

# RIBBLE VALLEY BOROUGH COUNCIL

Development Department

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

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Town and Country Planning Act 1990

## OUTLINE PLANNING PERMISSION

**APPLICATION NO:** 3/2011/0247

**DECISION DATE:** 2 May 2012

**DATE RECEIVED:** 05/04/2011

**APPLICANT:**

**AGENT:**

Strategic Land Group Limited  
Bowsall House  
FAO Mr P Dover  
3 King Street  
Salford  
Lancs  
M3 7DG

**PARTICULARS OF DEVELOPMENT:** Outline application proposing the erection of 38no. market dwellings and 16no. affordable dwellings.

**AT:** land off Chapel Close Low Moor Clitheroe Lancashire BB7 2ND

**Ribble Valley Borough Council** hereby give notice in pursuance of provisions of the Town and Country Planning Act 1990 that **outline planning permission has been granted** for the carrying out of the development referred to above in accordance with the application and plans submitted subject to the following conditions:

- 1 Application for approval of reserved matters must be made not later than the expiration of 3 years beginning with the date of this permission and the development must be begun not later than whichever is the latter of the following dates:

(a) the expiration of 3 years from the date of this permission; or

(b) the expiration of 2 years from final approval of the reserved matters, or in the case of approval of different dates, the final approval of the last such matter to be approved.

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

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

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

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- 3 This outline planning permission shall be read in conjunction with the Legal Agreement dated 30 April 2012.

REASON: For the avoidance of doubt as the application is subject of an agreement.

- 4 Prior to commencement of development a scheme identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be provided in accordance with the approved details prior to occupation of the development and thereafter retained.

REASON: In order to encourage renewable energy and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

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

REASON: In order to comply with Policy G1 of the Ribble Valley Districtwide Local Plan in order to reduce the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- 6 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: In accordance with Policy G1 of the Ribble Valley Districtwide Local Plan to reduce the increased risk of flooding.

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7 No development approved by this planning permission shall be commenced until:

a) A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information and diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.

b) A site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing, by the Local Planning Authority prior to that investigation being carried out on the site.

c) The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the Local Planning Authority.

d) A Method Statement and Remediation Strategy, based on the information obtained from (c) above has been submitted to and approved in writing by the Local Planning Authority.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried out and completed in accordance with the approved Method Statement and Remediation Strategy referred to in (d) above, and to a timescale agreed in writing by the Local Planning Authority: unless otherwise agreed in writing by the Local Planning Authority.

If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

REASON: In accordance with Policy G1 of the Ribble Valley Districtwide Local Plan to:

a) Identify all previous site uses, potential contaminants that might reasonably be expected given those uses and the source of contamination, pathways and receptors.

b) Enable:

- A risk assessment to be undertaken;
- Refinement of the conceptual model; and
- The development of a Method Statement and Remediation Strategy

c) & d) Ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site

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- 8 This permission shall relate to the Phase 1 survey report dated March 2011 submitted with the application. All details shall comply fully with that report

REASON: To protect and conserve the habitats identified on site in accordance with Policy ENV7 of the Ribble Valley Districtwide Local Plan.

- 9 The submission of reserved matters in respect of scale, appearance and landscaping and implementation of development shall be carried out in substantial accordance with the Design and Access Statement and the Indicative Site Layout drawing no. AL001 Rev A as amended dated 8 June 2011.

REASON: For the avoidance of doubt to define the scope of this permission.

- 10 The new estate road/access shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

REASON: To comply with Policies G1 and I1 of the Ribble Valley Districtwide Local Plan and to ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative

- 11 Prior to commencement of construction works, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site, the wheel cleaning facilities shall be retained throughout the life of the development.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users

- 12 Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall be avoided between March to August. In the event that works are carried out during the nesting period a comprehensive risk assessment in order to establish the absence/presence of nesting birds shall be submitted to the Local Planning Authority prior to any works taking place for approval in writing and any mitigation measures outlined therein shall be carried out to the satisfaction of the Local Planning Authority.

REASON: In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan.

- 13 Prior to commencement of development a landscape management plan including long term design objectives, timing of the works, management responsibilities and maintenance schedules for all landscaped areas (other than within curtilages of buildings) including the public open space area shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall also provide precise details of any play equipment and its maintenance and indicate a timescale when the open space shall be provided and made available for use. The landscape management plan shall be carried out in accordance with the details so approved.

REASON: In the interests of residential and visual amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

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- 14 The plans and particulars submitted in accordance with condition 2 above shall include an Arboricultural Method Statement and Tree Protection Plan (including a tree protection monitoring schedule) detailing special mitigation construction issues in accordance with BS5837 2012 as outlined in the Arboricultural Impact Assessment submitted in support of this application. The development shall thereafter be carried out in strict accordance with the procedures, working methods and protection measures so identified and approved unless agreed otherwise in writing by the Local Planning Authority.

REASON: In order to ensure that any trees affected by development considered to be of visual, historic or botanical value are afforded maximum physical protection from the adverse effects of development in accordance with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan.

- 15 No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority.

REASON: To comply with Policies G1 and I1 of the Ribble Valley Districtwide Local Plan in order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/work are acceptable before work commences on site.

- 16 The proposed garages shall not be used for any purpose (including any purpose incidental to the enjoyment of the dwellinghouse) which would preclude their use of the parking of a private motor vehicle

REASON: To facilitate adequate vehicle parking facilities to serve the dwelling in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

Relevant Planning Policy

Policy G1 - Development Control.  
Policy G5 - Settlement Strategy  
Policy ENV3 - Development in Open Countryside  
Policy H20 - Affordable Housing - Villages and Countryside.  
Policy H21 - Affordable Housing - Information Needed.  
Policy RI8 - Open Space Provision.  
Policy I1 - Development Proposals - Transport Implications.  
Policy I7 - Parking Provision.  
Affordable Housing Memorandum of Understanding  
Policy DP1 - Spatial Principles, North West of England Regional Spatial Strategy to 2021.  
Policy DP2 - Promote Sustainable Communities, North West of England Regional Spatial Strategy to 2021.  
Policy DP7 - Promote Environmental Quality, North West of England Regional Spatial Strategy to 2021.  
Policy L1 - Health, Sport, Recreation, Cultural and Educational Services Provision, North West of England Regional Spatial Strategy to 2021.  
Policy L4 - Regional Housing Provision, North West of England Regional Spatial Strategy to 2021.  
Policy L5 - Affordable Housing, North West of England Regional Spatial Strategy to 2021.  
PPS1 - Delivering Sustainable Development  
PPS3 - Housing.  
PPS7 - Sustainable Development in Rural Areas.  
PPG13 - Transport.  
PPG17 - Planning for Open Space, Sport and Recreation.  
PPS22 - Renewable Energy.  
PPS25 - Development and Flood Risk

**SUMMARY OF REASONS FOR APPROVAL**

The proposal has no significant detrimental impact on nearby residential amenity nor would it have an adverse visual impact. P.I.O.

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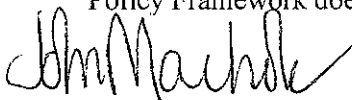
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**Note(s)**

- 1 For rights of appeal in respect of any condition(s)/or reason(s) attached to the consent 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.
- 3 The granting of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act
- 4 This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/SUDS as stated on the application form and may require the consent of the Environment Agency.
- 5 This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning Area Surveyor East 01254 823831 or writing to the Area Surveyor East, Lancashire County Council, Area Office, Riddings Lane, Whalley, Clitheroe BB7 9RW quoting the planning application number.
- 6 Policies in the Framework have been considered but in light of the facts in this case the National Planning Policy Framework does not alter the Borough Council's conclusions.

  
JOHN HEAP  
DIRECTOR OF COMMUNITY SERVICES