

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: 3/2012/0346

DECISION DATE: 15 February 2013

DATE RECEIVED: 30/04/2012

APPLICANT:

Newclose Properties Ltd
c/o Agent

AGENT:

Avalon Town Planning
2 Reedley Business Centre
Redman Road
Burnley
Lancs
BB10 2TY

PARTICULARS OF DEVELOPMENT: Outline application for mixed B1, B2 and B8 industrial use including means of access.

AT: Land off Hey Road Barrow Clitheroe Lancashire BB7 9WA

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 and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

- 2 No development shall begin until detailed plans indicating the access, appearance, landscaping, layout and scale, including a contoured site plan showing existing features, the proposed slab floor levels and road level (hereinafter called the 'reserved matters') has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft 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 The submission of reserved matters in respect of access, layout, scale, appearance and landscaping shall be carried out in substantial accordance with the Design and Access Statement submitted in support of the application; and in substantial accordance with the submitted illustrative drawing number HINE/02DWG03A.

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

- 4 Prior to the commencement of development, details of how foul and surface water shall be drained on separate systems shall be submitted to the Local Planning Authority and approved in writing. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To ensure a satisfactory means of drainage for the development and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

- 5 Prior to the commencement of development, details of the foul drainage scheme including any necessary infrastructure shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the approved foul drainage system has been completed in accordance with the approved details.

REASON: To ensure a satisfactory means of drainage for the development and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

- 6 Prior to the commencement of development, details of surface water drainage and means of disposal, based on sustainable drainage principles and evidence of an assessment of site conditions (inclusive of how the scheme shall be maintained and managed after completion of any necessary infrastructure) shall be submitted to and approved in writing by the Local Planning Authority. No surface water shall enter the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To ensure a satisfactory means of drainage for the development and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

- 7 No development shall take place until the applicant, or their agent or successors in title has secured implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological importance associated with the site in accordance with Policies G1 and ENV14 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME4 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

- 8 No development shall begin until a scheme identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented 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 EM18 of the North West England Regional Spatial Strategy 2021.

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- 9 The development hereby permitted in outline 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 and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

- 10 Prior to the commencement of any site works, including delivery of building materials and excavations for foundations or services all trees identified for retention in the approved landscaping scheme (condition 9 refers) shall be protected in accordance with the advice contained in BS5837 2012 -Trees in Relation to Design, Demolition & Construction. A tree protection-monitoring schedule shall be submitted and agreed in writing by the Local Planning Authority and all root protection/construction exclusion zone measures shall be inspected by the Local Planning Authority before any site works are begun.

The root protection zone shall remain in place until all building work within that phase 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 considered being of visual, amenity value are afforded maximum physical protection from the potential adverse affects of development in order to comply with policies G1 and ENV13 of the Districtwide Local Plan and Policies DMG1 and DME2 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

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- 11 The details of the landscaping of the site (condition 9) shall include the provision of a tree planted earth mound along the western boundary of the site (which shall have a minimum width of 10m and shall be in substantial accordance with submitted illustrative layout drawing number HINE/02DWG03A). This shall include details of the number and species of trees to be planted and their distribution on the mound.

The mound shall be formed and the planting shall be carried out in accordance with the timescale that has first been agreed in writing by the Local Planning Authority. The planting shall be maintained to the satisfaction of the Local Planning Authority for a period of not less than 5 years following its implementation. This maintenance shall include the replacement of any tree which is removed or dies, or is seriously damaged or becomes seriously diseased, by a species of similar size to that originally planted.

REASON: In the interests of the amenities of the future occupiers of dwellings on the approved residential development site to the west of the application site and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

- 12 The submitted reserved matters relating to any of the proposed units shall include details of the sound insulation specifications of the building. The buildings shall then be constructed and permanently maintained in accordance with the agreed specifications.

REASON: In the interests of the amenities of nearby residents and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

- 13 Prior to the first occupation of any of the units hereby permitted in outlined, precise details of the nature of the business of the occupier and the proposed hours of use shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the amenities of nearby residents and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

- 14 Prior to commencement of development, an intrusive ground investigation shall be carried out as recommended and described in Section 7 (Further Works) of the Phase 1 (desk study) Investigation Report by PSA Design that was submitted with the outline application and a report of the findings of investigation shall be submitted for the written approval of the Local Planning Authority. Any mitigation measures that are found to be necessary shall be carried out to the satisfaction of the Local Planning Authority prior to the commencement of development.

REASON: In the interests of providing an appropriate environment for the end users of the development and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulations 22 Submission Draft.

- 15 No site clearance, site preparation or development works to commence until a fully detailed habitat creation/compensation and management plan has been submitted to and approved in writing by the Local Planning Authority in consultation with their ecological advisors.

REASON: In the interests of the ecology of the site and to comply with Policy G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulations 22 Submission Draft.

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Ribble Valley Districtwide Local Plan
Policy G1 - Development Control.
Policy G2 - Settlement Strategy.
Policy G4 - Settlement Strategy.
Policy ENV3 - Development in Open Countryside.

Core Strategy 2008 - 2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft
Policy DMG1 - General Considerations.
Policy DMG2 - Strategic Considerations.
Policy DME2 - Landscape and Townscape Protection.

National Planning Policy Framework (NPPF).

The Local Planning Authority operates a pre-planning application advice service which applicants are encouraged to use. Whether or not this was used, the Local Planning Authority has endeavoured to work proactively and positively to resolve issues and considered the imposition of appropriate conditions and amendments to the application to deliver a sustainable form of development.

SUMMARY OF REASONS FOR APPROVAL

The proposal would provide approximately 6 hectares of land for employment development that would be of benefit to the local rural economy, in the sustainable location and without any seriously detrimental effects upon visual amenity, the amenities of any nearby residents or highway safety.

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.

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.

External lighting associated with the development to be designed to avoid excessive light-spill and to avoid illuminating hedgerows or trees which may adversely affect wildlife.

Development works that may affect nesting birds to be avoided between March and August inclusive unless the absence of nesting birds has been confirmed by appropriate surveys or inspections.

Japanese Knotweed and any other plants listed in Schedule 9 of the Wildlife and Countryside Act 1981 to be eradicated from the site and working methods to be adopted to prevent the spread of this species.

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