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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:** | 3/2022/0467 | |  |  |  |
| **DECISION DATE:** | 22 March 2023 | |  |  |  |
| **DATE RECEIVED:** | 12/05/2022 | |  |  |  |
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| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Mr and Mrs Brunt  36 Painter Wood  Whalley Old Road  Billington  BB7 9JD | |  | Mr Peter Hitchen  Peter Hitchen Architects  Marathon House  The Sidings Business Park  Whalley  BB7 9SE | | |
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| **DEVELOPMENT PROPOSED:** | | Demolition of existing house and erection of a replacement dwelling with associated external works. Resubmission of 3/2021/1122. |
| **AT:** | 36 Painter Wood Whalley Old Road Billington BB7 9JD | |
| 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 by Section 51 of the Planning and Compulsory Purchase Act 2004.  P.T.O. | |
|  | The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 12.05.2022 including the following plans/documents:  - Location Plan (36 Painterwood, Billington Location Plan Scale 1:1250)  - A1.5 Proposed Lower Ground Floor Plan received 28.02.2023  - A1.6 Proposed First Floor Plan received 28.02.2023  - A1.7 Proposed Ground Floor Plan received 28.02.2023  - A1.8 Proposed Site Plan received 28.02.2023  - A3.2 Proposed Section received 28.02.2023  - A3.3 Proposed Elevations received 28.02.2023  The development shall be retained hereafter in accordance with this detail.  REASON: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details. | |
|  | Prior to the commencement of development, save for demolition works, a drainage scheme which shall detail measures for the attenuation and the disposal of foul and surface waters shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in the National Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015), or any subsequent replacement national guidance / standards, with evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates to be submitted. For the avoidance of doubt, surface water must drain separate from the foul and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.  The dwelling shall not be occupied until the drainage works have been completed in accordance with the approved scheme. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.  REASON: To ensure satisfactory sustainable drainage facilities are provided to serve the site to prevent an undue increase in surface water run-off and to reduce the risk of flooding. | |
|  | No works above slab level shall commence until details of the materials to be used in the construction of the external surfaces of the dwelling (including the external walls, roof, windows, doors and rainwater goods) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.  REASON: To safeguard the visual amenities of the locality.  P.T.O. | |
|  | No development shall take place, save for demolition works, until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include, areas of soft landscaping (including any retained trees, hedgerows and other planting), hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), and shall show how account has been taken of any underground services.  The landscaping works shall be carried out in accordance with the approved details prior to first occupation of the dwelling or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.  Any trees, shrubs or hedgerow planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 7 years of planting, or any trees, hedge 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. | |
|  | The development shall be constructed and completed in accordance with the approved site levels as shown on plan refs: A1.8 Proposed Site Plan and A3.2 Proposed Section (both received 28.02.2023). There shall be no other changes to the existing site levels, as shown on the Site Survey Plan (ref: TRI-3357-01), unless otherwise agreed in writing by the Local Planning Authority prior to any changes taking place.  REASON: To ensure the development has a satisfactory visual impact, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding | |
|  | The dwelling hereby approved shall not be occupied until the parking / turning area(s) shown on the approved plan (A1.8 Proposed Site Plan received 28.02.2023) has been laid out, surfaced and drained. The parking / turning area(s) shall not thereafter be used for any purpose other than for the parking and manoeuvring of vehicles.  REASON: To ensure that adequate off road parking is provided to serve the development in the interests of highway safety. | |
|  | The dwelling hereby approved shall not be occupied until the access arrangements have been implemented in full in accordance with the approved plan (A1.8 Proposed Site Plan received 28.02.2023).  REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety.  P.T.O. | |
|  | An electric vehicle recharging (EVCP) scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the charge point has a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently. The dwelling shall not be occupied until the approved EVCP scheme has been provided, and the electric vehicle recharging point shall be maintained and retained thereafter.  REASON: To ensure the provision of appropriate on-site mitigation to compensate for the impact on air quality caused by the development in the surrounding area. | |
|  | The dwelling hereby permitted shall not be occupied until such time as vehicular visibility splays of 2 metres by 65 metres have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 1 metres above the level of the adjacent footway/verge/highway.    REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety. | |
|  | Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the garage hereby approved shall be retained solely for the housing of private motor vehicles, and at no time shall any works be undertaken that would prevent it from being used for that purpose.  REASON: To ensure that the on-site vehicle parking provision is maintained to avoid the standing of traffic on the adjoining highway to the detriment of the safety and free flow of traffic thereon and in the interest of the amenity of the street scene. | |
|  | Any removal of vegetation, including trees or 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 within the 24 hours prior to any removal and no nesting birds are found to be 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.  P.T.O. | |
|  | 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 prior to their installation. 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.  The lighting scheme 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. | |
|  | Prior to any works commencing above slab level, details of the provisions to be made for artificial bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved artificial bat boxes shall be installed before the dwelling hereby approved is occupied.  REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern. | |
|  | Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 2 Class A (or any Order revoking and re-enacting that Order with or without modification), no fences, gates, walls, railings or other means of enclosure shall, at any time, be constructed/erected within the curtilage without express planning permission first being obtained.  REASON: To safeguard the appearance of the development. | |
|  | Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order, 2015 Schedule 2 Part 1 Class A - E (or any Order revoking and re-enacting this Order with or without modification), there shall be no extensions or alterations to the dwelling hereby approved, or erection of outbuildings, 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 development and locality and the amenities of nearby residents | |

**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.  P.T.O. |
|  | 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. |
|  | \_table InformativeText |

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| 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.