

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111 www.ribblevalley.gov.uk planning@ribblevalley.gov.uk

Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2022/0537

DECISION DATE: 28 April 2023

DATE RECEIVED: 14/06/2022

APPLICANT:

Mr Paul Mossdrop
Oaktree (Construction Design and
Management) Ltd
Office Suite 2
1 Derby Street
Leigh
WN7 4PF

AGENT:

Mr Mike Hughes
Smith and Love Planning Consultants
Rational House
32 Winckley Square
Preston
PR1 3JJ

DEVELOPMENT Proposed residential development of 8 detached dwelling houses.

PROPOSED:

AT: Land Adjacent to Ferns Northcote Road Langho BB6 8BG

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchasing Act 2004.

P.T.O.

2. Unless explicitly required by condition within this consent the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on the following drawings:

1:1250 Location Plan 2203-PL-01A (Amended) received 5th August, 2022
1:500 Block Plan 2203-PL-02A (Amended) received 5th August, 2022
1:200 Proposed Site Layout Plan 2203-PL-03F (Amended) received 21st March, 2023
1:100 Proposed Street Scenes 2203-PL-04F (Amended) received 21st March, 2023
1:100 The Birkdale Plot 5 2203-PL-20B (Amended) received 21st March, 2023
1:100 The Wentworth Plot 3 2118-PL-50B (Amended) received 21st March, 2023
1:100 Dormer Bungalow Plot 8 (attached garage) 2203-PL-40D received 21st March, 2023
1:100 The Woburn Plot 7 2203-PL-10 received 1st June, 2022
1:100 The Birkdale (Handed) Plots 2, 4 & 6 2203-PL-30 received 1st June, 2022
1:100 The Woburn Plot 1 2203-PL-10B (Amended) received 21st March, 2023
1:100 Detached Garage to Plots 1, 3 and 7 2203-PL-06 received 1st June, 2022
1:20 Boundary Fencing and Walls 2203-PL-05A (Amended) received 21st March, 2023
1:250 Topographical Land Survey OD.TS.08A received 1st June, 2022
1:200 Landscape Plan 4986 04 received 1st June, 2022
1:500 Tree Constraints Plan 4986 01 X submitted 1st June, 2022
1:100 Proposed Visibility Splays 2203-PL-07B (Amended) received 5th August, 2022
1:250 Swept Path Analysis 22009/101/1 received 5th August 2022

Reason: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. The materials to be used on the external surfaces of the development shall be as indicated on submitted plans 2203-PL-20B, 2203-PL-50B, 2203-PL-40D, 2203-PL-10, 2203-PL-30, 2203-PL-10B, 2203-PL-06 and 2203-PL-05A and shall thereafter be implemented in strict accordance with these details .

Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

4. The development hereby approved shall be carried out in strict accordance with the finished floor levels, eaves and ridge heights indicated on submitted plan 2203-PL-03F.

Reason: In order for the Local Planning Authority to ensure that proposed development responds appropriately to the topography of the site and is appropriate to the locality.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) Schedule 2, Part 1, Class A, B, C, D, E and F or any subsequent re-enactment thereof no extensions, improvements or alterations, additions to the roof, alterations to the roof, porches, curtilage buildings and hard surfacing shall be constructed without express planning permission first being obtained.

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the immediate area and trees within and/or adjacent to the site.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows/dormer windows/rooflights other than those shown on the approved plans shall be inserted or constructed at any time on the northern (side) elevation of the dwelling numbered plot 8 hereby permitted.

Reason: To enable the Local Planning Authority to have control over development which could potentially result in harm to residential amenity of the existing neighbouring property.

P.T.O.

7. Prior to the commencement of development, the following information shall be submitted and approved in writing by the Local Planning Authority:

(a) A Desk Study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on and off-site contamination and ground gases.

(b) If the Desk Study identifies potential contamination and ground gases, a detailed Site Investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part IIA, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property.

The sampling and analytical strategy shall be submitted to and be approved in writing by the Local Planning Authority prior to the start of the site investigation survey.

(c) If the detailed Site Investigation identifies necessary remediation, a Remediation Statement, detailing the recommendations and remedial measures to be implemented within the site.

Any works identified in these reports shall be undertaken when required with all remedial works implemented by the developer prior to occupation of the first and subsequent dwellings.

On completion of the development/remedial works, the developer shall submit written confirmation, in the form of a Verification Report, to the Local Planning Authority, that all works were completed in accordance with the agreed Remediation Statement.

Reason: To ensure that an appropriate site investigation and remediation strategy is carried out that ensures any pollution of ground and surface waters both on and off site are adequately assessed and remediated.

P.T.O.

8. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

(P) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);

(iii) Levels of the proposed drainage systems including ground and finished floor levels in AOD;

(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

(v) Foul and surface water shall drain on separate systems.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

9. No development approved by this permission shall commence a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Management Plan shall be adhered to throughout the construction period and shall provide for:

P) The routes to be used by construction vehicles carry plant and machinery routes to be used by vehicles carrying plant and materials to and from the site including access which shall have been constructed to base course level;

ii) Parking of vehicles within the site of site operatives and visitors;

iii) Loading and unloading of plant and materials;

iv) Storage of plant, materials and potential ground and water contaminants;

v) Erection and maintenance of any security hoardings;

vi) Wheel washing facilities;

vii) A management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures;

viii) A scheme to control noise during the construction phase;

ix) Details of site working hours.

Reason: In the interests of residential amenity and highway safety during construction works.

P.T.O.

10. Prior to commencement of development above slab level, details of the provision of appropriate bat/bird boxes within the site shall have been submitted to and approved in writing by the Local Planning Authority.

The submitted details shall identify the nature and type of artificial roosting sites and the locations on appropriate wall/roof elevations or trees within the site onto which the above provisions shall be incorporated.

The artificial bat/bird boxes shall be incorporated into the development prior to occupation of the dwellinghouses hereby approved and thereafter retained.

The development shall be carried out in strict accordance with the approved details.

Reason: In the interests of biodiversity and to enhance roosting opportunities for species of conservation concern and to minimise/mitigate the potential impacts upon protected species resultant from the development

11. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services, all trees identified to be retained in the arboricultural report dated May 2022 and those trees included in the Langho tree preservation order dated 16th of February 2022 shall be protected in accordance with the BS5837 2012 [Trees in Relation to Demolition, Design & Construction].

The details of which shall be implemented in full under the supervision of a qualified arboriculturalist prior to commencement of any part of the development hereby approved. The Local Planning Authority shall be informed once the tree protection measures have been erected on site and, if necessary, these shall be inspected during works commencing on site.

The root protection/exclusion zone 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/exclusion zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No additional tree felling or pruning other than set out and approved in the submitted arboricultural report dated May 2022 shall be implemented without prior written consent.

Reason: In order to ensure that any trees affected by development included in a Tree Preservation Order and identified in the arboricultural report are afforded sufficient protection from the potential adverse effects of the development.

P.T.O.

12. Notwithstanding the landscaping proposals indicated on 4986 04 and boundary fencing proposals indicated on 2203-PL-05A, details of all hard and soft landscaping including hedgerows and shrubs within the site to be retained and boundary treatments to each plot shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any development and shall thereafter be implemented in the first planting season following the first occupation of any dwelling. The scheme shall include appropriate replacements for the six trees proposed to be removed on the site.

The agreed planting scheme shall thereafter be maintained for a period of 10 years to the satisfaction of the Local Planning Authority.

The 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: To ensure the proposal is satisfactorily landscaped and that appropriate replacement trees/hedgerow add to the landscape/visual amenity value of the area and are thereafter retained as part of the development.

13. Prior to any commencement of development a scheme for the permanent site access and off-site highway works shall be submitted to and approved in writing by the Local Planning Authority. These works shall include:

- a. New footway frontage of the development site of Northcote Road;
- b. Dropped crossings and tactile paving at footway terminal and crossing points on Northcote Road and Whalley Road to the nearest bus stop.

All works shall be fully implemented in strict accordance with the approved details prior to the first occupation of any dwelling.

Reason: To ensure that appropriate highway improvements to access the site are provided in the interests of highway safety.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 1m above road level. 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 m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of Northcote Road to points measured 43m in both directions, from the centre line of the access.

Reason: To ensure that adequate visibility is provided as the site access.

P.T.O.

15. Prior to the first occupation of any dwelling, proposed arrangements for the future management and maintenance of the estate road within the development shall be submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details.

Reason: To ensure that the estate roads are maintained and managed in an appropriate manner to an adoptable standard.

16. Prior to commencement of development full engineering, drainage, street lighting and constructional details to adoptable standards (LCC specification) of the internal estate roads shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details and maintained as such thereafter.

Reason: To ensure that the estate roads are maintained and managed in an appropriate manner to an adoptable standard.

17. The internal estate roads shall be constructed in accordance with the approved engineering details and to at least base course level prior to first occupation of any dwelling.

Reason: To ensure that the estate roads are maintained and managed in an appropriate manner to an adoptable standard.

18. The development hereby permitted shall not be occupied until such time as the driveways, parking and turning facilities have been constructed in full accordance with drawing number 2203-PL-03F in a bound porous material and subsequently made available for use. The parking provision shall thereafter be maintained in perpetuity.

Reason: To ensure that adequate off-street parking is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety.

19. Each dwelling shall be fitted with an electric vehicle charging point prior to occupation of that dwelling. Charge points must have a minimum power rating output of 7kW, and be fitted with a universal socket that can charge all type of electric vehicles.

Reason: To contribute towards sustainable transport objectives and the reduction of vehicle emissions.

20. Notwithstanding the detail shown on the approved plans, the gates to be sited at the access into the site shall open into the site and not onto the highway or be sliding gates. The gates shall be positioned as shown on approved layout plan 2203-PL-03F (9.5m to the highway) and erected in accordance with the design detail shown on the approved Boundary Fencing and Walls plan 2203-PL-05A.

Reason: To ensure an appropriate design for the gates and ensure that vehicles are parked clear of the highway when the gates are in operation

Note(s)

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. 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.

Nicola Hopkins

NICOLA HOPKINS
DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

Notes

Right of Appeal

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision to refuse planning permission, or approve with conditions, a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission, or approve with conditions, a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision> . If it is a householder appeal it can be made online at: <https://www.gov.uk/appeal-householder-planning-decision> . If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

Purchase Notices

If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Council of the county borough or county district in which the land is situated a purchase notice requiring that Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.