this Committee. She explained how the individual planning applications are dealt with, with regard to speakers and Ward Councillors and asked that all the debate takes place through the Chairman.

She also explained the colour coding of the agenda and reminded Members to dispose of Part 2 items properly.

Terms of Reference for the Committee were circulated for Members' information and a brief explanation of Declarations of Pecuniary and Non-Pecuniary Interest was given.

28 APPOINTMENT OF WORKING GROUPS

The Chief Executive submitted a report asking Committee to appoint Members to any Working Groups under the remit of the Planning and Development Committee and their membership for 2019/20. The Local Development Plan is the only Working Group under the remit of this Committee at the present time and it was resolved to have 5 Conservatives and 1 Other on this group.

RESOLVED: That Committee approve the continuance of the Local Development Plan Working Group with the following Membership:

- Alison Brown;
- Richard Sherras;
- Jim Rogerson;
- Noel Walsh;
- Judith Clark; and
- Robert Thompson.

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

1. APPLICATION REF: 3/2019/0304/P
GRID REF: SD 373947 438343

DEVELOPMENT DESCRIPTION:

NEW OFFICE DEVELOPMENT AT LAND AT BARROW BROOK ENTERPRISE PARK, BARROW BB7 9BQ

The Principal Planning Officer reported on two additional conditions regarding trees.

(Councillor B Holden joined the meeting.)

APPROVED subject to the following:

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

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

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:
 - Proposed Location Plan – Dwg No BS.18-040/01 Rev A

- Proposed Cycle store – Brochure and specification received on 29/04/19
- Proposed Site Plan – BS.18-040-03 Rev B
- Proposed Bin Store Detail BS.18-040-06
- Proposed Elevations and Floor Plan – Dwg No BS.18-040/04 Rev A
- BS.18-040 – Barrow Brook Lighting Calculation
- BS.18-040/04 – Lighting location plan

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

3. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public sewer, the pass forward flow rate to the public sewer must be restricted to 5 l/s.

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

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

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

Amenity

5. The development hereby approved shall only be operated between the following hours:

- 09:00 to 17.30 Monday to Saturday

There shall be no business operated from the premises or site outside the stated operating hours including Sundays or Bank Holidays.

REASON: To comply with the terms of the application and in the interests of protecting the residential amenities of nearby residents.

6. This permission shall relate to the Lighting Calculation document BS.18-040 received on the 17/05/19 and plan reference BS.18-040/04 Rev A which shows the location of the lighting.

REASON: To enable the Local Planning Authority to exercise control over development which could prove materially harmful the character and visual amenities of the immediate area and to minimise/mitigate the potential impacts upon protected species resultant from the development.

7. This permission shall be in full accordance with the details contained in the Construction Method Statement and Traffic Management Plan received on the 29/05/19. The operation of the site shall not deviate from the plan and wheel washing shall be made available for the full period of construction.

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

8. The cycling facilities in accordance with Proposed Site Plan BS.18-040/03 Rev A and brochure showing Wardale-BXW/WAR received on 29/04/19 shall be constructed before the use of the premises hereby permitted becomes operative.

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

9. This permission shall be in strict accordance with arboricultural report dated February 2017 and Tree protection plan REF BTC1266-TPP. The trees within the application site area and in the Construction Exclusion Zone shall be enclosed with temporary fencing during the development of the site.

REASON: In order to protect the existing trees.

10. Notwithstanding the submitted details, within 3 months of the commencement of this development full details of the landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of the type, species, siting, planting distances and programme of planting of any trees, hedges and shrubs. The duly 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 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In order to achieve a satisfactory level of landscaping in the interests of visual amenity and highway safety.

2. APPLICATION REF: 3/2019/0366

GRID REF: SD 372904 441529

DEVELOPMENT DESCRIPTION:

VARIATION OF CONDITIONS 2 (APPROVED PLANS), 7 (FLOODLIGHTING) AND 10 (PEDESTRIAN ACCESS) FROM PLANNING PERMISSION 3/2018/0372 TO ALLOW THE HEIGHT OF THE FLOODLIGHTS TO BE REDUCED FROM 10M TO 8M IN HEIGHT AND THE NUMBER OF LIGHTS TO BE INCREASED FROM 4 COLUMNS TO 6 COLUMNS. PATH TO BE RE-ROUTED. NEW PATH TO BE 3M WIDE AT PLAYING FIELD, EDISFORD ROAD, CLITHEROE BB7 3LA

The Principal Planning Officer reported upon an amendment to condition 9.

APPROVED subject to the imposition of the following condition(s):

Time

1. The development must be begun not later than the expiration of three years from 3rd August 2018

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

Plan related

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

Title	Reference
Fence and Floodlighting elevations	Drwg RVBCRO19 Rev A
Lighting layout Plan	Drwg RVBCRO19-12 Rev A
Layout Plan	Drwg RVBCRO19-03 Rev A
Site Location plan	SSL2464 00

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

Materials

3. Notwithstanding the submitted information full details of the materials and height of the wall to block up the existing gateway as shown on Drwg RVBCRO19-03 Rev A shall have been submitted to and approved in writing by the Local Planning Authority prior to their use on site. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

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

Highways

4. The existing gateway shall be blocked off and pathway shown on Drwg RVBCRO19-03 Rev A shall be constructed before the commencement of use of the pitches and thereafter retained.

REASON: In the interest of highway safety.

Drainage

5. The drainage for the development shall be carried out in accordance with FRA dated 4 April 2018. No surface water shall drain directly or indirectly into the public sewer.

REASON: To ensure satisfactory means of foul and surface water

Amenity

6. The development approved shall only be used between the hours of 0800-2200 Monday to Friday and 0830 to 1900 hours Saturday and Sunday with the floodlights switched off no later than 15 minutes after the permitted hours.

REASON: In order to protect the amenities of existing residents

Lighting

7. The external lighting shall be in full accordance with the lighting report appendix A and plans submitted with the application. Only the duly approved lighting shall be installed.

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

Highways

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

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

9. The development shall be undertaken in strict accordance with the submitted 'Construction Phase Health and Safety Plan' and 'Risk Assessment- Method Statements' received 28th May 2019 throughout the construction period.

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

3. APPLICATION REF: 3/2019/0012

GRID REF: SD 373327 437917
DEVELOPMENT DESCRIPTION:

FULL PLANNING PERMISSION FOR DETAILS OF THE LAYOUT, SCALE AND APPEARANCE OF BUILDINGS AND LANDSCAPING OF A RESIDENTIAL DEVELOPMENT OF 233 DWELLINGS AND ASSOCIATED WORKS ON LAND SOUTH WEST OF BARROW AND WEST OF WHALLEY ROAD, BARROW

The Principal Planning Officer reported that the developers had agreed to a 2 year commencement date and condition 14 had been amended.

DEFERRED and DELEGATED to the Director of Economic Development and Planning for approval following the satisfactory completion of a Legal Agreement and negotiation in respect of the height of the dwellings fronting Whalley Road to not exceed 8m in height, within 3 months from the date of this Committee meeting or delegated to the Director of Economic Development and Planning in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the conditions listed in the Committee report and amended conditions 1 and 14 as follows:

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

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

Plans

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

- DWH/WRB/SL01 Rev K – Proposed Site Layout (amended plan received 17/05/19)
- DWH/WRB/CSL/06 – Colour Site Layout (amended plan received 20/03/19)
- DWH/WRB/MP/05 – Materials Plan (amended plan received 13/03/19)
- DWH/WRB/BTP/02 – Boundary Treatment Plan (amended plan received 13/03/19)
- DWH/WRB/WMP/04 – Waste Management Plan (amended plan received 18/03/19)
- DWH/WRB/AFF/M401 – Affordable & M4 (2) Complaint Dwellings (amended plan received 25/04/19)
- 5838.17 – Landscape Proposals (extract for Mews Plots) (amended plan received 18/03/19)
- 5838.18 - Landscape Proposal 1 of 7 (amended plan received 22/03/19)
- 5838.19 - Landscape Proposal 2 of 7 (amended plan received 22/03/19)
- 5838.20 - Landscape Proposal 3 of 7 (amended plan received 22/03/19)
- 5838.21 - Landscape Proposal 4 of 7 (amended plan received 22/03/19)
- 5838.22 - Landscape Proposal 5 of 7 (amended plan received 22/03/19)
- 5838.23 - Landscape Proposal 6 of 7 (amended plan received 22/03/19)
- 5838.24 - Landscape Proposal 7 of 7 (amended plan received 22/03/19)
- 5838.25 - Landscape Proposal Full Site (amended plan received 22/03/19)
- DWH/WRB/StS/07 – Street Scenes (amended plan received 05/04/19)
- 6241 02-00 Rev A – Impermeable Access Plan (amended plan received 13/03/19)
- DWH/WRBSS/08 – Site Section (amended plan received 05/04/19)
- DWH/WRB/SHP/03 – Storey Height Plan (amended plan received 05/04/19)
- 5838.02 Rev C – Tree Protection Plan (amended plan received 18/03/19)

- 20284 600 01 Rev C – External Works 1 of 3 (received 01/05/19)
- 20284 600 02 Rev C – External Works 2 of 3 (received 01/05/19)
- 20284 600 03 Rev C – External Works 3 of 3 (received 01/05/19)
- 6241 02-08-01 Rev B – External Levels 1 of 2 (received 01/05/19)
- 6241 02-08-02 Rev B – External Levels 2 of 2 (received 01/05/19)
- 19780/LAN – Play equipment details
- 19780rev1/LAN – Play Equipment Plan
- 2366-D001 Rev A - D001 General Arrangement
- 6241 02-03 Rev E – Adoptable Drainage Layout (amended plan received 16/05/19)

House Types

- CE2 House Type (amended plan received 13/03/19)
- CE1 End /CE3 Mid Rev F (amended plan received 13/03/19)
- Maidstone Classic (End) BMAI 00CE-01 Rev B (amended plan received 13/03/19)
- Maidstone Classic (End) (stone) BMAI 00CE-01 Rev B (amended plan received 13/03/19)
- Maidstone Classic (Mid) BMAI 00CI-01 Rev D (amended plan received 13/03/19)
- Kingsley Classic (Det) BKEY 00CD-01 Rev C (amended plan received 13/03/19)
- Hale Classic (Det) BHAL 00CD-12 Rev A (amended plan received 13/03/19)
- Alderney Classic (Det) BALD 00CD-01 Rev D (amended plan received 13/03/19)
- Moresby Classic (End) BMMS 00CE-01 Rev B (amended plan received 13/03/19)
- Moresby Classic (Det) BMMS 00CD-01 Rev C (amended plan received 13/03/19)
- Radleigh Classic (Det) BRAD 00CD-01 Rev D (amended plan received 13/03/19)
- TYPE 50 B50F 00EC/B50F 00MC-01 Rev B (amended plan received 13/03/19)
- TYPE 52 B52A 00EC/B52A 00MC 01 Rev A (amended plan received 13/03/19)
- Single Garage – Elevations LSG1H8 (amended plan received 13/03/19)
- Single Garage – Floor Plan LSG1H8 (amended plan received 13/03/19)
- 2 x Single Garage – Elevations LDG2H8 (amended plan received 13/03/19)
- 2 x Single Garage – Floor Plan LDG2H8 (amended plan received 13/03/19)
- AA31 AA31/7/PL1 A (amended plan received 13/03/19)
- AA31 AA31/7/PL2 A (amended plan received 13/03/19)
- AA31 AA31/7/PL3 (amended plan received 13/03/19)
- Barrowdale BA23/7/PL1 A (amended plan received 13/03/19)
- Barrowdale BA23/7/PL2 A (amended plan received 13/03/19)
- Ashenford NA20/7PL2 A (amended plan received 13/03/19)

- Ashenford NA20/7PL4 (amended plan received 13/03/19)
- Ashenford NA20 NA20/7PL1 A (amended plan received 13/03/19)
- Manford NA44/7/PL1 B (amended plan received 20/05/19)
- Manford NA44/7/PL2 B (amended plan received 20/05/19)
- Braxton NB31/7/PL1 A (amended plan received 13/03/19)
- Braxton NB31/7/PL2 A (amended plan received 13/03/19)
- Braxton NB31/7/PL3 A (amended plan received 13/03/19)
- Coltham ND40/7/PL1 A (amended plan received 13/03/19)
- Coltham ND40/7/PL3 A (amended plan received 13/03/19)
- Gosford PA34/7/PL1 A (amended plan received 13/03/19)
- Gosford PA34/7/PL2 A (amended plan received 13/03/19)
- Gosford PA34/7/PL3 A (amended plan received 13/03/19)
- Gosford PA34/7/PL4 (amended plan received 13/03/19)
- Lydford PA42/7/PL1 A (amended plan received 13/03/19)
- Lydford PA42/7/PL2 A (amended plan received 13/03/19)
- Lydford PA42/7/PL3 A (amended plan received 13/03/19)
- Amersham PD30/7/PL1 A (amended plan received 13/03/19)
- Amersham PD30/7/PL2 A (amended plan received 13/03/19)
- Easedale PT36/7/PL1 A (amended plan received 13/03/19)
- Easedale PT36/7/PL2 A (amended plan received 13/03/19)
- Easedale PT36/7/PL3 A (amended plan received 13/03/19)
- Single Garage GAR21/7/PL1 A (amended plan received 13/03/19)
- Single Garage – Stone GAR22/7/PL1 A (amended plan received 13/03/19)

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

Materials

3. The dwellings hereby permitted shall be constructed in complete accordance with the material details included on DWH/WRB/MP/05 – Materials Plan (amended plan received 13/03/19).

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

Details

4. The development shall only be carried out in conformity with the level details included on the following drawings:
 - 20284 600 01 Rev C – External Works 1 of 3 (01/05/19)
 - 20284 600 02 Rev C – External Works 2 of 3 (01/05/19)
 - 20284 600 03 Rev C – External Works 3 of 3 (01/05/19)
 - 6241 02-08-01 Rev B – External Levels 1 of 2 (01/05/19)
 - 6241 02-08-02 Rev B – External Levels 2 of 2 (01/05/19)

Prior to the occupation of each dwelling verification that the dwelling has been constructed in accordance with the approved level shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To protect the appearance of the locality and in the interests of the amenities of local residents.

Residential Amenity

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

REASON: In order to protect the amenities of existing residents and land uses.

6. Notwithstanding the requirements of condition 2 of this approval, the following windows shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed:

- Ground floor (lounge) and first floor (bathroom) windows in the side elevation of the Type 50 and Type 52;
- Ground floor (lounge) and first floor (en-suite) windows in the side elevation of the Maidstone;
- First floor (bathroom, landing and en-suite) windows in side elevation of the Kingsley;
- First floor (en-suite and bedroom 2) windows in side elevation of the Hale;
- First floor (bedroom 1) window in the side elevation of the Radleigh;
- Ground floor (WC/utility) and first floor (bedroom 2) in the side elevation of the Manford (plot 4);
- First floor (landing) window in the side elevation of the Coltham;
- First floor (en-suite) window in the side elevation of the Lydford (plots 27 & 113);
- First floor (bathroom) window in the side elevation of the Amersham.

The duly installed window shall be retained as such thereafter.

REASON: To ensure satisfactory levels of amenity for future residents of the proposed development.

7. The development hereby approved shall adhere to the measures detailed within Section 4 - "Recommended Noise Mitigation Scheme" of the submitted "Noise Mitigation Assessment" (Report No: P18-496-R01v4 – January 2019).

REASON: To ensure satisfactory levels of amenity for future residents of the proposed development.

Highways

8. The new access junction with Whalley Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level for a distance of 25m into the application site prior to this access being first brought into use.

REASON: To ensure that a satisfactory access is provided before it is brought into use.

9. Prior to commencement of development the detailed specifications of the off-site works of highway improvement shall be submitted to, and approved in writing by, the Local Planning Authority. The off-site highway works shall be completed in accordance with the approved details prior to first occupation.

REASON: In order to ensure that the final details of the highway works are acceptable before work commences on site.

REASON FOR PRE-COMMENCEMENT: The off-site highway works need to be agreed before works can commence on site.

10. Any access junction created from the existing highway into the north of the site to facilitate construction traffic shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level prior to the access being first brought into use.

REASON: To ensure that a satisfactory access is provided before it is brought into use.

11. Within three months of commencement of development on site, details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the local planning authority. [The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established].

REASON: In the interest of highway safety, to ensure a satisfactory appearance to the highways infrastructure serving the approved development and to safeguard the visual amenities of the locality.

12. Within three months of commencement of development an Estate Street Phasing and Completion Plan shall be submitted to and approved in writing by the Local Planning Authority. The estate street phasing and completion plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed. The development thereafter shall be completed in accordance with the approved plan and no dwelling shall be occupied until the estate street(s) affording access to those dwelling(s) has been completed in accordance with the Estate Street Phasing and Completion Plan.

REASON: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential/highway safety. To ensure a satisfactory appearance to the highways infrastructure serving the development and to safeguard the visual amenities of the locality and users of the highway, in accordance with the development plan.

13. Within three months of commencement of development, full engineering, drainage, street lighting and constructional details of the streets shall be submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details and retained as such thereafter.

REASON: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway in accordance with the Development Plan.

14. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide details in respect of:

- timing of delivery of all off site highway works;
- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding;
- contact details for the site manager;
- periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made);
- routes to be used by vehicles carrying plant and materials to and from the site- to include details and locations of appropriate signage to ensure that the route is clear and identifies which narrow, unsuitable roads should be avoided by construction traffic;
- measures to ensure that construction and delivery vehicles do not impede access to adjoining properties;
- details of wheel washing facilities and road sweeper (where necessary).

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

REASON FOR PRE-COMMENCEMENT: This information needs to be provided and agreed before any workman or machinery enter the site to ensure the safety of surrounding road users.

15. No heavy goods vehicles (exceeding a gross vehicle weight of 7.5T) shall enter or leave the site, as edged in red on the submitted Site Boundary Plan in connection with the construction of the development hereby permitted between the hours of 0830 and 0930, and 1500 and 1600 hours, Monday to Friday inclusive except during school holidays.

REASON: In order to prevent conflict with existing road users during peak hours.

16. Each dwelling shall have been provided with an electric vehicle charging point in a location suitable to enable electric vehicles to be charged at the dwelling prior to first occupation.

REASON: To ensure that the development provides adequate and appropriate sustainable transport options and in the interest of lowering emissions resultant from vehicular movements associated with the development.

17. The garage(s) serving the Plot numbers listed below shall be kept freely available for the parking of cars and no works, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order, shall be undertaken to alter or convert the space into living or other accommodation:

Plots – 1, 4, 5, 8, 9, 10, 16, 27, 28, 33, 38, 43, 44, 45, 46, 50, 55, 60, 62, 63, 68, 71, 72, 73, 75, 126, 127, 128, 129, 130, 149, 165, 166, 167, 168, 176, 179, 180, 181, 182, 183, 184, 185, 186, 199, 200, 201, 202, 203, 204, 231, 233.

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and/or turning facilities to serve the dwelling.

18. All car parking and manoeuvring areas, shown on the approved plans, shall be marked out and made available for use before each dwelling, to be served by such areas, is brought into use. The approved parking and manoeuvring areas shall be permanently maintained as approved thereafter.

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

19. Prior to the occupation of the first dwelling, a travel plan (TP) detailing the measures and targets to encourage sustainable modes of transport, including but not limited to walking, cycling and use of public transport, shall be submitted to and approved in writing by the Local Planning Authority.

The measures included within the TP shall demonstrate how they will reduce car trips per household in accordance with the submitted Travel Plan (dated October 2018 ref: 2359).

The TP shall first be reviewed within 9 months of the occupation of the 60th dwelling and thereafter every 12 months for a period of 5 years from the occupation of the 60th dwelling.

A monitoring report shall be submitted to and approved in writing by the Local Planning Authority following each review period. The report shall include full details of the measured indicators including, but not limited to i) pedestrian movements to/ from the development; ii) cycle movements to/ from the development; iii) use of public transport and confirmation as to whether the approved targets have been achieved.

In the event that the targets are not being met the report shall include intervention measures to ensure the targets are met.

REASON: To promote and provide access to sustainable transport options

Railway line

20. Prior to any works being undertaken within 10m of the operational railway, a Risk Assessment and Method Statement (RAMS) shall have been submitted and approved in writing by the Local Planning Authority. All development within 10m of the operational railway shall be carried out in complete accordance with the agreed RAMS.

REASON: In order to protect the assets on the adjacent railway.

21. Prior to occupation of any dwelling, details of a trespass proof fence, to be erected along the western boundary of the site, shared with the railway, including a timetable for its erection, shall have been submitted for the written approval of the Local Planning Authority. The fence shall be erected in accordance with the approved details and retained in perpetuity thereafter.

REASON: In order to protect the assets on the adjacent railway.

Ecology and trees

22. The development hereby approved shall be carried out in complete accordance with the recommendations and ecological enhancement measures detailed within Section 5 of the submitted Ecological Survey and Assessment (Ref: 2018-293 October 2018).

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

23. No above ground level works shall commence or be undertaken on the construction of any dwelling until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority.

For the avoidance of doubt the details shall be submitted on a dwelling/building dependent bird/bat species site plan and include details of plot numbers and the numbers (there shall be at least 1 nest brick/bat tile per dwelling) of artificial bird nesting boxes and artificial bat roosting site per

individual dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.

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

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

24. All trees identified to be retained on approved plan "Tree Protection Plan" – 5838.02 Rev C shall be enclosed with temporary protective fencing in accordance with BS5837:2012 [Trees in Relation to Demolition, Design & Construction]. The fencing shall be retained during the period of construction and no work, excavation, tipping, or stacking/storage of materials shall take place within such protective fencing during the construction period.

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

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

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

26. No development, including any site preparation, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site place until a detailed method statement for the removal or long-term management/eradication of Himalayan Balsam on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Himalayan Balsam during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/ root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall thereafter proceed in strict accordance with the duly approved method statement.

REASON: Himalayan Balsam is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment.

REASON FOR PRE-COMMENCEMENT CONDITIONS: The removal of invasive species from the site needs to take place prior to work commencing on site.

27. No above ground works shall commence on site until details of a scheme for any external building or ground mounted lighting/illumination, shall have been submitted to and approved in writing by the local planning authority.

For the avoidance of doubt the submitted details shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated.

The lighting schemes shall be implemented in accordance with the approved details and retained as approved

REASON: To enable the Local Planning Authority to exercise control over development which could prove materially harmful the character and visual amenities of the immediate area and to minimise/mitigate the potential impacts upon protected species resultant from the development

28. Notwithstanding the submitted details or the requirements of condition 2, prior to any dwelling being occupied, details/elevations at a scale of not less than 1:20 of the proposed boundary walling, gates and fencing shall have been submitted to and approved by the Local Planning Authority and these details shall identify the measures to be taken to encourage habitat connectivity throughout the site. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality and to enhance biodiversity.

29. Within three months of commencement of development on site, a scheme/timetable of phasing for the approved landscaping areas shall have been submitted for the written approval of the Local Planning Authority. The development shall be carried out in strict accordance with the duly approved timings and phasing's and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

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

30. Prior to occupation of the first dwelling, a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas referred to in condition 29 (other than within curtilages of buildings), shall be submitted to and approved in writing by the Local Planning Authority. The site thereafter shall be managed and maintained in accordance with the approved plan for a minimum period of 25 years.

REASON: To ensure the proper long-term management and maintenance of the landscaped areas in the interests of visual amenity and biodiversity enhancement.

Play areas and public footpaths

31. Prior to occupation of any dwelling hereby approved, a Management Plan detailing a timetable for the implementation of the proposed areas of open space, public footways and play equipment (including any associated benches or seating areas), along with details of their future management and maintenance shall have been submitted for the written approval of the Local Planning Authority. The areas of open space, public footways and play equipment shall be made available for use, managed and maintained in complete accordance with the approved Management Plan and retained as such thereafter.

REASON: To ensure that the application includes adequate areas on-site public open space provision

Drainage

32. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 6241 02-03, Rev A - Dated 05/12/18 which was prepared by Lees Roxburgh. No surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed 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.

33. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall include, as a minimum:
- a) Information about the lifetime of the development, design storm period and intensity, temporary surface water storage facilities, details of the methods employed to delay and control surface water discharged from the site, details of any measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;
 - b) The drainage strategy should demonstrate that post development surface water run-off from the application site will not exceed the existing pre-development runoff rate for the corresponding rainfall event.
 - c) A site layout plan showing flood water exceedance routes, both on and off site;
 - d) A timetable for implementation, including phasing as applicable;
 - e) Details of water quality controls, where applicable;

- f) Details of an appropriate management and maintenance plan for the surface water drainage scheme for the lifetime of the development. This should also include details regarding the future management and maintenance of any ordinary watercourses located within or adjacent to the application site.

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

REASON: To ensure that the proposed development can be adequately drained, to ensure that there is no flood risk on or off the site resulting from the proposed development, to ensure that water quality is not detrimentally impacted by the development proposal and to reduce the flood risk to the development as a result of inadequate maintenance.

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

REASON: To ensure that the construction phase of development does not pose an undue risk on site or elsewhere and to prevent flooding arising from the development.

REASONS FOR PRE-COMMENCEMENT CONDITIONS (33 & 34): Drainage is not only a material consideration but an early and fundamental activity in the ground construction phase of any development and it is likely to be physically inaccessible at a later stage by being buried or built over. It is of concern to all flood risk management authorities that an agreed approach is approved before development commences to avoid putting existing and new communities at risk.

INFORMATIVES

- 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 hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the contact the Environment Directorate for further information by telephoning the Developer Support Section (Area East) on 0300 123 6780, or writing to Developer Support Section, Lancashire County Council, Environment Directorate, Cuerden Mill Depot, Cuerden Way, Cuerden, PR5 6BJ or email lhscustomerservice@lancashire.gov.uk
- The developer/applicant must ensure that their proposal, both during construction, after completion of works on site and as a permanent arrangement, does not affect the safety, operation or integrity of the operational railway / Network Rail land and our infrastructure. The works on

site must not undermine or damage or adversely impact any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and boundary treatments. Any future maintenance must be conducted solely within the applicant's land ownership.

- Any scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffolding / access for working at height within the footprint of their land ownership boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, should they topple over in the direction of the railway then there must be at least a 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.
- If vibro-compaction machinery / piling machinery or piling and ground treatment works are to be undertaken as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail Asset Protection Engineer for agreement.
- All works shall only be carried out in accordance with the method statement and the works will be reviewed by Network Rail. The Network Rail Asset Protection Engineer will need to review such works in order to determine the type of soil (e.g. sand, rock) that the works are being carried out upon and also to determine the level of vibration that will occur as a result of the piling.
- The impact upon the railway is dependent upon the distance from the railway boundary of the piling equipment, the type of soil the development is being constructed upon and the level of vibration. Each proposal is therefore different and thence the need for Network Rail to review the piling details / method statement.

Maximum allowable levels of vibration - CFA piling is preferred as this tends to give rise to less vibration. Excessive vibration caused by piling can damage railway structures and cause movement to the railway track as a result of the consolidation of track ballast. The developer must demonstrate that the vibration does not exceed a peak particle velocity of 5mm/s at any structure or with respect to the rail track.

- The applicant must ensure that the proposal drainage does not increase Network Rail's liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land. Therefore, the proposal drainage on site will ensure that:
 - All surface waters and foul waters drain away from the direction of the railway boundary.
 - Any soakaways for the proposal must be placed at least 30m from the railway boundary.

- Any drainage proposals for less than 30m from the railway boundary must ensure that surface and foul waters are carried from site in closed sealed pipe systems.
 - Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's property.
 - Proper provision must be made to accept and continue drainage discharging from Network Rail's property.
 - Drainage works must not impact upon culverts on developers land including culverts/brooks etc that drain under the railway.
 - The developer must ensure that there is no surface or sub-surface flow of water towards the operational railway.
 - Rainwater goods must not discharge in the direction of the railway or onto or over the railway boundary.
- Network Rail will need to review all excavation and earthworks within 10m of the railway boundary to determine if the works might impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Network Rail would need to agree the following:
 - Alterations to ground levels
 - De-watering works
 - Ground stabilisation works

Network Rail would need to be informed of any alterations to ground levels, de-watering or ground stabilisation and we would need to agree the works on site to ensure that there is no impact upon critical railway infrastructure.

- Network Rail requests that the developer ensures there is a minimum 3 metres gap between the buildings and structures on site and the railway boundary. Less than 3m from the railway boundary to the edge of structures could result in construction and future maintenance works being undertaken on Network Rail land. This would not be acceptable. All the works undertaken to facilitate the design and layout of the proposal should be undertaken wholly within the applicant's land ownership footprint.
- The LPA and the developer (along with their chosen acoustic contractor) are recommended to engage in discussions to determine the most appropriate measures to mitigate noise and vibration from the existing operational railway to ensure that there will be no future issues for residents once they take up occupation of the dwellings.

Network Rail is aware that residents of dwellings adjacent to or in close proximity to, or near to the existing operational railway have in the past discovered issues upon occupation of dwellings with noise and vibration. It is therefore a matter for the developer and the LPA via mitigation measures and conditions to ensure that any existing noise and vibration, and the potential for any future noise and vibration are mitigated appropriately prior to construction.

- Proposals for the site should take into account the recommendations of, 'BS 5837:2012 Trees in Relation to Design, Demolition and Construction', which needs to be applied to prevent long term damage to the health of trees on

Network Rail land so that they do not become a risk to members of the public in the future.

All vegetation on site should be in line with the recommended tree matrix for the reasons outlined in the document.

<http://wcms-internet.corp.ukrail.net/community-relations/trees-and-plants/>

- Where a proposal calls for the following adjacent to the boundary with the operational railway, running parallel to the operational railway or where the existing operational railway is below the height of the proposal site:
 - hard standing areas
 - turning circles
 - roads, public highways to facilitate access and egress from developments

Network Rail would very strongly recommend the installation of suitable high kerbs or crash barriers (e.g. Armco Safety Barriers).

This is to prevent vehicle incursion from the proposal area impacting upon the safe operation of the railway.

- As the proposal includes works which may impact the existing operational railway and in order to facilitate the above, a **BAPA** (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

The applicant / developer should liaise directly with Asset Protection to set up the BAPA (form attached) AssetProtectionLNWNorth@networkrail.co.uk

(Mr Borland spoke against the above application.)

30

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2018/0844	Land off Longsight Road Langho	10/1/19	42	With Legal
3/2018/0924	Land South West of Barrow & West of Whalley Road Barrow	7/2/19	39	With Legal
3/2018/0914	Land off Clitheroe Road (Lawsonsteads Phase 2) Whalley	14/3/19	188	With Applicants Solicitor
3/2018/1037	Land off Pimlico Link Road Clitheroe	11/4/19	19	With Legal

Plan No	Location	Date to Committee	Time from First Going to Committee to Decision	Number of Dwellings	Progress
3/2018/0500	Land to East Clitheroe Road Barrow	1/11/18	22 weeks	10	Decision 3/4/19

31 APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2018/0602	Felling of T1 and T2 Scott Pines	Orchard Cottage Waddington
3/2018/1046	Erection of 24 new bungalows for the over 55s (10 affordable and 14 open market dwellings)	Land south west of Clitheroe Golf Club, Whalley Road Barrow
3/2019/0040	Agricultural building for livestock (cattle and sheep), machinery and storage of feed	Field off Lower Road Dutton
3/2019/0123	Demolition of existing two storey building and erection of 2 new semi-detached dwellings to match existing	23 Bridge End Billington
3/2019/0134	Discharge of condition 10 (tree protection plan) 12 (construction management plan) and 15 (archaeology) from planning permission 3/2018/0744	3 King Street Clitheroe
3/2019/0199	Change of use from detached ancillary building to one new dwelling	23 Pendleton Road Wiswell
3/2019/0213	Replacement dwelling	21 Paris Ramsgreave
3/2019/0229	Temporary equine workers dwelling	Land adjacent to Woodfold Hall, Further Lane, Mellor
3/2019/0249	Non-material amendment from planning permission 3/2018/0427 to include white UPVC windows new canopy above garage door, new first floor bay windows above the garage door, new window configuration to rear elevation and a proposed ridge height increase on 150mm on new extension	20 Clitheroe Road Whalley
3/2019/0290	Application for a fascia and projecting signage on a place of business	3 King Street Clitheroe

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedur</u>	<u>Costs Application received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2017/0961 R (Variation of S106 Ag)	25/04/2019	Land at Chapel Hill Longridge	Hearing		18/06/2019	Statement due /06/2016
3/2018/0474 R of pp	Awaiting start date from PINS	Great Mitton Hall Mitton Road Mitton	HH appeal procedure Hearing requested (to be confirmed by PINS)			
3/2018/0468 R of LBC	Awaiting start date from PINS	Great Mitton Hall Mitton Road Mitton	LB Hearing (to be confirmed by PINS)			
3/2018/0816 R of pp	22/01/2019	39 Castle View Clitheroe	HH			Appeal Dismissed 03/04/2019
3/2018/1020 R of pp	Awaiting start date from PINS	Calding Bank Cottage, Whalley Old Road, Billington	WR (to be confirmed)			
3/2018/0915 R of outline pp	19/02/19	Daniels Farm Preston Road Alston	WR			Awaiting Decision
3/2018/0688 R of outline pp	04/02/19	land off Henthorn Road Clitheroe	Inquiry		08/05/2019 09/05/2019 10/05/2019	Awaiting Decision
3/2018/1025 R of prior notification	05/02/2019	Low Laithe Barn Gisburn Road Newsholme	WR			Awaiting Decision
3/2018/0651 R of pp	01/03/2019	Land adj Glenetta Parsonage Rd Wilpshire	WR			Awaiting Decision
3/2018/0582 R of permission in principle	Awaiting start date from PINS	Land to the south of Chatburn Old Road, Chatburn	Hearing (to be confirmed by PINS)			
3/2018/0768 R of pp	27/03/2019	Land at Osbaldeston Lane, Osbaldeston	WR			Awaiting Decision
3/2018/0479 R of pp	Awaiting start date from PINS	74 Church Street Ribchester	HH			

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedur</u>	<u>Costs Application received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2018/1076 R of pp	Awaiting start date from PINS	Sabden House Wesley Street Sabden	HH (to be confirmed by PINS)			
3/2018/1006 R of LBC	Awaiting start date from PINS	Sabden House Wesley Street Sabden	WR (to be confirmed by PINS)			
3/2018/1148 R of pp	Awaiting start date from PINS	Wolfen Lodge Fish House Lane Chipping	HH (to be confirmed by PINS)			

33 CAPITAL OUTTURN 2018/19

The Director of Resources submitted a report reviewing the final outturn of the 2018/19 Capital Programme for this Committee and seeking Member approval for the slippage of the Capital Scheme Budget from 2018/19 financial year to the 2019/20 financial year.

One scheme was approved at revised budget time by this Committee in January 2019. There had been some spend on IT Consultant input to complete the planning portal update but the implementation of the system had not yet taken place; therefore slippage of £26,420 into 2019/20 was required to complete the full scheme implementation.

RESOLVED: That Committee approve the slippage of £26,420 into the 2019/20 financial year with the introduction of planning portal link to the planning application system and planning system update scheme.

34 REPRESENTATIVES ON OUTSIDE BODIES 2019/20

The Chief Executive submitted a report informing Members of the Outside Bodies that are under the remit of the Planning and Development Committee and their membership.

RESOLVED: That the report be noted.

35 APPEALS

- (a) 3/2018/0816 – proposed new dormer windows to front and rear elevation at 39 Castle View, Clitheroe – appeal dismissed.
- (b) 3/2018/0915 – outline application for a residential development of 3no dwellings following demolition of agricultural buildings at Daniels Farm, Preston Road, Alston, Longridge – appeal dismissed.

The meeting closed at 6.38pm.

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