

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

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Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2007/1144

DECISION DATE: 12 May 2009

DATE RECEIVED: 07/12/2007

APPLICANT:

Newclose Properties Limited
Helm Bank
Natland
Kendal
Cumbria
LA9 7PS

AGENT:

Lambert Smith Hampton
Planning Department
79 Mosley Street
Manchester
M2 3LQ

DEVELOPMENT PROPOSED: Mixed use development comprising of a vocational learning centre, children's nursery, commercial, live-work and residential units. (2.77 hectares)

AT: land at Barrow Brook Barrow Clitheroe Lancashire

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

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

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

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

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

3. No development shall take place until the scheme for the boundary treatment adjacent to the watercourse has been approved by the Local Planning Authority. The scheme shall include the removal of the path serving the amenity space adjacent to plot LW-5 and the scheme shall be completed in accordance with the approved plans.

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

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

1 a preliminary risk assessment which has been identified:

- all previous uses
- potential contamination associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from the contamination at the site

2. the site investigate scheme based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an option appraisal and remediation strategy given full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identify any requirements for longer term monitoring of pollutants, leakages, maintenance and arrangements for contingency action.

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

5. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

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

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

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

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

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

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

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

9. This permission shall relate to a Section 106 Agreement dated 7 May 2009 which includes delivery of affordable housing, details of the live/work units, community provision for public open space facilities.

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

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

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

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

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

12. Unless otherwise agreed in writing by the Local Planning Authority no more than 25 of the market dwellings hereby permitted and 22 of the live/work units shall be completed until either the construction of the Aspire centre has commenced or until approximately 930m² of B1 use has been completed.

REASON: In order to ensure that there is appropriate phased development and that elements of employment usage are implemented before completion of the residential element of the sites to ensure that there is a mix use development of the site and to comply with Policy G1 of the Districtwide Local Plan.

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

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

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

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

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

Relevant planning policy

Policy G1 - Development Control.
Policy H1 - Housing Sites
Policy SPG - Housing.
Policy H20 - Affordable Housing - Villages and Countryside.
PPS1 - Sustainable Development.
PPS3 - Housing.
PPS13 - Transport.
Regional spatial Strategy, Policy DP1 Regional Development Principles.
Regional Spatial Strategy, Policy DP3 Quality I New Development

SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity nor would it have an adverse visual impact or be to the detriment of highway safety nor have an adverse impact in relation to the loss of employment land.

Note(s)

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes
2. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.


STEWART BAILEY

DIRECTOR OF DEVELOPMENT SERVICES