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| 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:** | 3/2019/1104 | |  |  |  |
| **DECISION DATE:** | 23 December 2021 | |  |  |  |
| **DATE RECEIVED:** | 12/12/2019 | |  |  |  |
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| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Miss Katie Pearson  Persimmon Homes  Persimmon House  Lancaster Business Park  Caton Road  Lancaster  LA1 3RQ | |  |  | | |
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| **DEVELOPMENT PROPOSED:** | | Erection of 58 dwellings (including 30% affordable) with open space, infrastructure and associated works. |
| **AT:** | Land off Hawthorne Farm Hawthorne Place Clitheroe BB7 2HU | |
| 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): | | |
|  | 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 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. | |
|  | 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:  PLANS:  Housetypes :  Barton - 3 Bed  Burnham - 4 Bed  Coniston - 4 Bed  Danbury - 3 Bed  Delamere - 3 Bed  Heartwood - 1 Bed  Holywell - 5 Bed  Lockwood - 3 Bed  Marston - 4/5 Bed  Approved plans:  Site plan: HTF-PL01 Rev J  Boundary Treatment Plan: HTF-BTP  Fence Details:SDF12 and SDF05  Screen Wall Details: SDW08/04  REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent. | |
|  | Prior to the commencement of the construction of the development hereby approved full details of the external materials and surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be constructed in accordance with the approved materials.  REASON: To ensure that the appearance of the development is appropriate to the character and setting of the area. | |
|  | 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 and land uses. | |
|  | No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the submitted statement shall provide details of:  A. The location of parking of vehicles of site operatives and visitors  B. The location for the loading and unloading of plant and materials  C. The location of storage of plant and materials used in constructing the development  D. The locations of security hoarding  E. The location and nature of wheel washing facilities to prevent mud and stones/debris being carried onto the Highway (For the avoidance of doubt such facilities shall remain in place for the duration of the construction phase of the development) and the timings/frequencies of mechanical sweeping of the adjacent roads/highway  F. Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)  G. Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.  H. Days and hours of operation for all construction works.  The approved statement shall be adhered to throughout the construction period of the development.  REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway. | |
|  | Each dwelling shall have been provided with an electric vehicle charging point in a location suitable to enable electric vehicles to be charged at the dwelling prior to first occupation.  REASON: To ensure that the development provides adequate and appropriate sustainable transport options and in the interest of lowering emissions resultant from vehicular movements associated with the development. | |
|  | All car parking and manoeuvring areas, shown on the approved plans, shall be marked out and made available for use before each dwelling, to be served by such areas, is brought into use. The approved parking and manoeuvring areas shall be permanently maintained as approved thereafter.    REASON: To allow for the effective use of the parking areas. | |
|  | The development permitted by this planning permission shall be carried out in  accordance with the principles set out within the submitted flood risk assessment  (reference: 19310-edge-XX-XX-RP-C-0001\_flood risk assessment [p04], by: Edge  Consulting Engineers, dated: 4 February 2021) and outline sustainable drainage  strategy (drawing: 19310-EDGE-XX-XX-DR-C-C2001 Rev P09, dated: 17 November  2020).  The measures shall be fully implemented prior to first occupation of any dwelling and  in accordance with the timing / phasing arrangements embodied within the scheme,  or within any other period as may subsequently be agreed, in writing, by the local  planning authority in consultation with the Lead Local Flood Authority. | |
|  | No development shall commence until a final, detailed surface water sustainable  drainage scheme for the site has been submitted to, and approved in writing by, the  local planning authority.  The detailed sustainable drainage scheme shall be based upon the site-specific  flood risk assessment submitted and the sustainable drainage principles set out in  the National Planning Policy Framework, Planning Practice Guidance and Defra  Technical Standards for Sustainable Drainage Systems. No surface water shall be  allowed to discharge to the public foul sewer(s), either directly or indirectly. The  detailed sustainable drainage scheme shall include, as a minimum:  a) Final sustainable drainage plans, appropriately labelled to include:  i. A final surface water drainage layout plan showing all pipe and structure  references, dimensions and design levels;  ii. A plan identifying the areas contributing to the surface water drainage network,  including surface water flows from outside the curtilage as necessary;  iii. Details of all sustainable drainage components, including landscape drawings  showing topography and slope gradient as appropriate;  iv. Flood water exceedance routes in accordance with Defra Technical Standards  for Sustainable Drainage Systems;  v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of  each building;  vi. Details of proposals to collect and mitigate surface water runoff from the  development boundary; and  vii. Measures taken to manage the quality of the surface water runoff to prevent  pollution, protect groundwater and surface waters, and deliver suitably clean  water to sustainable drainage components;  b) A full set of sustainable drainage flow calculations for the surface water drainage  network. The calculations must show the full network design criteria, pipeline  schedules and simulation outputs for the 1 in 1 year, 1 in 30 year and 1 in 100  year return period, plus an additional 40% allowance for climate change and an  appropriate allowance for urban creep. Surface water run-off must not exceed a  maximum rate of 11.7l/s.  The scheme shall be implemented in accordance with the approved details prior to  first occupation of any of the approved dwellings.  REASON:  To ensure satisfactory sustainable drainage facilities are provided to serve the site in  accordance with the Paragraphs 163 and 165 of the National Planning Policy  Framework, Planning Practice Guidance and Defra Technical Standards for  Sustainable Drainage Systems. | |
|  | No development shall commence until details of how surface water and pollution  prevention will be managed during each construction phase have been submitted to  and approved in writing by the local planning authority. Those details shall include,  as a minimum:  a) Measures taken to ensure surface water flows are retained on-site during  construction phase(s) and, if surface water flows are to be discharged they are  done so at a restricted rate to be agreed with the Lancashire County Council  LLFA.  b) Measures taken to prevent siltation and pollutants from the site into any receiving  groundwater and/or surface waters, including watercourses, with reference to  published guidance.  The development shall be constructed in accordance with the approved details.  REASONS:  1. 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 flood risk on site or elsewhere;  2. To ensure that any pollution arising from the development as a result of the  construction works does not adversely impact on existing or proposed ecological  or geomorphic condition of water bodies. | |
|  | No building hereby permitted shall be occupied until a Verification Report and  Operation and Maintenance Plan for the lifetime of the development, pertaining to  the surface water drainage system and prepared by a suitably competent person,  has been submitted to and approved by the Local Planning Authority.  The Verification Report must demonstrate that the sustainable drainage system has  been constructed as per the agreed scheme (or detail any minor variations), and  contain information and evidence (including photographs) of details and locations  (including national grid reference) of inlets, outlets and control structures; landscape  plans; full as built drawings; information pertinent to the installation of those items  identified on the critical drainage assets drawing; and, the submission of an final  'operation and maintenance manual' for the sustainable drainage scheme as  constructed.  Details of appropriate operational, maintenance and access requirements for each  sustainable drainage component are to be provided, with reference to published  guidance, through an appropriate Operation and Maintenance Plan for the lifetime of  the development as constructed. This shall include arrangements for adoption by an  appropriate public body or statutory undertaker, and/or management and  maintenance by a Management Company and any means of access for  maintenance and easements, where applicable. Thereafter the drainage system  shall be retained, managed and maintained in accordance with the approved details.  REASON:  To ensure that 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 and subsequently maintained pursuant to the requirements of  Paragraph 165 of the National Planning Policy Framework. | |
|  | The development hereby approved shall be carried out in complete accordance with the recommendations and ecological enhancement measures detailed within Section 5 of the submitted Ecological Survey and Assessment (Ref: 2019-283 - September 2019).  REASON: In the interests of biodiversity and to enhance opportunities for species of conservation concern and reduce the impact of development. | |
|  | No above ground level works shall commence or be undertaken on the construction of any dwelling 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.  For the avoidance of doubt the details shall be submitted on a dwelling/building dependent bird/bat species site plan and include details of plot numbers and the numbers (there shall be at least 1 nest brick/bat tile per dwelling) of artificial bird nesting boxes and artificial bat roosting site per individual dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.  The artificial bird/bat boxes shall be incorporated into those individual dwellings during construction and be made available for use before each such dwelling is occupied 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 nesting/roosting opportunities for species of conservation concern and protected species. | |
|  | All trees identified to be retained within the submitted Arboricultural Impact Assessment Ref: P1239.19 September 2019, drawing P1239.19.01/02 shall be enclosed with temporary protective fencing in accordance with BS5837:2012 [Trees in Relation to Demolition, Design & Construction]. The fencing shall be retained during the period of construction and no work, excavation, tipping, or stacking/storage of materials shall take place within such protective fencing during the construction period.  REASON: To ensure that existing trees are adequately protected during construction in the interests of the visual amenity of the area. | |
|  | Any removal of vegetation, including trees and hedges, should be undertaken outside the nesting bird season (March to August) unless an up-dated pre-clearance check has by carried out by a licensed ecologist on the day of removal and no nesting birds are present. The up-dated pre-clearance check shall be have submitted to the Local Planning Authority prior to the removal of any trees and/or hedges.  REASON: To ensure that there are no adverse effects on the favourable conservation status of birds and to protect the bird population from damaging activities. | |
|  | No above ground works shall commence on site until details of a scheme for any external building or ground mounted lighting/illumination, shall have been submitted to and approved in writing by the local planning authority.  For the avoidance of doubt the submitted details shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated.  The lighting schemes shall be implemented in accordance with the approved details and retained as approved    REASON: To enable the Local Planning Authority to exercise control over development which could prove materially harmful the character and visual amenities of the immediate area and to minimise/mitigate the potential impacts upon protected species resultant from the development | |
|  | Notwithstanding the submitted details, prior to any dwelling being occupied, details/elevations at a scale of not less than 1:20 of the proposed boundary walling, gates and fencing shall have been submitted to and approved by the Local Planning Authority and these details shall identify the measures to be taken to encourage habitat connectivity throughout the site. The development shall be carried out in strict accordance with the approved details.  REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality and to enhance biodiversity. | |
|  | Within three months of commencement of development on site, a scheme/timetable of phasing for the approved landscaping areas shall have been submitted for the written approval of the Local Planning Authority. The development shall be carried out in strict accordance with the duly approved timings and phasing's and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.  REASON: To ensure the proposed landscaped areas are provided on a phase by phase basis. | |
|  | Prior to occupation of the first dwelling, a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas (other than within curtilages of buildings), shall be submitted to and approved in writing by the Local Planning Authority. The site thereafter shall be managed and maintained in accordance with the approved plan for a minimum period of 25 years.  REASON: To ensure the proper long-term management and maintenance of the landscaped areas in the interests of visual amenity and biodiversity enhancement. | |
|  | This decision shall be read in conjunction with the Section 106 agreement dated 20/12/2021 | |

**Note(s)**

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|  | For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes. |
|  | 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. |
|  | 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. |

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| John Macholc  **pp 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/planning-inspectorate>. 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.