

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: 3/2012/0420

DECISION DATE: 12 June 2013

DATE RECEIVED: 21/05/2012

APPLICANT:

R Cornish and A Ferguson (as trustees) The
Standen Estate
c/o Ingham & Yorke LLP
Littlemoor
Clitheroe
Lancs
BB7 1HG

AGENT:

Steven Abbott Associates
Broadsword House
2 Stonecrop
North Quarry Business Park
Appley Bridge
Wigan
Lancs
WN6 9DL

PARTICULARS OF DEVELOPMENT: Outline Application for a Residential Development.

AT: Land North and West of Littlemoor Clitheroe Lancashire

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 No development shall begin until 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) 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 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 layout, scale, appearance, landscaping and implementation of development shall be carried out in substantial accordance with the Design and Access Statement, email dated 7 September 2012 providing additional information on parameters of scale and Masterplan Drawing No SP(90)_022 rev C.

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

- 4 No part of the development hereby approved shall commence until a scheme for the construction of the site access in accordance with drwg 9W7186 SK016 Rev B 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 T1 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.

- 5 The new estate road/access between the site and Littlemoor 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 T1 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.

- 6 All steps required by the Flood Risk Assessment (FRA) and the Outline Drainage Strategy dated October 2012, should be carried out prior to the occupation of the dwellings hereby approved) subject to any further modification to additions reasonably required in writing by the Local Planning Authority).

REASON: To prevent the increased risk of flooding to protect water quality, wildlife habitats and the amenity of the local area in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

- 7 Any application for the submission of reserved matters shall include a plan to a scale and level of accuracy appropriate to the proposal that shows the position of every tree on site with a stem diameter over the bark measured at 1.5 metres above ground level of at least 75 millimetres. In addition any tree on neighbouring or nearby ground to the site that is likely to have an effect upon or be affected by the proposal (e.g. by shade, overhang from the boundary, intrusion of the Root Protection Area) must be shown.

The details of each tree (in a separate schedule of tree works for all the trees in the above) specifying the details of any proposed alterations to the existing ground levels or the position of any proposed excavations within 5 metres of the Root Protection /Construction Exclusion Zone of any tree, including those on neighbouring ground, and a statement setting out the principles of arboricultural sustainability in terms of landscape, spatial integration and post development pressure and a shall be submitted to and agreed in writing with the Local Planning Authority prior to commencement of any works on site.

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 affects of development in accordance with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan.

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- 12 Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees identified under the requirements of condition 7 shall be protected in accordance with the BS5837 2012 [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 zones 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 considered to be of visual, historic or botanical value are afforded maximum physical protection from the adverse affects of development in accordance with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan.

- 13 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors
- (ii) loading and unloading of plant and materials
- (iii) storage of plant and materials used in constructing the development
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (v) wheel washing facilities
- (vi) measures to control the emission of dust and dirt during construction
- (vii) a scheme for recycling/disposing of waste resulting from construction works

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

- 14 The dwellings shall achieve a minimum Level 3 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

REASON: In order to encourage an energy efficient development in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

- 15 No development shall be commenced unless and until a drainage strategy for the disposal of surface and foul water has been submitted to and approved in writing by the Local Planning Authority. Any such scheme shall incorporate SUDS and restrict surface water discharge into the existing watercourses to 5 l/s or Greenfield run off whichever is the greater. The development shall thereafter only be carried out in accordance with the approved scheme which shall be completed prior to the permitted dwelling being first occupied

REASON: To secure proper drainage and to reduce the risk of flooding in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

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- 8 The building envelope of plots with elevations facing towards Whalley Road/Little Moor View shall be constructed so as to provide sound attenuation against external noise with windows shut in accordance with the mitigation measures outlined in section 4.3 of the submitted Noise Impact Assessment dated 16 July 2012.

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

- 9 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 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 EMP18 of the North West of England Spatial Strategy to 2021.

- 10 No development shall take place until details of the provisions to be made for building dependent species of conservation concern artificial bird nesting boxes and artificial bat roosting sites have been submitted, and approved by the Local Planning Authority.

The details shall be submitted on a building dependent bird/bat species development site plan and include details of plot numbers and the numbers of per individual building/dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated - north/north east elevations for birds & elevations with a minimum of 5 hours morning sun for bats.

The artificial bird/bat boxes shall be incorporated into those dwellings/buildings during the actual construction of those individual identified on the submitted plan before the development is first brought into use, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of biodiversity in accordance with Policy G1 of the Districtwide Local Plan

- 11 Prior to commencement of any works, a detailed mitigation plan for species identified in the ecological survey and assessment dated June 2011 [April 2012] including measures for protecting breeding sites or resting places shall be submitted to and approved in writing by the local planning authority.

The measures as detailed in the approved mitigation plan shall also include details of measures to enhance the ecological and biodiversity of the site through appropriate landscape planting and long - term management. All details shall be implemented in accordance with an agreed specified timetable and thereafter shall be permanently maintained in accordance with the approved details.

REASON: In order to reduce the impact of the development on biodiversity and safeguard the natural habitats of those species of conservation concern in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan.

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- 16 For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into the public foul, combined or surface water sewerage systems.

REASON: To secure proper drainage and to reduce the risk of flooding in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

- 17 No building shall be erected within 6.5 metres of the public sewer that runs through the site.

REASON: To protect existing service infrastructure in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

- 18 The Outline Drainage Strategy dated October 2012 final report and amended site plan dated 5 October 2012 should be modified as necessary to ensure that it is sufficiently resilient to get a 1 in 100 year critical storm event. The surface water run-off from the site does not exceed the amount of run-off generated prior to development taking place and must not increase the risk of flooding elsewhere. Once amended the strategy should be carried out in accordance with an approval given in writing by the Local Planning Authority.

REASON: To prevent the increased risk of flooding, to protect water quality, wildlife habitats and the amenity of the local area in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

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Relevant Planning Policy

Ribble Valley Districtwide Local Plan Adopted June 1998

Policy G1 - Development Control.

Policy G2 - Settlement Strategy.

Policy G6 - Essential Open Space.

Policy G11 - Crime Prevention.

Policy ENV6 - Development Involving Agricultural Land.

Policy ENV7 - Species Protection.

Policy ENV9 - Important Wildlife Site

Policy ENV10 - Development Affecting Nature Conservation.

Policy ENV13 - Landscape Protection.

Policy ENV19 - Listed Buildings.

Policy H19 - Affordable Housing - Large Developments and Main Settlements.

Policy H21 - Affordable Housing - Information Needed.

Policy RT8 - Open Space Provision.

Policy T1 - Development Proposals - Transport Implications.

Policy T7 - Parking Provision.

Core Strategy 2008-2028 - A Local Plan for Ribble Valley Regulation 22 Submission Draft

DS1 - Development Strategy.

EN3 - Sustainable Development and Climate Change.

EN5 - Heritage Assets

H1 - Housing Provision.

H2 - Housing Balance.

H3 - Affordable Housing.

DMI1 - Planning Obligations.

DMI2 - Transport Considerations.

DMG1 - General Considerations.

DMG2 - Strategic Considerations.

DMG3 - Transport and Mobility.

DME2 - Landscape and Townscape Protection.

DME4 - Protecting Heritage Assets.

DME5 - Renewable Energy.

DME6 - Water Management.

DMH1 - Affordable Housing Criteria.

DMB4 - Open Space Provision.

North West of England Regional Spatial Strategy to 2021

Policy DP1 - Spatial Principles.

Policy DP2 - Promote Sustainable Communities.

Policy DP7 - Promote Environmental Quality.

Policy L1 - Health, Sport, Recreation, Cultural and Education Services.

Policy L4 - Regional Housing Provision.

Policy L5 - Affordable Housing.

Policy EM18 - Decentralised Energy Supply.

National Planning Policy Framework.

Technical Guidance to the National Planning Policy Framework.

Addressing Housing Needs.

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

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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.

Note(s)

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 grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserved the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Executive Director at PO Box 9, Guild House, Cross Street, Preston PR1 8RD in the first instance to ascertain the details of such an agreement and the information to be provided.
- 4 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.
- 5 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.
- 6 This outline planning permission shall be read in conjunction with the Legal Agreement dated 7 June 2013 accompanying this application.



**JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES**

