

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

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Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2017/0714

DECISION DATE: 1 December 2017

DATE RECEIVED: 27/07/2017

APPLICANT:

Mr D Hollinraike

Al Land Ltd

C/o Agent

AGENT:

Mrs Judith Douglas

Judith Douglas Town Planning Ltd

90 Pimlico Road

Clitheroe

BB7 2AH

DEVELOPMENT PROPOSED: Extension to existing industrial estate (Class B1, B2 and B8 use) to include car parking, landscaping and service infrastructure.

AT: Land adj former Genus Site Mitton Road Whalley BB7 9JY

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 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

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 drawings:

4487-04-02o Proposed Site Plan [received 11/10/2017]
4487-04-10B Building Type 1 (E and F) [received 11/10/2017]
4487-04-11B Buildings Type 2 (O and P) and Type 3 (G and S) [received 11/10/2017]
4487-04-12B Building Type 4 (H and L) [received 11/10/2017]
4487-04-13B Building Type 5 (I, M and N) [received 11/10/2017]
4487-04-14C Building Type 6 (K) [received 11/10/2017]
4487-04-15B Buildings Type 7 (Q and R) and Type 8 (T) [received 11/10/2017]
4487-04-16B Building Type 9 (J) [received 11/10/2017]
4487-04-17 Existing Site Plan
4487-04-18B Proposed Landscaping Layout [received 11/10/2017]

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

3. The external materials, including surfacing materials and their extents, of the development hereby permitted shall be carried out in complete accordance with those detailed on the approved plans and the 'Additional Planning Information' sheet submitted with the application. The materials shall be implemented within the development in strict accordance with the approved details.

REASON: To ensure that the materials to be used are appropriate to the locality in accordance with Policies DMG1 of the Ribble Valley Core Strategy.

4. No single unit of B1(c), B2 or B8 accommodation hereby approved shall have a ground floor area of more than 360m² and, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order revoking or re-enacting that Order, no internal alterations involving the removal of walls between these individual units shall be carried out which would enlarge them so that any single unit has a ground floor area of more than 360m² unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent a proliferation of over large units in this area and to ensure that the access provided to the site can accommodate the traffic generated by the development and in accordance with Policy DMG3 of the Ribble Valley Core Strategy.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order, no extensions or alterations, including the introduction of mezzanine floors, shall be carried out in respect of the buildings to which this permission relates.

REASON: To prevent an intensification in the use of the premises, in the interests of the visual amenities of the area and the amenities of local residents within the Borough in accordance with Key Statements EC1 and EN2 and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

P.T.O.

6. Unless otherwise agreed in writing by the Local Planning Authority, during the construction period no building or engineering operations within the site or deliveries to and from the site shall take place other than between 07:30 hours and 18:00 hours Monday to Friday and between 08:30 hours and 14:00 hours on Saturdays, and not at all on Sundays or Bank Holidays.

REASON: In order to protect the amenities of existing residents in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

7. No part of the development hereby granted consent shall be commenced until details of all artificial lighting has been submitted, the details of which shall include the location, intensity of lighting, type of application and direction.

The details shall include the light mitigation measures designed to reduce the impact of artificial lighting on protected species and species of conservation concern.

The external lighting shall be installed precisely in accordance with the approved details and thereby retained as such unless otherwise agreed in writing with the Local Planning Authority.

REASON: In order to reduce the harmful impact of artificial lighting on the natural foraging/roosting/nesting behaviour of a protected species and species of conservation concern and to minimise the possibility of inconvenience to nearby residents in compliance with Policies DMG1 and DME3 of the Ribble Valley Core Strategy Adopted Version.

8. The working hours within the premises shall be restricted to the period from 0800 to 1800 hours on Mondays to Fridays and 0900 to 1300 on Saturdays only. No work shall take place in the buildings on Sundays, Bank or Public Holidays.

REASON: In order to protect the residential amenities of the occupiers of the adjacent properties and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

P.T.O.

9. Prior to the first use or occupation of each unit of the development as hereby permitted, a competent person shall have ensured that the rating level of noise emitted from the site shall not have an impact on noise-sensitive premises. The assessment shall have been made in accordance with the current version of British Standard 4142 and the Planning Practice Guidance and confirmation of the findings of the assessment shall have been submitted to, and agreed in writing by, the Local Planning Authority and shall be adhered to thereafter.

If the assessment indicates that noise from the development is likely to affect neighbouring residential or commercial properties then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the unit.

The noise mitigation measures shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the development.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

10. No externally sited fixed plant, machinery or equipment (including ventilation and extraction equipment); or internally sited fixed plant, machinery and equipment (including ventilation and extraction equipment) which communicates directly to the exterior of a building used in connection with the development shall be fitted without first obtaining planning permission from the Local Planning Authority.

REASON: In the interests of the amenity of the surrounding area due to noise from such equipment, in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

11. No goods, plant or materials shall be deposited or stored on the site other than in the buildings shown on the approved plans.

REASON: To ensure a satisfactory appearance of the site in the interests of local visual amenity to comply with Policy DMG1 of the Ribble Valley Core Strategy.

12. There shall not at anytime whatsoever be any working outside of the buildings, or any noise generating work inside the buildings with the doors open.

REASON: In the interest of safeguarding residential amenity and to comply with Policy DMG1 of the Ribble Valley Core Strategy Proposed Main Modifications (May 2014).

P.T.O.

13. There shall be no deliveries or collections to/from the new units hereby approved other than between 07:00-19:00 Monday to Friday, between 08:00-13:00 Saturday and not at all on Sunday and bank Holidays.

REASON: In order to protect the amenity of the surrounding area and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

14. There shall be no movements of HGV's or forklift trucks, used in connection with the new units hereby approved, within the open areas of the site other than between 07:00-19:00 Monday to Friday, between 08:00-13:00 Saturday and not at all on Sunday and bank Holidays.

REASON: In order to prevent nuisance arising in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

15. No goods, plant or material shall be displayed for sale in the open on the site.

REASON: To ensure a satisfactory appearance of the site in the interests of local visual amenity and to comply with Policy DMG1 of the Ribble Valley Core Strategy.

16. The biodiversity mitigation measures as detailed in the Ecological Appraisal [ref.3466] submitted with the application [Sections 7.1 - 7.8.2] shall be implemented in accordance with the recommendations and any specified time table. The development shall subsequently be implemented entirely in accordance with the approved details. Thereafter, unless otherwise agreed in writing by the local planning authority, the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

REASON: To protect the protected species/ species of conservation concern from damaging activities and reduce or remove the impact of development and to ensure that there are no adverse effects on the favourable status of a bat population before and during the proposed development.

17. Unless otherwise agreed in writing by the local planning authority, the artificial bird/bat nesting/roosting features as detailed on approved plan 4487-04-18B shall be incorporated into the buildings during the actual construction and before the development is first brought into use and the mitigation measures shall be permanently maintained and retained at all times thereafter.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and protected species in accordance with Section 9 of the NPPF, and Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

P.T.O.

18. The approved landscaping scheme [ref.4487-04-18B] 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 10 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 DMG1 of the Core Strategy.

19. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution.

20. Surface water draining from areas of hardstanding shall be passed through an oil separator or series of oil separators, prior to being discharged into any watercourse, soakaway or surface water sewer. The separator(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water or vehicle washdowns and detergents shall not pass through the separator(s) and should be drained instead to foul sewer or sealed system.

REASON: To reduce the risk of pollution to the water environment in accordance with Core Strategy Policy DME6.

21. The new estate road/access between the site and Mitton 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 before the development hereby permitted becomes operative.

22. The existing access shall be physically and permanently closed at its junction with the internal estate road except for emergency situations. Provision shall be retained for the unobstructed passage of pedestrians and cyclists concurrent with the formation of the new access.

REASON: To limit the number of access points to, and to maintain the proper construction of the highway.

23. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

P.T.O.

24. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 23 has been constructed and completed in accordance with the scheme details.

REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

25. No development shall take place, including any works of demolition, 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. It shall provide for:

The parking of vehicles of site operatives and visitors
The loading and unloading of plant and materials
The storage of plant and materials used in constructing the development
The erection and maintenance of security hoarding
Details of working hours
HGV delivery times and routeing to/from the site
Contact details for the site manager

REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

26. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

REASON: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

27. The parking facilities shown on the plans hereby approved shall be surfaced or paved and made available in accordance with the approved plan prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

REASON: In the interest of highway safety and to ensure adequate parking is available within the site and to comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.
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28. Cycling facilities shall be provided in accordance with a scheme to be approved by the Local Planning Authority and the cycling facilities shall be provided in accordance with the approved plan before the use of the premises hereby permitted becomes operative.

REASON: To allow for the effective use of the parking areas.

29. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum:
- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change - see EA advice <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;
 - b) The drainage scheme should demonstrate that surface water run-off must not exceed the existing pre-development runoff rate for the corresponding rainfall event and must not exceed 11.2 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
 - c) Any works required on or off-site to ensure the adequate discharge of surface water without causing flooding or pollution (which should include the refurbishment or removal of any existing watercourses, culverts, headwalls or unused culverts where relevant);
 - d) Flood water exceedance routes, both on and off site;
 - e) A timetable for implementation, including phasing where applicable;
 - f) Site investigation and test results to confirm infiltrations rates;
 - g) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to reduce the risk of flooding to the proposed development, elsewhere and to future users and; to ensure that water quality is not detrimentally impacted by the development proposal.

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30. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

- a) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b) arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

REASON: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the flood risk to the development as a result of inadequate maintenance and; to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

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 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.
4. 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 reserves 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 Environment Directorate for further information by telephoning the Developer Support Section on 0300 123 6780, or email lhscustomerservice@lancashire.gov.uk.
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5. This consent does not give approval to a connection being made to the County Council's highway drainage system.

6. For the avoidance of doubt, this planning permission does not grant the applicant permission to connect to the ordinary watercourse(s) and it does not mean that land drainage consent will be given. The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found via the following website: www.lancashire.gov.uk/flooding.

JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES