

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

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Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2011/0541

DECISION DATE: 05 April 2012

DATE RECEIVED: 13/07/2011

APPLICANT:

Rowland Homes
Farrington House
Stanifield Business Park
Stanifield Lane
Leyland
Lancs
PR25 2UA

AGENT:

GL Hearn
1 St James Square
Manchester
Lancs
M2 6DN

DEVELOPMENT Full planning application for 49 no. houses and associated infrastructure works.

PROPOSED:

AT: land bounded by Dilworth Lane & Lower Lane Longidge

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 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 detailed on drawings HI105/P/103REVA, HI107/P/110, HI107/P/112, HI107/P/113, HI108/P/100, HI108/P/102, HI108/P/103REVA, HI117/P/103-2, HI130/P/100, HI130/P/102, HI130/P/103, HI139/P/100, HI139/P/102REVA, HI139/P/103REVA, HI146/P/100, HI146/P/102, HI146/P/103, HI147/P/101, HI147/P/102-2, HI147/P/105, HI147/P/106-2, SD.1, S.D.46REVA, R057/102, 1780/03, R057/001REVC proposed site layout as amended 25 October 2011

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

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.

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4. 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.

5. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved in writing 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.

6. This permission shall relate to a Section 106 Agreement dated 4 April 2012 which includes provision for the delivery of affordable housing, public open space and financial contributions.

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

7. This permission shall relate to the ecology survey submitted in support of the application and dated March 2011. All details shall comply fully with the recommendations of that report in respect of required bat survey work and timings of removal of hedgerows, trees, shrub and brash outside the bird breeding season (March to August).

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

8. The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever possible the retention of existing trees, have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening.

The 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 5 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 the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

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- 9 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.

10. No development shall take place until an updated protected species survey has been carried out on the group of trees growing in the north-west corner of the site [T15-T26 inclusive] & the mature Oak tree [T28] during the optimum period of May to September - Bats prior to commencement of any part of development.

The results of the updated survey shall be submitted to the Local Planning Authority Countryside Officer and Natural England. If such a use by a protected species of any trees included in the tree survey report Drawing no 1780/02 is established, a mitigation scheme including appropriate protected species license details shall be submitted to and agreed in writing by Natural England & the Local Planning Authority Countryside Officer before any work commences on the approved Development.

The actions, methods & timings included in the mitigation measures identified and the conditions of any Natural England License shall be fully implemented and adhered to. In the event that any bats are found, disturbed or harmed during any part of the development work, work shall cease until further advice has been sought from a licensed ecologist.

REASON: To ensure that no species/habitat protected by the Wildlife and Countryside Act 1981/European Directive for Protected Species are harmed/destroyed/ in accordance with Policies G1, ENV7 and ENV8 of the Ribble Valley District Wide Local Plan.

11. 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 [Drawing no 1780/02 - T1-T27/G14/G32 & Hedgerows H1/H2/H3 inclusive] shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be agreed in writing, implemented in full, 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 zone shall be 12 x the DBH and 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 zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented without prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be 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 adverse affects of development in accordance with planning policies G1, ENV13 of the District Wide Local Plan.

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12. The driveway for plots numbered 48/47/49 and affecting trees T15/T20/T21 inclusive [Drawing no 1780/02] shall be constructed above existing ground level, therefore there shall be no excavations, soil stripping or site grading within the root protection area. Construction shall be undertaken in dry weather between May and October, using a load bearing system laid directly onto existing ground, the details of which shall be submitted to and agreed with the local planning authority.

REASON: In accordance with policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan in order to prevent root damage and ground compaction near to trees, to ensure long-term survivability of trees under which a driveway or parking area cannot be avoided.

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

REASON: To satisfy the Local Planning Authority and Highway Authority that the final details of the highway works are acceptable before work commences on site in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

14. There shall not at any time in connection with the development be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4 metres measured along the centreline of the proposed access road from the nearer edge of the carriageway of Dilworth Lane to points measured 38 metres to the west and 56 metres to the east along the nearer edge of the carriageway of Dilworth Lane, and shall be constructed and maintained at footway level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority.

REASON: To ensure adequate visibility at the site access in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

15. The new estate road/access between the site and Dilworth Lane 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 ensure that satisfactory access is provided to the site in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

16. Prior to commencement of development a scheme for the construction of traffic calming measures shall be submitted to and agreed in writing by the Local Planning Authority, in consultation with the Highway Authority, in the form of vehicle activated interactive speed warning signs on both approaches to the development site on Dilworth Lane and improvements to the carriageway markings at the 30mph / national speed limit boundary to the east of the site. No dwellings within the development shall be occupied until the works have been constructed and completed in accordance with the agreed scheme.

REASON: In order that traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway works and to reduce traffic speeds in the vicinity of the development in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

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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.
Core Strategy Topic Paper: Discussion on the Approach to Preferred Option (November 2011).
PPS22 - Renewable Energy.
PPS25 - Development and Flood Risk.
Policy H2 - Dwellings in the Open Countryside.

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.

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.
3. The works referred to in condition 16 will require a Section 278 agreement between the developer and the Highway Authority.
4. Any works to the watercourses within or adjacent to the site which involve infilling, diversion, culverting or which may otherwise restrict flow, require the prior formal Consent of the Environment Agency under Section 23 of the Land Drainage Act 1991. Culverting other than for access purposes is unlikely to receive Consent, without full mitigation for loss of flood storage and habitats.

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- 5 Details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Development Control Engineer for approval in accordance with the Land Drainage Act 1991.

Please contact the Development Control Engineer Mr J. C. Welsby on 01772 714016 to apply for Agency Land Drainage Consent.

6. 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.
7. This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge directly into the adjacent watercourse as stated within the FRA submitted with the prior consent of the Environment Agency. The applicant must discuss full details of the site drainage proposals with John Lunt via planning.liaison@uuplc.co.uk.
8. 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