

RIBBLE VALLEY BOROUGH COUNCIL

Development Department

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Town and Country Planning Act 1990

OUTLINE PLANNING PERMISSION

APPLICATION NO: 3/2013/0137

DECISION DATE: 16 October 2013

DATE RECEIVED: 15/03/2013

APPLICANT:

Commercial Estates Group
C/o Indigo Planning Ltd

AGENT:

Mrs Sarah Wozencroft
Indigo Planning Ltd
Lowry House
17 Marble Street
Manchester
M2 3AW

PARTICULARS OF DEVELOPMENT: A residential mixed use development comprising up to 260 dwellings (C3), a primary school (D1), a new vehicular link between Clitheroe Road and the A671 including creation of a new junction both onto the A671 and Clitheroe Road, car parking, open space and associated landscaping.

AT: Land to the east of Clitheroe Road (Lawsonsteads) Whalley

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 all reserved matters (as defined in Condition 4) must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:

a) The expiration of three years from the date of this permission; or

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

REASON: To comply with policy G1 of the Ribble Valley Districtwide Local Plan and policy DMG1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft 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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- 2 The development hereby permitted shall be carried out in accordance with the details contained within the following plans:

Parameters Plan (Ref: PL1158.3.M.101 Rev [D]);
Clitheroe Road Priority T Junction (Ref: 10/228/TR/023 Rev E); and
A671 Proposed Traffic Signal Junction (Ref: 10/228/TR/024 Rev A).

REASON: For the avoidance of doubt to ensure there is no ambiguity in the decision notice over what amount of development has been approved. In accordance with Policies G1, ENV3 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft

- 3 Details of appearance, landscaping, layout and scale (hereinafter referred to as the 'reserved matters') for each phase of development shall be submitted to and approved in writing by the Local Planning Authority before development of that phase is commenced. Development of each phase shall be implemented in accordance with the approved details for that phase.

REASON: For the avoidance of doubt to ensure there is no ambiguity in the decision notice over what amount of development has been approved. In accordance with Policies G1, ENV3 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

- 4 The submission of Reserved Matters in respect of layout, scale, appearance and landscaping and implementation shall be carried out in substantial accordance with the design principles and parameters contained within the Design & Access Statement (March 2013) and in substantial accordance with the submitted Parameters Plan (PL1158.3.M.101 Rev: D).

REASON: For the avoidance of doubt to ensure there is no ambiguity in the decision notice over what amount of development has been approved. In accordance with Policies G1, ENV3 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft ensuring a satisfactory standard of appearance and scale given its location.

- 5 No more than 260 dwellings (Use Class C3) and a primary school (Use Class D1) is hereby permitted within the application site.

REASON: For the avoidance of doubt to ensure there is no ambiguity in the decision notice over what amount of development has been approved. In accordance with Policies G1, ENV3 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft ensuring a satisfactory standard of appearance and scale given its location.

- 6 No part of the development shall commence until a plan identifying the first phase of the development has been submitted to the Local Planning Authority. Thereafter each application for the approval of the reserved matters relating to each further phase of the development shall be accompanied by a plan identifying the extent of that further phase. For the purposes of this planning permission the extent of a 'phase' shall be determined in accordance with this Condition.

REASON: To allow for the phased delivery of the development and for the avoidance of doubt to ensure there is no ambiguity in the decision notice over what amount of development has been approved. In accordance with Policies G1, G2, ENV3 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DMG2, EN2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

- 7 No part of the development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority:

- The proposed site access to/from Clitheroe Road (in accordance with the principles set out in Drawing Ref: 10/228/TR/023 Rev E) including provision of a pedestrian crossing southwest of the site access;
- Works to relocate the south west bound bus stop and provide bus shelters and timetable information at the relocated south west bound bus stop and north-east bound bus stop in the vicinity of the site on Clitheroe Road;
- The proposed site access to/from the A671 (In accordance with the principles set out in Drawing Ref: 10/228/TR/024 Rev A) including provision of a Toucan Crossing;
- The Internal Distributor Road including where it meets the junctions onto Clitheroe Road and the A671; and
- The proposed King Street Lay by (In accordance with the principles set out in Drawing Ref: 10/228/TR/027).

The details shall include for provision of:

- cycleways/footways;
- a lighting scheme in the proximity of the new site access on the A671;
- a vehicular drop off/pick up area for the primary school; and
- measures to implement a 20mph zone in the vicinity of the school site on the Internal Distributor Road and Clitheroe Road.

The development shall be implemented in accordance with the approved details and pursuant to the timeframes otherwise set by the conditions of the permission.

REASON: In the interests of the operation of the immediate and wider Highways network. In accordance with Policy T1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

- 8 Prior to occupation of development within each phase (as defined in Condition [6]) visibility plays shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority and in relation to that phase. Nothing shall be planted, erected or allowed to remain in the visibility plays in excess of 1m in height above the level of the adjacent carriageway.

REASON: To ensure adequate visibility plays are maintained at all times. In accordance with Policy T1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

- 9 Prior to commencement of any phase of development which includes dwellings with frontage access to/from Clitheroe Road, details of such frontage access shall be submitted to and approved in writing by the Local Planning Authority. The development of the phase shall be carried out in accordance with the approved details.

REASON: To ensure adequate visibility splays are maintained at all times. In accordance with Policy T1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

- 10 The primary school (Use Class D1) shall not be brought into use until the measures defined in Condition [7] to implement a 20mph zone and provide a drop off/pick up area in the vicinity of the primary school have been implemented in accordance with the approved details pursuant to Condition [7].

REASON: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable and in order to maintain network safety at the school once brought into use. In accordance with Policy T1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

- 11 No more than 55 dwellings shall be constructed until the access to/from the A671 (Drawing Ref: 10/228/TR/024 Rev A) has been constructed to binder course level in accordance with the approved details pursuant to Condition [7]. Following construction of this access, no construction traffic shall enter or leave the site using the Clitheroe Road access.

REASON: To ensure construction access beyond the first 55 dwellings can be taken directly from the A671 to minimise disruption and protect residential amenity in the interests of protecting residential amenity from noise and disturbance in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft).

- 12 No more than 55 dwellings shall be occupied until the access to/from the A671 (Drawing Ref: 10/228/TR/024 Rev A) and associated works to that access agreed pursuant to Condition [7] have been constructed to an agreed level in accordance with the approved details pursuant to Condition [7].

REASON: To ensure vehicular access beyond the first 55 dwellings can be taken directly from the A671. In accordance with Policy T1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

- 13 No more than 55 dwellings shall be occupied until the King Street Lay-by (Drawing Ref: 10/228/TR/027) has been constructed in accordance with details agreed pursuant to Condition [7].

REASON: In the interests of the operation of the immediate and wider Highways network. In accordance with Policy T1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

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- 14 No phase of the development shall be occupied until a Full Travel Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The travel plan(s) shall include objectives, targets, measures to achieve targets, monitoring, implementation timescales for delivery and the provision of a travel plan coordinator in accordance with the parameters established in the Framework Travel Plan (dated February 2013) submitted as part of the outline application. For each phase the approved Full Travel Plan shall be implemented, audited and updated in accordance with the approved details.

REASON: In the interests of the operation of the immediate and wider Highways network. In accordance with Policy T1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

- 15 Prior to the commencement of development, a strategy outlining the general system of drainage for foul and surface water flows arising from the entire site shall be submitted to and agreed in writing by the Local Planning Authority. The strategy shall include details of any necessary on-site infrastructure. Thereafter detailed schemes for foul and surface water drainage for any phase of development (pursuant to conditions [17] and [18]) shall be prepared in accordance with the agreed strategy for the entire site.

REASON: This condition is requested as there is potential for the development to be brought forward on a phased basis. As a result it will be necessary to receive an overall strategy for the entire site prior to the commencement of development of any phase so that the subsequent detailed drainage schemes for each phase are capable of forming part of a general system for the entire site in accordance with an overall strategy. It is also necessary to set key parameters for the design of the pumping station. In accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

- 16 Prior to the commencement of each phase of development, details for how foul and surface water shall be drained on separate systems within that phase shall be submitted to and approved in writing by the Local Planning Authority. The development of each phase shall be implemented in accordance with the approved details for that phase and retained thereafter.

REASON: To protect existing surface water and foul drainage systems. In accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft.

- 17 Prior to the commencement of each phase of development, a detailed surface water drainage scheme for that phase, based on sustainable drainage principles and evidence of an assessment of the hydrological and hydrogeological context of that phase, shall be submitted to and approved in writing by the Local Planning Authority. No surface water shall connect into the public sewerage system, directly or indirectly, without the consent of the Local Planning Authority pursuant to this condition. The scheme for each phase shall be implemented in accordance with the approved details prior to the occupation of any development within that phase and retained thereafter.

REASON: To ensure that surface water is dealt with by the most sustainable means in accordance with national government policy. In accordance with Policies ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft

- 18 Prior to the commencement of each phase of development, a detailed foul drainage scheme for that phase, shall be submitted to and approved in writing by the Local Planning Authority. The foul drainage scheme for each phase shall be implemented in accordance with the approved details prior to the occupation of any development within that phase.

REASON: To protect existing surface infrastructure. In accordance with Policies ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft

- 19 No building shall be erected within three metres of any public sewer unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect existing surface infrastructure. In accordance with Policies ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft

- 20 Prior to the commencement of any phase of development that is to the west of watercourse A as identified in the Flood Risk Assessment (FRA) by Weetwood (dated 8 February 2013; Final Report v1.3), a scheme for the improvement, protection and maintenance of existing flood defences as outlined in Section 4.1.3 of the FRA where relevant to that phase, shall be submitted to and approved in writing in respect of that phase by the Local Planning Authority. The scheme for each relevant phase of development shall be implemented in accordance with the approved details.

REASON: To reduce the risk of flooding by maintaining existing flood defences. In accordance with Policies ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft

- 21 Prior to the commencement of any phase of development that includes or is potentially affected by possible overland flow routes from Watercourse B as identified in the Flood Risk Assessment (FRA) by Weetwood (dated 8 February 2013; Final Report v1.3), details of the existing and proposed ground levels adjacent to Watercourse B shall be submitted to and approved in writing in respect of that phase by the Local Planning Authority. The development within that phase shall subsequently proceed in accordance with the approved plans for that phase.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system. In accordance with Policies G1, ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft

- 22 Prior to the commencement of any phase of development affecting natural bankside habitat such as outfalls or culverting, a further survey of the watercourse should be carried out at an appropriate time of year to establish the presence of water voles within that phase. The findings of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to and approved in writing by the Local Planning Authority. Any necessary and approved measures for the protection of water voles within that phase shall thereafter be implemented in full as part of the development of that phase.

REASON: To ensure protection of water voles and their habitat. In accordance with Policies ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft

- 23 Any application for the approval of Reserved Matters which includes development adjoining the watercourses on site shall include a scheme for the provision and management of a buffer zone alongside the watercourses, to be submitted to and agreed in writing by the Local Planning Authority. Thereafter each phase of development shall be carried out in accordance with the approved scheme in so far as it relates to that phase of development, unless otherwise agreed in writing with the Local Planning Authority.

REASON: To protect ecological, recreation and amenity interests by providing a buffer between the development and the watercourse. In accordance with Policies ENV7, ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft

- 24 Prior to occupation of development within each phase, a landscape management plan including long term design objectives, timing of works, management responsibilities and maintenance schedules for all publicly accessible landscaped areas including cycle/footways within that phase shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved landscape management plan for that phase.

REASON: In the interests of residential and visual amenity and to ensure that appropriate provision is made for public open space in accordance with Policies G1 and RT8 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMB4 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft).

- 25 Prior to the commencement of each phase of development, a written scheme of archaeological investigation relating to that phase shall be submitted to and approved in writing by the Local Planning Authority. Each scheme will outline (if required) a programme of archaeological work which is to be implemented within the phase. The development of the phase shall be carried out in accordance with the approved scheme.

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 EN5, DME3 and DME4 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft).

- 26 No phase of development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority for that phase. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant material;
- Storage of plant materials used in the construction of development;
- The erection and maintenance of security hoardings;
- Wheel washing facilities;
- A management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures;
- Details of the storage of potential ground and water contaminants and how the River Calder will be protected against spillage incidents and pollution during the course of construction;
- A scheme for protecting trees;
- A scheme for recycling/disposing of waste resulting from construction work; and
- A scheme to control noise during the construction phase.

REASON: In the interests of protecting residential amenity from noise and disturbance in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft).

**RIBBLE VALLEY BOROUGH COUNCIL
OUTLINE PLANNING PERMISSION**

APPLICATION NO: 3/2013/0137

DECISION DATE: 16/10/13

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- 27 No construction traffic shall enter or leave the site using the Clitheroe Road access between the hours of 0830 and 0930 or 1500 and 1600 hours.

REASON: In the interests of protecting residential amenity from noise and disturbance in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft).

- 28 No dwellings within any phase shall be practically completed until details of an external lighting scheme for that phase have been submitted to and approved in writing by the Local Planning Authority. Within each phase the lighting scheme shall be implemented in accordance with the approved details for the relevant phase and retained thereafter.

REASON: In the interests of protecting residential amenity and disturbance in the form of light pollution in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy (Regulation 22 Submission Draft).

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)

- 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.

**JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES**