

Minutes of Planning and Development Committee

Meeting Date: Thursday, 25 June 2020 starting at 5pm
Present: Councillor A Brown (Chairman)

Councillors:

T Austin	A Humphreys
I Brown	S Knox
B Buller	S O'Rourke
J Clark	J Rogerson
M French	R Sherras
B Holden	R Thompson

In attendance: Director of Economic Development and Planning, Head of Planning Services, Solicitor, Principal Planning Officer, Countryside Officer.

Not in attendance: Councillor S Carefoot.

Also in attendance: Councillors S Atkinson, B Hilton and S Hore.

654 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillor N Walsh.

655 MINUTES

The minutes of the meeting held on 12 March 2020 were approved as a correct record and signed by the Chairman.

656 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

Councillor J Rogerson declared an interest in planning application 3/2020/0143 – Unit 39, Shay Lane, Longridge.

657 PUBLIC PARTICIPATION

There was no public participation.

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

1. APPLICATION REF: 3/2019/1119
GRID REF: SD 377329 449543

DEVELOPMENT DESCRIPTION:

CHANGE OF USE OF AGRICULTURAL/HORTICULTURAL LAND TO OVERFLOW CAR PARK AND ASSOCIATED LANDSCAPING (RESUBMISSION OF APPLICATION 3/2019/0588). RETROSPECTIVE CONSENT FOR TWO SUBTERRANEAN LPG TANKS AND STONE GRAVEL SURFACE SERVICE AREA TO THE REAR (NORTH) OF THE EXISTING POTTING SHED.

RETENTION OF PLANT GROWING AREA IN ASSOCIATION WITH EXISTING NURSERY

APPROVED subject to the imposition of the following conditions:

Time

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

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchasing Act 2004.

Plans

2. Unless explicitly required by this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:
 - Location Plan
 - Proposed Site Plan (Amended Plans Received 19/02/2020)

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

Materials

3. The materials to be used on the external surfaces of the development, as indicated within the submitted application form and approved drawings, shall be implemented as indicated.

Prior to the installation of the grasscrete further specification, which shall include a method statement of its installation, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the grasscrete shall be installed in accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the materials of the grasscrete and post and wire fencing are acceptable. It shall provide for:

Lighting

4. The proposed car park hereby approved shall have low level lighting in accordance with the submitted approved details. For the avoidance of doubt the lighting bollards hereby approved shall be The Eco City 700 LED Bollard with a maximum Lumens of Approx. 700Lm. These lights must be switched off and not illuminated from 5.30pm every day.

REASON: To protect nearby residential amenity.

Ecology

5. Notwithstanding the submitted landscaping details a further landscaping scheme including additional planting areas adjacent to western boundary of the car parking area and the southern boundary of the growing area as well as details of the planting specification shown on approved drawing (Proposed Site Plan Amended Plan Received 19/02/2020), shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the landscaping at the site.

Thereafter the approved landscaping shall be implemented in the first planting season following use of the overflow car park hereby approved 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: To ensure the proposal is satisfactorily landscaped and appropriate to the locality.

Opening hours

6. The overflow car park hereby approved shall only be used between the hours of 8:30AM to 17:30PM on any day.

REASON: To protect nearby residential amenity.

7. Within one month of the date of this consent a scheme for signage within the site shall be submitted to and approved in writing by the Local Planning Authority. The signage shall advise of the available on-site parking provision and discourage parking by visitors/ customers/ staff to the Nursery on Barrett Hill Brow. The approved signage shall be erected prior to the first use of the overflow car park hereby approved and maintained in perpetuity thereafter.

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

8. Within one month of the date of this consent a construction method statement shall be submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- A parking area for site operatives and visitors within the application site which is separated from the retained customer/ staff parking for the Nursery;
- An area of land for the loading and unloading of plant and materials which shall be wholly within the application site;
- An area for the storage of plant and materials used in constructing the development;
- Contact details for the site manager.

REASON: Due to the narrowness of the surrounding highways and the presence of on-street parking it is considered essential that the construction activities associated with this development are contained within the application site.

9. 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.

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

(John Foley spoke in favour of the above application).

2. APPLICATION REF: 3/2020/0013
GRID REF: SD 368832 434044

DEVELOPMENT DESCRIPTION:

CONSTRUCTION OF FOUR TWO-STOREY HOLIDAY COTTAGES AND FORMATION OF SHORT LENGTH OF ACCESS ROAD (RESUBMISSION OF 3/2019/0671) AT DEWHURST FARM, LONGSIGHT ROAD, LANGHO BB6 8AD

APPROVED subject to the following conditions:

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

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

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

Units 1 & 2 Proposed Floor Plans, Roof Plan & Elevations, Proposed Cross Section (Tur/155/2672/01A)

Units 3 & 4 Proposed Floor Plans, Roof Plan & Elevations, Proposed Cross Section (Tur/155/2672/02 A)

Existing and Proposed Site Plans (Tur/155/2672/03 C) (amended 09.03.2020)

Location Plan (Tur/155/2672/04 C) (amended 09.03.2020)

Proposed Bin Storage Areas. Plan and Elevations of Bin Store. Swept Path Analysis for Refuse Wagon (Tur/155/2672/05 C) (amended 09.03.2020)

Highway Plan (Tur/155/2672/06 C) (amended 09.03.2020)

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

3. For the avoidance of doubt this planning approval does not incorporate the erection of external lighting on any structure hereby approved, or elsewhere within the site.

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

4. No unit of holiday accommodation hereby approved shall be brought into use until 1.2 metre high natural stone walls to bound its plot, have been erected.

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

5. External refuse recycling/bin stores shall be made available for use in accordance with drawing no. Tur/155/2672/05 before the development hereby approved is first brought into use and retained thereafter.

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

6. The proposed new length of track between the application site and the existing access track from the A59 to Dewhurst Farm shall be constructed from two strips of dark coloured gravel, with a central grass strip (as per the email from Colin Sharpe (GHA) dated 16.09.2019).

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

7. Notwithstanding the submitted details, precise specifications or samples of external facing and roofing materials shall have been approved in writing before their use in the proposed development. The materials shall be implemented within the development in strict accordance with the approved details submitted to and approved in writing by the Local Planning Authority.

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

8. A dedicated electric vehicle charging point shall be provided for each unit of holiday accommodation prior to first use of the development hereby approved. Thereafter, the electric vehicle charging points shall be permanently maintained.

REASON: To promote sustainable modes of transport.

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

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

10. Each holiday unit hereby approved shall not be let to or occupied by the owner, any one person or group of persons for a combined total period exceeding 28

days in any one calendar year and in any event shall not be used as a unit of permanent accommodation or any individual(s) sole place of residence.

The owner shall maintain a register of all guests of each unit of accommodation hereby approved at all times and shall be made available for inspection by the Local Planning Authority on request. For the avoidance of doubt the register shall contain the name and address of the owner and the main guest who made the booking together with dates of occupation.

REASON: The permission relates to the provision of holiday accommodation. The condition is necessary to define the scope of the permission hereby approved and to ensure that the development promotes sustainable tourism and contributes to the area's economy.

11. Prior to the first use of the development hereby permitted, sight lines of 200m in both directions from a point 2.4m south of the edge of the carriageway of the A59 shall be provided as shown on drawing no. Tur/155/2672/06.

The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.

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

12. The access road improvements shown on submitted drawing Tur/155/2672/06 shall have been fully completed prior to any unit of holiday accommodation hereby permitted being brought into use. For the avoidance of doubt this shall include the provision of a post and rail fence between the application site and Dewhurst Road as denoted on drawing Tur/155/2672/06 which shall thereafter be retained and maintained at all times.

REASON: In the interests of highway safety.

13. The car parking and manoeuvring areas shall be laid out in accordance with the approved plans before the holiday accommodation hereby approved is first brought into use and shall be permanently maintained as such thereafter.

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

14. Any removal of vegetation including trees and hedges shall be undertaken outside the nesting bird season [March - August inclusive] unless preceded by a pre-clearance check by a licensed ecologist on the day of removal which confirms the absence of nesting birds.

REASON: To ensure that there are no adverse effects on the favourable conservation status of birds.

15. No above ground development shall take place until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority. The details shall be

submitted on a building dependent bird and bat species development site plan and include details of the numbers of artificial bird nesting boxes and artificial bat roosting sites. 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 the building during the construction works before the development is first brought into use and shall be retained and maintained thereafter.

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

16. Prior to first rental period of each holiday unit hereby approved a Management Plan shall have been submitted to, and agreed in writing by, the Local Planning Authority and shall provide details of the following:
- i) Measures to ensure that the behaviour of the guests is reasonable and not detrimental to the amenities of nearby residents.
 - ii) Details of the person or persons who would be responsible for assisting the guests of the cottage(s) with any queries/problems; and would also be responsible for ensuring that the behaviour of guests is reasonable and not detrimental to the amenities of nearby residents.
 - iii) The addresses of the person or persons responsible for the operation of the holiday unit(s).

Thereafter, the development shall be operated in strict accordance with the approved details.

REASON: To ensure the satisfactory management of the site in the interests of general amenity of the area, to safeguard where appropriate neighbouring residential amenity.

17. 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.

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

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

NOTE: This permission should be read in conjunction with the Unilateral Undertaking signed and dated 26 April 2020.

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

3. APPLICATION REF: 3/2020/0143
GRID REF: SD 359504 436070

DEVELOPMENT DESCRIPTION:

CREATION OF 4 PARKING SPACES OFF SHAY LANE, LONGRIDGE

APPROVED subject to the following conditions:

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

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

3151/001

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

3. Prior to the development hereby approved being first brought into use, the parking spaces shall be laid out hard surfaced sealed and drained in accordance with the details shown on drawing number 3151 001 and thereafter retained as such.

REASON: In the interests of visual amenity, highway safety and to ensure the proper drainage of the site in accordance with policy DMG1 of the Core Strategy for the Ribble Valley.

(Councillor Rogerson returned to the meeting).

4. APPLICATION REF: 3/2020/0266
GRID REF: SD 373006 440751

DEVELOPMENT DESCRIPTION:

RESERVED MATTERS APPLICATION FOR THE ERECTION OF 110 DWELLINGS WITH PUBLIC OPEN SPACE, LANDSCAPING, SUSTAINABLE DRAINAGE SYSTEM (SUDS) AND INTERNAL LAYOUT, FOLLOWING OUTLINE PLANNING PERMISSION 3/2018/0688. LAND OFF HENTHORN ROAD, CLITHEROE BB7 2QF

APPROVED subject to the following conditions:

Approved plans and house types

1. 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:

Affordable Housing Plan - CLITH/AFF/01 - REVA
 Bat and Bird Boxes Detail and Location - 80-256-001
 Close Boarded Screen Fence - SD/SF1
 Engineering planning layout 10-01 P2
 Entrance Details
 Estate Road Specification
 House types
 Layout - CLITH/001
 Kerb Construction Plan - D003 Rev A
 Landscape Layout - 101 B
 Larch Lap Fence - SD/SF 24
 Location Plan - CLITH/LOC/01
 Materials and Boundary Plan - CLITH/MAT/01 - REVB
 Planting Plan 101B, 201A, 202A, 203A, 204A
 Section 278 Plan (1-5)
 Screen Wall - SD/ED/SW1
 Single Garage 090/SG1/001
 Site Plan - CLITH/01 Rev J
 Stone Wall SD/SW8
 Street Scene 2017/04
 Swept Path 2922/SP01
 Topographical Survey Topo 01/02 / 20
 Waste Management Plan CLITH/WMP/01 REVA
 House Types:
 Windsor Bungalow
 Overton
 Maplewood
 Kingston
 Hazelwood
 Eaton
 Blackwood
 Ashwood
 Marchmont
 Bede Bungalow

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

Materials

2. The materials to be used on the external surfaces of the development as indicated on Proposed Plan: CLITH/MAT/01 REVB shall be implemented as indicated.

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

Contaminated Land - Contamination Found During Works

3. 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 remediation strategy will not cause pollution of ground and surface waters both on and off site.

Landscaping

4. The approved landscaping scheme shall be implemented in the first planting season following occupation or use of the development and shall be maintained in accordance with the landscape / habitat management and maintenance report by TPM Ref: 3550/50 REVA, dated June 2020 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: To the interest of visual amenity and biodiversity.

Tree protection

5. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees identified in the arboricultural/tree survey dated March 2020 shall be protected in accordance with the BS5837 2012 [Trees in Relation to Demolition, Design & Construction]

The details of which shall be implemented in full under the supervision of a qualified arboriculturalist and in liaison with the Countryside/Tree Officer. A tree protection monitoring schedule shall be agreed and tree protection measures inspected by the local planning authority before any site works are begun.

The root protection/exclusion zone 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/exclusion zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree felling or pruning shall be implemented without prior written consent, which will only be granted when the local authority is satisfied that it is necessary is in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and included in a Tree Preservation Order/ Conservation area/considered to be of visual, historic or botanical value are afforded maximum physical protection from the potential adverse effects of development.

REASON: In order to ensure that trees of visual amenity/botanical/historical value are protected against adverse effects of the development.

REASON: for pre-commencement condition: To ensure that the trees are adequately protected before works commence on site.

Artificial Lighting

7. The artificial lighting shall be installed in accordance with the detailed street lighting design and calculations submitted to the Council on 12th June 2020 prior to the occupation of the dwellings and thereafter be retained as such.

REASON: In the interests of amenity and in order to reduce the harmful impact of artificial lighting on the natural foraging/roosting/nesting behaviour of a protected/species of conservation concern.

Sustainable Drainage Systems

8. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

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

REASON: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Permitted development rights removed garages

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

REASON: To facilitate adequate vehicle parking and/or turning facilities to serve the dwelling in accordance with Policy DMG1 of the Ribble Valley Core Strategy Adopted Version.

Screen fences

10. Notwithstanding the submitted details, prior to the commencement of the development full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out strictly in conformity with the approved details.

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

REASON: for pre-commencement condition: To ensure that the finished levels are appropriate before works commence on site.

11. Prior to the commencement of any above ground works full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

REASON: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.

(David Brackley spoke in favour of the above app).

5. APPLICATION REF: 3/2020/0219
GRID REF: SD 375906 445495

DEVELOPMENT DESCRIPTION:

CHANGE OF USE FROM PUBLIC HOUSE WITH LIVING ACCOMMODATION (A4 DRINKING ESTABLISHMENT) TO RESIDENTIAL USE (C3 DWELLING) (RESUBMISSION OF APPLICATION 3/2019/0049 AT DUKE OF YORK INN GRINDLETON BROW GRINDLETON BB7 4QR

REFUSED for the following reasons:

1. The proposed change of use of the Grade II listed building, the Duke of York Hotel, would result in less than substantial harm to its special historic interest and would harm the character of Grindleton Conservation Area. The proposals would fail to meet the requirements of paragraph 196 of the Framework and the optimal viable use of the premises have not been adequately examined to support the proposed alternative use. The proposals would be in conflict with Key Statement EN5 and Policy DME4 of the Core Strategy.

2. The proposed development would lead to a loss of commercial premises and a valued community facility in a village without sufficient justification as explicitly required by Core Strategy Key Statement EC2 and Policy DMR3.

(John Halley spoke against the above application. Councillor B Hilton was given permission to speak on the above application).

659 APPEALS UPDATE

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Costs app received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2019/0497 R	29/10/2019	DJP Domestic Appliances Ltd 1-3 King Lane Clitheroe	CAS			Appeal Dismissed 28/04/2020
3/2019/0698 R	02/01/2020	Wilkinsons Farmhouse Simonstone Ln Simonstone	HH			Appeal Dismissed 06/05/2020
3/2019/0262 R	22/01/2020	land at Hawthorne Place Clitheroe	WR			Awaiting Decision
3/2018/0246 R (Enforcement appeal)	05/12/2019	12 Poplar Drive Longridge	WR	Appellant costs application refused		Appeal Dismissed 06/05/2020
3/2018/0932 R (Enforcement appeal)	20/02/2020	Bolton Peel Farm Bolton by Bowland Rd Bolton by Bowland	WR			Awaiting Decision
3/2018/1105 R	09/01/2020	Higher College Farm Lower Rd Longridge	Hearing		17/03/20 Council Chamber	Hearing opened, then adjourned until after lockdown – no new date given yet. Turned Away 26/05/2020
3/2019/0561 R	27/02/2020	Pewter House Farm Carr Lane Balderstone	WR			Awaiting Decision
3/2019/0777 R	24/03/2020	8 Back Lane Rimington	HH			Awaiting Decision
3/2019/0822 R of tree work application	13/12/2019	Crafnant 14 Whinney Lane Langho	Environmental Procedure			Awaiting Decision
3/2019/0556 R	06/03/2020	Oakhaven Showley Road Clayton le Dale	WR			Awaiting Decision

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Costs app received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2019/0622 R	09/03/2020	3 Old Road Chatburn	HH			Awaiting Decision
3/2019/0448 R	28/04/2020	land at Wiswell Lane Whalley	Hearing		Waiting for PINS	Statement due 22/06/2020
3/2019/1021 R	15/04/2020	Birley Fold Farm Saccary Lane Mellor	HH			Appeal Allowed 26/05/2020
3/2019/0510 R	24/04/2020	Land SW of Clitheroe Golf Club Whalley Road Barrow	Hearing		Waiting for PINS	Awaiting Hearing
3/2019/0975 R	22/05/2020	The White House Sawley Road Sawley	HH			Awaiting Decision
3/2020/0039 R	08/06/2020	90 Mitton Road Whalley	HH			Awaiting Decision
3/2020/0649 R	18/05/2020	land to the south of 5 Chapel Brow Longridge	WR			Statement due 22/06/2020
3/2020/0037 R	18/05/2020	Fairclough Barn Loud Bridge Chipping	HH			Awaiting Decision
3/2020/0036 R	18/05/2020	28 Calfcote Lane Longridge	WR			Statement due 22/06/2020
3/2020/0167 R	02/06/2020	2 Moorend Cottages Ribchester Road Langho	WR			Statement due 07/07/2020
3/2019/0877 U	Awaiting start date from PINS	Land at the junction of Chatburn Road and Pimlico Link Road Clitheroe	WR (to be confirmed by PINS)			

660 NON-DETERMINATION APPEAL IN RELATION TO FULL PLANNING CONSENT FOR THE ERECTION OF 39 DWELLINGS WITH LANDSCAPING, ASSOCIATED WORKS AND ACCESS FROM ADJACENT DEVELOPMENT SITE, LAND AT CHATBURN ROAD, CLITHEROE

The Director of Economic Development and Planning submitted a report advising and informing Committee in relation to a recently received non-determination appeal and to request support and agreement for the reasons for refusal to be presented to the Planning Inspectorate.

The application (3/2019/0877) was submitted to the local authority on 20 September 2019 and made valid on 8 October 2019 with the 13 weeks timeframe for determination ending on 7 January 2020. To allow for the resolution of highways matters and to enable internal discussions regarding policy implications

of the proposal, extensions of time were sought and agreed that extended the determination period to 31 March 2020.

Upon the expiration of the extended determination timeframe, applicants can exercise the right to appeal for non-determination.

Internal discussion as to how policies DMG2 and DMH3 should be interpreted, engaged and applied were concluded informally prior to the non-determination appeal being received. However, at this stage the applicant had not agreed an extension of time for the determination of the application with the non-determination appeal having been received on 28 May 2020 with the Inspectorate finding the appeal as valid on 9 June 2020.

The appellant had requested that the appeal be considered under the written representations procedure which the authority considers appropriate.

Members should also note that objectors, those that had made representations and statutory consultees would be given the opportunity to give further representations to the Inspectorate with any material matters raised informing the Inspector's decision.

In the case of non-determination appeals, it was important that the Planning and Development Committee were also given the opportunity to consider the planning merits of the proposal so as to form a view as to whether they were satisfied with the recommendation that would be presented to the Inspectorate in response to the appeal.

A copy of the Officer's report was appended for Members' consideration. On the basis of the merits of the case and having had regard to all material considerations and matters raised, it was considered that should a formal recommendation had been made, the application would have been recommended for refusal for the following reason:

Planning application 3/2019/0877

The proposal is considered contrary to key statement DS1 and Policies DMG2 and DMH3 of the Ribble Valley Core Strategy in that approval would lead to the creation of new residential dwellings in the defined open countryside, located outside of a defined settlement boundary, without sufficient justification insofar that it has not been adequately demonstrated that the proposal is for that of local needs housing that meets a current identified and evidenced outstanding need. It is further considered that the proposal fails to meet the requirements of key statement DS1 insofar as there are not identified regeneration benefits associated with the proposal.

RESOLVED: That Committee

1. agree with the Officer recommendation and were minded to refuse the application for the reasons outlined; and
2. agree that the written representations procedure was the most appropriate procedure for the appeal.

661

TREE PRESENTATION ORDER 7/19/3/216 – CARR HALL WOODLANDS

The Director of Economic Development and Planning submitted a report for Committee to consider whether the Carr Hall woodlands, off Whalley Road, Wilpshire Tree Presentation Order 2020 should be confirmed.

Following an anonymous report in February 2020 that a number of mature Beech trees had been felled at woodland at Carr Hall near Wilpshire, the Council's Countryside Officer had carried out a site visit to ascertain the amount of damage caused. It was clear that a number of mature trees had been removed.

From initial assessments all of the woodlands surrounding Carr Hall were considered to be of high visual amenity value, and following a Tree Evaluation Method for a Tree Preservation Order (TEMPO) and on the basis of the results and the threat of further clear felling of the woodland, the local authority it expedient to serve a TPO.

Issues contained in a letter from a landlord were considered by the Director of Economic Development and Planning and the Council's legal team and determined not to affect the validity of the order.

Members were reminded that any of the landowners that have an interest in applying for planning permission must realise that trees are a material consideration at any stage of the pre-planning, outline or detailed planning process.

RESOLVED: That Committee confirm Tree Preservation Order 7/19/3/216 at Carr Hall woodlands, off Whalley Road, Wilpshire.

662

APPEALS

- i) 3/2019/0497 – refurbishment of existing shop front at 1 – 3 King Lane, Clitheroe – appeal dismissed.
- ii) Appeal against Enforcement Notice at land at 12 Poplar Drive, Longridge – appeal dismissed and Enforcement Notice upheld with a variation in the terms.
- iii) Costs decision – land at 12 Poplar Drive, Longridge – refused.
- iv) 3/2019/0698 – erection of a double garage structure with a first-floor home office at Wilkinson's Farmhouse, Simonstone Lane, Simonstone – appeal dismissed.
- v) 3/2019/1021 – attached double garage, patio and external balcony at Birley Fold Farm, Saccary Lane, Mellor – appeal allowed with conditions.

The meeting closed at 6pm.

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