

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: 3/2022/0990

DECISION DATE: 13 January 2023

DATE RECEIVED: 28/10/2022

APPLICANT:

Mr and Mrs Higgs
C/o Agent

AGENT:

Mr Neil Andrews
Stanton Andrews Architects
44 York Street
Clitheroe
BB7 2DL

DEVELOPMENT Proposed residential development of a detached dwelling.

PROPOSED:

AT: Land opposite Ashbrook Ribblesdale Avenue Clitheroe BB7 2HZ

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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

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:

Location Plan Drawing No: 1862 / EX01 REV E

Proposed Plans And Elevations Drawing No: PL.05 REV D

Proposed Site Plan Drawing No: PL.03 REV G

Existing / Proposed Site Section Drawing No: PL.06 REV D

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 as indicated on Proposed Plans And Elevations Drawing No: PL.05 REV D shall be implemented as indicated.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, no windows other than those shown on the approved plans, shall be inserted at first floor level on the dwelling hereby approved.

Reason: To enable the Local Planning Authority to exercise control over development which could be of detriment to nearby residential amenities.

5. The development shall be constructed in strict accordance with the floor levels as shown on Proposed Plans And Elevations Drawing No: PL.05 REV D.

Reason: To ensure the proposed development responds positively to characteristics of the area and to ensure the Local planning Authority can make an accurate assessment of potential impacts upon existing nearby residential amenity.

6. The first-floor window(s) in the North-eastern elevation (dressing room and en-suite) of the dwelling hereby approved shall be fitted with obscure glazing (which shall have an obscurity rating of not less than 4 on the Pilkington glass obscurity rating or equivalent scale) and shall be non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The windows shall remain in that manner in perpetuity at all times.

Reason: To protect nearby / neighbouring and future residential amenity.

7. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Proposed Site Plan Drawing No: PL.03 REV G have been implemented in full. No wall, fence, or hedge to the highway frontage of the site fronting Ribblesdale Avenue associated with the development hereby approved shall at any time be allowed to exceed a height of 1 metre above the crown level of the carriageway of Ribblesdale Avenue.

Reason: To ensure and maintain adequate visibility for the drivers of vehicles entering and leaving the site.

8. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Proposed Site Plan Drawing No: PL.03 REV G. Thereafter the onsite parking provision shall be so maintained in perpetuity. Drainage shall be drained internally or through the use of porous materials.

Reason: To ensure that adequate off-street parking provision 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.

9. Prior to the first occupation the dwelling shall have an electric vehicle charging point. Charge points must have a minimum power rating output of 7kW, be fitted with a universal socket that can charge all types of electric vehicle currently.

Reason: In the interests of supporting sustainable travel.

10. Any removal of vegetation including trees and hedges shall be undertaken outside the nesting bird season [March - August inclusive] unless preceded by a pre-clearance check by a licensed ecologist on the day of removal.

Reason: To ensure that there are no adverse effects on the favourable conservation status of birds.

11. No above ground 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 to and approved in writing by the Local Planning Authority. The details shall include the numbers of artificial bird nesting boxes and artificial bat roosts and the actual wall and roof elevations into which the provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into the dwelling in accordance with the approved details before the dwelling is first brought into use and shall be retained and maintained thereafter.

Reason: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and protected species.

12. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) 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;
- (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); and
- (iii) A timetable for its implementation

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. The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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

13. The site shall be drained via separate systems for the disposal of foul and surface water.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment.

14. INFORMATIVE

The grant of planning permission will require the applicant to enter into an appropriate Legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email developeras@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number. Please be aware that the demand to enter into section 278 agreements with Lancashire County Council as the highway authority is extremely high. Enquiries are being dealt with on a first come first served basis. As such all developers are advised to seek to enter into Section 278 agreements at a very early stage.

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.

APPLICATION NO. 3/2022/0990

DECISION DATE: 13 January 2023

· 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.