

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: 3/2024/0878

DECISION DATE: 28 November 2024

DATE RECEIVED: 21/10/2024

APPLICANT:

Mr Samuel Finlay
LNT Construction
1 Isabella Road
Garforth
Leeds
LS25 2DY

AGENT:

DEVELOPMENT PROPOSED: Variation of condition 2 (approved plans - to relocate and increase the motorbike parking provision alongside rearranging the ancillary buildings to allow for more space around substation) of planning permission 3/2023/0153 for the proposed erection of a 66 bed care home (use class C2) for elderly people with associated parking, access, landscaping and associated ground works, alongside the erection of 3 dwellings (use class C3) following the demolition of nos. 23-25 Old Row.

AT: Old Row Whalley Road Barrow BB7 9AZ

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 has commenced within the requisite time-period of three years from the granting of the original consent 3/2023/0153 (dated 31st August 2023).
2. The development hereby permitted shall be carried out in full conformity with the following submitted plans and details received by the Local Planning Authority:

Location Plan BB7 9AZ-A-01

Site Plan BB7 9AZ-A-03 G

Proposed Ground Floor Plan BB7 9AZ-A-04.1

Proposed First Floor Plan BB7 9AZ-A-04.2

Proposed Roof Plan BB7 9AZ-A-06

Proposed West And East Elevations BB7 9AZ-A-05.1

Proposed North and South Elevations BB7 9AZ-A-05.2

Proposed West and East Courtyard Elevations BB7 9AZ-A-05.3

Proposed Dwelling Elevations 1 BB7 9AZ-A-05.4 A

Proposed Dwelling Elevations 1 BB7 9AZ-A-05.5 A

Site Sections BN23 6DW-A-07

Streetscene BB7 9AZ-A-11

Acoustic Fence Detail BB7 9AZ-A-12

Details of Solar PV - JAM60S21 355-375/MR MC4
Details of Solar PV - Easy Roof Data Sheet
Details of Battery Housing - PV01
Details of Bin Store SDL-033A
Details of Cycle Shelter - CYSH-PREM-2250 X 3000 X 2100
Details of EVCP - Quantum EV TOKEN MECH - PAYG Data Sheet -04
Details of Electric Meter House SDL-090.4A

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied with the detail.

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended or re-enacted) the care home development hereby approved shall only be used for the purposes of a Residential Care Home (C2) and for no other purpose, including any other purpose within Use Class C2.

Reason: To define the scope of the permission hereby approved and to ensure that the development remains compatible with the character of the area.

4. The approved boundary treatments shall be completed before the use hereby permitted is first commenced, or before the dwellings are first occupied. The approved details shall thereafter be maintained and retained.

Notwithstanding the provisions of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended or re-enacted) there shall be no amendments to the approved boundary treatments, or no new fences, walls, railings or other means of enclosure erected within the site, without express planning permission being obtained.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants / neighbours.

5. Phase 1 of the development shall be carried out in strict accordance with the following approved details in respect of the Surface Water Sustainable Drainage scheme:

10-01 P3: Drainage Layout
10-02 P2: Impermeable Areas Plan
10-03 P2: Surface Water Manhole Schedule
10-04 P2: Foul Water Manhole Schedule
10-05 P2: Combined Water Manhole Schedule
10-06 P2: Manhole Details
10-07 P2: Manhole Details
10-08 P2: Hydrobrake Detail
10-09 P3: Flood Routing Plan

The approved drainage strategy shall be implemented prior to occupation of the development of that phase and/or in accordance with the timing / phasing arrangements embodied within the scheme and shall be retained thereafter for the lifetime of the development.

For the avoidance of doubt a Surface Water Sustainable Drainage Strategy is required to be submitted for phase 2 of the development (three dwellings) prior to that phase of the development being first commenced. Phase 2 of the development shall be carried out in strict accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems, Policy EN3 and Policy DME6 of the adopted Core Strategy 2008 - 2028, Ribble Valley Local Plan.

6. Phase 1 of the development shall be carried out in strict accordance with the following approved details in respect of the Construction Surface Water Management for the development:

Temporary Runoff Management (882667)

Temporary Surface Water Run-off Plan: 10-11 Rev: P1

For the avoidance of doubt a Construction Surface Water Management plan is required to be submitted for phase 2 of the development (three dwellings) prior to that phase of the development being first commenced. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework.

7. The development shall be carried out in strict accordance with the following approved details in respect of the Operation and Maintenance Manual (for the lifetime of the development) pertaining to the surface water drainage system:

SUDS Management Strategy (September 2023)

The drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.

8. The occupation of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.

9. The development shall proceed in accordance with the findings of the Geo-Environmental report prepared by Calabrian dated October 2022 (Report ref 7208/1), in particular the recommendations on "Contamination & remediation" at Section 13.6 of that report.

Reason: In order to protect the health of the occupants of the new development

10. The development shall be carried out in strict accordance with the following approved details in respect of the Construction Management Plan for the development:

(LNT Construction October 2023)
Site Setup (P-B-10)

The approved details shall be adhered to throughout the construction period for the development.

REASON: In the interests of the safe operation of the adopted highway during the demolition and construction phases.

11. The development shall be carried out in strict accordance with the following approved details in respect of the proposed access arrangements for the development:
Proposed Highways Works GA: J471-CHG-Z0-00-DR-C-3000 Rev: P03

The approved access arrangements shall be implemented prior to first use of the care home development or occupation of any dwelling hereby permitted, whichever is the sooner.

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 and the works are completed in a timely manner in the interests of general highway safety.

12. Prior to first occupation of any dwelling / first use of the care home development hereby approved, whichever is the sooner, the off-site works of highway mitigation, namely:

1. Kerb build out adjacent to number 1 Cockerill Terrace and dropped crossing provided directly across the adopted carriageway;
2. Traffic calming measures in the form of an enhanced gateway treatment on Whalley Road at the 30/40mph speed limit change to the north of the site and school, including a carriageway width restriction, enhanced signage and road markings; and
3. A review of the traffic regulation orders in the vicinity of the site access on Whalley Road.

shall be carried out, unless an alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority, in which case the off-site highway works shall be carried out in accordance with any alternative approved timetable for implementation.

Reason: In order to ensure the timely delivery of the necessary off-site highway works in the interests of highway safety and to encourage sustainable travel.

13. The development shall be carried out in strict accordance with the following approved details in respect of the Travel Plan associated with the development:

submitted Transport Statement and Travel Plan (LNT February 2023)

The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the Local Planning Authority.

REASON: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

14. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with LNT Construction drawing number BB7- 9AZ-A-09. Thereafter the onsite parking provision shall be so maintained in perpetuity.

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 and in accordance with the National Planning Policy Framework (2021).

15. Prior to first use of the care home development hereby approved, the motorcycle parking provision shown on the approved plans shall be constructed and made available for use. The area shall thereafter be kept free of obstruction and available for the parking of motorcycles only at all times.

REASON: To ensure the provision and availability of adequate motorcycle parking and to allow for the effective use of the parking areas.

16. Prior to first use of the care home development hereby approved, the cycle parking provision shown on the approved plans shall be constructed and made available for use. The area shall thereafter be kept free of obstruction and available for the parking of cycles only at all times.

REASON: To ensure the provision and availability of adequate cycle parking and the promotion of sustainable forms of transport.

17. (A) Prior to the first occupation of any dwelling hereby approved, 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. These shall be retained thereafter for the lifetime of the development.

(B) Prior to first use of the care home development hereby approved, the electric vehicle charging points shown on the approved plans shall be installed and made available for use. These shall be retained thereafter for the lifetime of the development.

REASON: In the interests of supporting sustainable travel.

18. No dwelling hereby permitted shall be occupied until a cycle storage plan for the residential units has been submitted to the Local Planning Authority. These cycle facilities shall thereafter be kept free of obstruction and available for the parking of bicycles only at all times.

REASON: To allow for the effective use of the parking areas and to promote sustainable transport as a travel option, encourage healthy communities and reduce carbon emissions.

19. The development shall be carried out in strict accordance with the following approved details relating to the 'Pedestrian Link and Arboricultural Impact Assessment':

Root Protection Path Detail: B-05.2

Arboricultural Impact Assessment (Brooks Ecological October 2023)

Tree protection Plan: DR-6446-02

Prior to first use of the care home development hereby approved the pedestrian link shall be constructed in accordance with the approved details and built up to the east and south site boundaries. This pedestrian link shall thereafter be maintained and remain open and unobstructed at all times.

Reason: To ensure that the development provides appropriate connections and sustainable linkages to neighbouring development and public open space.

20. The development shall be carried out in strict accordance with the following approved details relating to the provisions for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites:

Elevations C-01.1 (With Bat/Bird Box details)

The approved artificial bird/bat boxes and hedgehog features shall be provided before the buildings are first occupied/ brought into first use.

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

21. No demolition of 23-25 Old Row or scrub clearance within the curtilage of this building, shall take place until a methodology for dealing with the invasive species identified on site and preventing their spread, has been submitted to and approved in writing by the Local Planning Authority. The invasive species shall then be removed in accordance with the approved methodology.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981.

22. The development shall be carried out in strict accordance with the following approved details relating to the proposed external and building mounted lighting for the development:

External Lighting: E103 10.10.23

The approved lighting schemes shall be implemented in accordance with the approved details prior to the occupation of the development hereby approved and retained as approved.

Reason: To enable the Local Planning Authority to exercise control over development which could prove materially harmful to the character and visual amenities of the immediate area and to minimise/mitigate the potential impacts upon protected species resultant from the development.

23. All tree works/tree protection shall be carried out in strict accordance with the recommendations set out in the submitted Arboricultural Impact Assessment dated September 2022.

The specified tree protection measures shall remain in place throughout the demolition and construction phases of the development and the methodology hereby approved shall be adhered to during all site preparation/construction works.

Reason: To protect trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development hereby approved.

24. Phase 1 of the development shall be carried out in strict accordance with the following approved details relating to the external facing materials of the development:

Materials Schedule (LNT Construction)

For the avoidance of doubt details in relation to facing/surfacing/roofing materials for phase 2 of the development (three dwellings) are required to be submitted prior to that phase of the development reaching ground level. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To safeguard the visual amenities of the locality.

25. The development shall be carried out in strict accordance with the following approved details relating to the proposed landscaping and hard-surfaced areas associated with the development:

Outline Landscape Masterplan: PWP 828 001

Root Protection Path Detail: B-05.2

The landscaping works shall be carried out in accordance with the approved details prior to first occupation or first use of any part of the development or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 15 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology.

26. Prior to first occupation of the care home development hereby approved, the scheme of noise insulation measures set out in the supporting Noise Assessment submitted with the application [prepared by S&D Garritt Ltd, dated 23rd January 2023] namely acoustic bund and fencing; acoustic glazing and trickle ventilators to identified elevations shall be implemented. The approved noise insulation measures shall thereafter be retained.

Reason: To ensure there is no adverse effect on the health and quality of life of future occupants and to avoid an unacceptable impact on residential amenity by virtue of noise.

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.
4. This Decision Notice should be read in conjunction with the officer's report which is available to view on the website.

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

APPLICATION NO. 3/2024/0878

DECISION DATE: 28 November 2024

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.