

Ribble Valley Borough Council
Housing & Development Control

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Your ref 3/2021/0242
Our ref D3.2021.0242
Date 6th May 2021

FAO Adam Birkett

Dear Sir/Madam

Application no: **3/2021/0242**

Address: **Land to rear of Glencroft Pendle Avenue Chatburn BB7 4AX**

Proposal: **Outline application for up to 2 two storey residential dwellings (access and layout details applied for only)**

The Local Highway Authority have viewed the plans and highway related documents and have the following comments to make:

Summary

No objection subject to conditions

Lancashire County Council acting as the Local Highway Authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site subject to the following conditions being stated on any approval.

Advice to the Local Planning Authority

Introduction

The Local Highway Authority (LHA) are in receipt of an outline application with access and layout for 2 residential dwellings at the land to the rear of Glencroft, Pendle Avenue, Chatburn.

The LHA are aware of the recent planning history of the area with the site just south of the proposal gaining permission from the Local Planning Authority (LPA) on 28th August 2020 under application reference 3/2020/0112, for the demolition and rebuild of an existing dwelling and the erection of an additional dwelling.

Phil Durnell

Director of highways and Transport
Lancashire County Council
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Site Access

The site will be accessed directly from Pendle Avenue which is an unclassified road subject to a 20mph speed limit.

The site access will be used by the two dwellings approved under application reference 3/2020/0112, as well as the two dwellings proposed under this application. Therefore, with the site access onto Pendle Avenue already being approved, the LHA have no further comments to make.

However, the LHA have reviewed SDA drawing number (S)2-03-PP Rev C titled "Site Plan, as Proposed," which shows the internal road leading into the site will cross over a brook to access the proposal. Therefore, the site will require a bridge to access the site. The LHA therefore advise the Applicant that they will need to contact the Lead Local Flood Authority to determine a suitable access over the brook.

Furthermore, the LHA understands that the access leading into the site conflicts with the car parking spaces for the two dwellings, previously approved under application reference 3/2020/0112. The LHA makes the Applicant aware should the application be permitted, that this will need to be resolved.

Highway Safety

There have been no Personal Injury Collisions recorded within the vicinity of the area and therefore the LHA have no existing highway safety concerns.

Internal Layout

The internal layout of the site will be reviewed at a latter stage under the reserved matters application.

Public Footpath 3-11-FP12

The LHA have identified that the Public Right of Way 3-11-FP12 runs directly through the site. The LHA makes the Applicant aware that a diversion would be required should the developer build over the Right of Way and the diversion should be certified prior to any works commencing.

The LHA also makes the Applicant aware that if works relating to the development would cause a health and safety risk to the public, a temporary closure would need to be in place, again prior to work commencing.

If the Public Right of Way is obstructed with materials/machinery/vehicles without either a certified diversion or a temporary closure in place enforcement proceedings could be enforced.

Furthermore, post development, the Right of Way would need to be reinstated to an adequate standard should they be affected by the development works, ensuring that the footpaths link external to the site.

Conditions

1.No part of the development hereby permitted shall be occupied until such time as the access arrangements shown SDA drawing number (S)2-03-PP Rev C have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2019).

2. The granting of planning permission does not authorise any stopping up; closure; obstruction or diversion of a Public Right of Way, without the appropriate order

REASON: To protect existing Public Right of Way users and to maintain the operation and safety of the local Public Right of Way and to minimise the impact of the construction works on the Public Right of Way.

3. Prior to construction, measures should be taken to ensure that users of the Public Right of Way are not exposed to any elements of danger associated with construction works.

REASON: to ensure the Public Right of Way is safe and available during the period of construction in the interests of protecting and enhancing Public Rights of Way and access in accordance with Paragraph 98 of the National Planning Policy Framework 2019

Informative

- The grant 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. The applicant should be advised to contact Lancashire County Council's Public Rights of Way section by email on PROW@lancashire.gov.uk, quoting the location, district and planning application number, to discuss their proposal before any development works begin.
- Any damage caused to the surface of the Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
- Any intention to landscape within the vicinity of a Public Right of Way must be at least 3 metres away to ensure there is no encroachment either over the footpath or through the surface, potentially creating a hazard to the public and future maintenance issues.

- Drainage should take into account the vicinity of the Right of Way ensuring surface water is not directed over or near the Right of Way to prevent flooding of the footpath.
- Any alterations in ground level should ensure that the Right of Way is not lower than the main development to prevent the risk of flooding of the footpath.
- The applicant should be advised to contact Lead Local Flood Authority section by email on suds@lancashire.gov.uk quoting the location, district and planning application number, to discuss their proposal before any development works begin.

Yours faithfully

Ryan Derbyshire
Development Support Assistant Engineer
Highways and Transport
Lancashire County Council