

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

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Town and Country Planning Act 1990

VARIATION OF CONDITION

APPLICATION NO: 3/2010/0396

DECISION DATE: 7 October 2010

DATE RECEIVED: 17 May 2010

APPLICANT:

Newclose Properties Ltd
Helm Bank
Natland
Kendal
Cumbria
LA9 7PS

AGENT:

Steve Abbott Associates
Broadwood House
North Quarry Business Park
Appley Bridge
Wigan
Lancs
WN6 9DB

DEVELOPMENT PROPOSED: Application for the variation of condition nos. 4, 5, 6, 7, 8, 9, 11 and 12 of planning consent 3/2009/0791P, to allow for greater flexibility on the site.

AT: land at Barrow Brook Barrow Clitheroe Lancashire

Ribble Valley Borough Council in pursuance of its planning powers, hereby varies condition of planning permission dated for referred to in the schedule below:

REVISED CONDITIONS AND REASONS:

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

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

- 2 This permission shall be implemented in accordance with the proposal as amended by letters received on 16/12/09 as well as letter received on 2/11/09 and drawing number 1506-300C; 1506-310A Prop Apartment Block A/Plans & Elev; 1506-320A Prop Apartment Block B/Plans & Elev; 1506-330 Prop House Type G/Plans & Elev; 1506-331 Prop House Type H1, H2/Plans & Elev; 1506-332 Prop House Type J1, J2/Plans & Elev; 1506-333 Prop House Type K/Plans & Elev; 1506-334 Prop House Type H3/Plans & Elev; 1506-335 Prop House Type J3/Plans & Elev; 1506-340 Prop Commercial Unit/Option 1; 1506-341 Prop Commercial Unit/Option 2; 1506-350 Prop Site Plan-Areas; 1506-370 L/W and L/W Nursery, Prop Plans & Elev; R-03 Ground & First Floor & Section A-A; R-04 Prop Roof Plan; R-05 Prop Elevations

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments and to clarify what plans are relevant.

P.T.O.

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

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

- 4 (a) No development associated with the residential element of the scheme hereby approved shall take place until the boundary treatment between the residential element and the adjacent watercourse has been submitted to and approved by the Local Planning Authority;
- (b) No development associated with the commercial element of the scheme hereby approved shall take place until the scheme for the boundary treatment between the commercial element and the adjacent watercourse has been submitted to and approved in writing by the Local Planning Authority;
- (c) No development associated with the live-work element of the scheme hereby approved shall take place until the scheme for the boundary treatment between the live-work element and the adjacent watercourse has been submitted to and approved in writing by the Local Planning Authority;
- (d) No development associated with the vocational training centre element of the scheme hereby approved shall take place until the scheme for the boundary treatment between the vocational training centre element and the adjacent watercourse has been submitted to and approved in writing by the Local Planning Authority;
- (e) No development associated with the nursery element of the scheme hereby approved shall take place until the scheme for the boundary treatment between the nursery element and the adjacent watercourse has been submitted to and approved in writing by the Local Planning Authority.

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.

P.T.O.

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a) Prior to commencement of the residential element of the 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 contamination of the residential element of the site shall be submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has 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.

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

1. A preliminary risk assessment which has 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 giving full details of the remediation measures required and how they are 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.

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

1. A preliminary risk assessment which has identified:

All previous uses;

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

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

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

1. A preliminary risk assessment which has identified:

All previous uses;

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

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

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

1. A preliminary risk assessment which has 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 investigation scheme based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected including those off site.

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

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(a) No works associated with the residential element of the 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.

(b) No works associated with the commercial element of the 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.

(c) No works associated with the live-work element of the 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.

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/Cont... (d) No works associated with the vocational training element of the 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.

(e) No works associated with the nursery element of the 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.

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(a) No works associated with the residential element of the 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. The scheme shall be completed in accordance with the approved plans.

(b) No works associated with the commercial element of the 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. The scheme shall be completed in accordance with the approved plans.

(c) No works associated with the live-work element of the 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.

(d) No works associated with the vocational training element of the 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.

(e) No works associated with the nursery element of the 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.

P.T.O.

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- (a) Prior to commencement of the residential element of the development details of secure cycle storage for the residential element of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme will be implemented before the occupation of the units for which cycle storage facilities are to be allocated.
 - (b) Prior to commencement of the commercial element of the development details of secure cycle storage for the commercial element of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme will be implemented before the occupation of the units for which cycle storage facilities are to be allocated.
 - (c) Prior to commencement of the live-work element of the development details of secure cycle storage for the live-work element of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme will be implemented before the occupation of the units for which cycle storage facilities are to be allocated.
 - (d) Prior to commencement of the vocational element of the development details of secure cycle storage for the vocational element of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme will be implemented before the occupation of the units for which cycle storage facilities are to be allocated.
 - (e) Prior to commencement of the nursery element of the development details of secure cycle storage for the nursery element of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme will be implemented before the 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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- (a) Prior to commencement of the residential element of the development details of the renewable energy provisions within the residential element of the site shall be submitted to and approved in writing by the Local Planning Authority. Any such scheme shall incorporate a phased implementation of renewables to be agreed in writing by the Local Planning Authority.
 - (b) Prior to commencement of the commercial element of the development details of the renewable energy provisions within the commercial element of the site shall be submitted to and approved in writing by the Local Planning Authority. Any such scheme shall incorporate a phased implementation of renewables to be agreed in writing by the Local Planning Authority.
 - (c) Prior to commencement of the live-work element of the development details of the renewable energy provisions within the live-work element of the site shall be submitted to and approved in writing by the Local Planning Authority. Any such scheme shall incorporate a phased implementation of renewables to be agreed in writing by the Local Planning Authority.
 - (d) Prior to commencement of the vocational training element of the development details of the renewable energy provisions within the vocational training element of the site shall be submitted to and approved in writing by the Local Planning Authority. Any such scheme shall incorporate a phased implementation of renewables to be agreed in writing by the Local Planning Authority.
 - (e) Prior to commencement of the nursery element of the development details of the renewable energy provisions within the nursery element of the site shall be submitted to and approved in writing by 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.

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- This permission shall relate to a Section 106 Agreement dated 7 May 2010 which includes a mechanism for the delivery of affordable housing and community provision for public open space facilities.

REASON: For the avoidance of doubt and to comply with Policy G1 of the districtwide local Plan.

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**RIBBLE VALLEY BOROUGH COUNCIL
PLANNING PERMISSION CONTINUED**

APPLICATION NO.3/2010/0396

DECISION DATE: 7 October 2010

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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**

