

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

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Town and Country Planning Act 1990

APPROVAL OF RESERVED MATTERS

APPLICATION NO: 3/2012/0745

DECISION DATE: 08 November 2012

DATE RECEIVED: 20/08/2012

PARTICULARS OF PLANNING PERMISSION RESERVING DETAILS FOR APPROVAL

APPLICATION NO: 3/2011/0482/P

APPLICANT:

McDermott Homes Ltd/Mr & Mrs Fisher
c/o Agent

AGENT:

McDermott Homes Ltd
Jupiter House
Mercury Rise
Altham Business Park
Altham
Lancs
BB5 5BY

Development Proposed:

Reserved Matters application (following outline approval 3/2011/0482P) for the appearance, landscaping, layout and scale, for 18no dwellings and associated works.

AT: Brown Leaves Longsight Road Copster Green Lancashire

Ribble Valley Borough Council hereby give notice that approval has been granted in respect of details referred to above for the purposes of the conditions imposed on the grant of planning permission referred to above and subject to the following condition(s):

- 1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

- 2 The permission shall relate to the development as shown on Plan Reference No's PS-0709-TS 01, c-855-01 Revision A, PL.02 a, PL.03, Mou 1.7, FEN 1.7, RYD 1.7, ELW 1.7, ARU 1.7, HAD 1.7, NOR 1.7, GAR 1.7, ASH2 1.7, Win 1.7, GR 1.7, 25/SD/3, 25/SD/4, 25/SD5 and Lifetime Homes Compliance Details Dwg. No. 2.0.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

- 3 This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 20 August 2012 and 11 October 2012.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments.
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- 4 This permission shall be read in accordance with the Section 106 Agreement dated 27th of March 2012 (attached to 3/2011/0482/P).

REASON: For the avoidance of doubt as the permission is subject to an agreement in relation to the low cost/affordable housing approved.

- 5 Precise specifications and samples of walling and roofing materials and details of any window and door surrounds including materials to be used 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.

- 6 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 the A59 Longsight Road to points measured 90 metres in each direction along the nearer edge of the carriageway of the A59 Longsight Road, 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.

- 7 Unless otherwise agreed in writing, prior to the commencement of development on site the existing Clayton-le-Dale boundary sign adjacent to the proposed access road shall be removed and relocated to a suitable alternative position at the developer's expense, the details of which shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Highway Authority.

REASON: To ensure adequate visibility at the site access.

- 8 The proposed access road from the site to the A59 Longsight Road shall be constructed to a width of 5.5 metres and this width shall be maintained for a minimum distance of 10 metres measured back from the nearside edge of the carriageway of the A59 Longsight Road.

REASON: To enable vehicles to enter and leave the site in a safe manner without causing a hazard to other road users.

- 9 The new estate road/access between the site and the A59 Longsight Road 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.

- 10 Prior to the commencement of any phase of development, details for how foul and surface water shall be drained on separate systems shall be submitted to the local planning authority and approved in writing for that phase. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To ensure that the site is drained on separate systems for foul and surface water to ensure a satisfactory means of drainage in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

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- 11 Prior to the commencement of any development, details for surface water drainage, 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 and any necessary infrastructure) shall be submitted to and approved in writing by the local planning authority. For the avoidance of doubt, no surface water shall discharge into the public sewerage system, directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To ensure that surface water is dealt with by the most sustainable means in accordance with National and Local Planning Policies.

- 12 Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees identified in the Arboricultural Impact and Protection Appraisal/Tree Survey [June 2012] [T3/T4/T5/T6/T7/T8/T9/T9a/G1/G2/G5] shall be protected in accordance with the BS5837: 2005 [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 considered to be of visual, historic or botanical value is afforded maximum physical protection from the adverse affects of development. In order to comply with planning policies G1 and ENV13 of the District Wide Local Plan, and to ensure that trees of visual amenity value are protected against adverse affects of the development.

- 13 The approved landscaping scheme shall be implemented in the first planting season following occupation or use of the development 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.

- 14 Notwithstanding the landscaping details proposed on drawing c-855-01 Revision A, additional trees shall be planted along the eastern boundary of the site as part of the scheme (in-between the development and those properties on Albany Drive). Specific details of the trees to be used and their location on site shall be submitted to and approved in writing by the LPA prior to the commencement of the development, and the trees shall be planted in the first planting season prior to the completion of the properties in whose gardens the trees will be planted.

REASON: A number of trees are being removed from this boundary that provide a level of screening and amenity value for the occupiers of the adjacent properties. Additional planting ensures a similar level of protection for the amenity of these occupiers, in accordance with Policy G1 of the Local Plan.
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- 15 The dwelling(s) hereby approved shall achieve a minimum of Level 3 of the Code for Sustainable Homes, as outlined within the Carbon & Energy Analysis Report submitted with the application. 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 sustainable development in accordance with guidance contained within the NPPF and Policy G1 of the Ribble Valley Districtwide Local Plan.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order amending, revoking or re-enacting that Order) any future extensions and/or alterations to the dwelling is including any development within the curtilage as defined in Schedule 2 Part 1 Classes A to H shall not be carried out without the formal written consent of the Local Planning Authority.

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

- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order amending, revoking or re-enacting that Order) the dwelling(s) shall not be altered by the insertion of any window or doorway without the formal written permission of the Local Planning Authority.

REASON: In order to safeguard nearby residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

- 18 The windows on the side elevations of all dwellings shall be obscure glazed to the satisfaction of the Local Planning Authority and remain that way in perpetuity.

REASON: In order to protect nearby residential amenity as required by Policy G1 of the Local Plan.

- 19 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, unless otherwise agreed in writing.

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 houses identified before the development is first brought into use.

REASON: To protect the bird/bat population from damaging activities and reduce or remove the impact of development. To ensure that there are no adverse effects on the favourable conservation status of a bird/bat population before and during the proposed development. To ensure that bird and bat species are protected and their habitat enhanced, in accordance with the Wildlife & Countryside Act 1981 as amended, the Conservation [Natural Habitats & c.] Regulations 1994 and District Wide Local Plan.

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APPROVAL OF RESERVED MATTERS CONTINUED**

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20 No development shall take place until a Demolition and 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 demolition and construction period. The Statement shall provide for:

- Specific details relating to the demolition and removal of the existing building and materials from the site,
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from construction works; and
- commencement and finishing hours of the construction activity.

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

Relevant Planning Policy

National Planning Policy Framework.

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

Policy ENV13 - Landscape Protection.

Policy T7 - Parking Provision.

SPG - "Extensions and Alterations to Dwellings".

Policy L4 Regional Housing Provision - Regional Spatial Strategy (RSS).

Policy EM18 Renewable Energy - RSS.

Affordable Housing Memorandum of Understanding (AHMU).

The Wildlife & Countryside Act 1981 (as amended).

The Conservation [Natural Habitats & c.] Regulations 1994.

Summary of reasons for approval

The proposal represents an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding countryside, nor would its use have an adverse impact on highway safety.

(Notes)

- 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 Development on this site should be drained on separate foul and surface water systems. All foul drainage must be connected to the foul sewer and only uncontaminated surface water should be connected to the surface water system.

However, where there are established combined systems the possibility of deviation from this general policy may be discussed with the Council's Chief Technical Officer.
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- 4 Ribble Valley BC imposes a charge to the developer to cover the administration, and delivery costs in providing wheeled bins to each household within a new build property or provision. Details of current charges are available from the RVBC Contact Centre on 01200 425111.
- 5 This consent requires the 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 Lancashire County Council for further information.
- 6 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/watercourse/surface water sewer and may require the consent of the Local Authority.

If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

Should this planning application be approved, the applicant should contact our Service Enquiries on 0845 7462200 regarding connection to the water mains/public sewers.

**JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES**