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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:** | 3/2022/0568 | |  |  |  |
| **DECISION DATE:** | 17 March 2023 | |  |  |  |
| **DATE RECEIVED:** | 01/08/2022 | |  |  |  |
|  | | | | | |
| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Mr Glen Hodson  Hodson Homes  20 Wood Beech Gardens  Clayton Le Woods  Chorley  PR6 7FH | |  |  | | |
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| **DEVELOPMENT PROPOSED:** | | Erection of four new residential dwellings with new access taken from Fish House Lane with associated earthworks and landscaping. |
| **AT:** | Land to rear of Malt Kiln House Malt Kiln Brow Chipping PR3 2GP | |
| 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 before the expiration of three years beginning with the date of this permission.    REASON: This condition is 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.  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 01.08.2022 including the following plans/documents:     * BTD/P20 rev A: Boundary Treatment Elevations & Details. * DS/GA01 rev C: Drainage Strategy. * SKETCH01 rev A: Flex MSE Retaining Wall Proposed Section. * MKB/C/01 rev -: House Type C, Proposed Elevations. * MKB/C/02 rev -: House Type C, Proposed Floor Plans. * MKB/D/01 rev -: House Type D, Proposed Elevations. * MKB/D/02 rev -: House Type D, Proposed Floor Plans. * LAN/BND/P01 rev D: Hard Landscaping, Soft Landscaping & Boundary Treatment Layout. * MKB/L01 rev -: Location Plan. * MKB/P01 rev G: Proposed Site Plan. * Levels Sketch rev C: Proposed Levels. * MKB/P07 rev B: S278 Highway Works, General Arrangement. * MKB/P08 rev A: S278 Highway Works, Site Boundary. * MKB/P02 rev C: Proposed Site Sections, 1 of 2. * MKB/P02.1 rev A: Proposed Site Sections, 2 of 2. * MKB/P06 rev A: Swept Path Analysis. * MKB/TS01 rev -: Topographical Survey. * MKB/P03 rev D: Traffic Management Plan. * MKB/P04 rev D: Tree Protection Plan.     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. | |
|  | The development hereby permitted shall be carried out in accordance with the approved Foul & Surface Water Drainage Design Drawing DS/GA01, Rev C - Dated 28.12.22. For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of any dwelling, the drainage scheme shall be completed in accordance with the approved details for that dwelling. The approved measures shall be retained thereafter for the lifetime of the development.    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.  P.T.O. | |
|  | No works above slab level shall commence until details of the materials to be used in the construction of the external surfaces of the dwellings (including the external walls, roof, windows, lintels, cills, soffits, fascias and bargeboards) 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 | |
|  | (a) The development shall be carried out in accordance with the approved hard and soft landscaping and boundary treatment details (Drawing Nos. LAN/BND/P01 Rev D: Hard Landscaping, Soft Landscaping and Boundary Treatment Details, BTD/P20 rev A: Boundary Treatment Elevations & Details; and SKETCH01 rev A: Flex MSE Retaining Wall Proposed Section).    (b) Prior to first occupation of any dwelling, precise details of the hedgerow, shrub and green wall planting specifications and schedules (including plant size, species and number/ densities) as shown on approved drawing No. LAN/BND/P01 Rev D, and bin store enclosure if proposed shall be submitted to and approved in writing by the Local Planning Authority.    (c) The site shall be landscaped (including boundary treatment details) in accordance with the approved details prior to first occupation of any dwelling or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained. Any 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 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.    (d) The implemented landscaping scheme shall thereafter be managed and maintained in accordance with the approved residential maintenance and management plan, January 2023 Rev C.    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 (Levels Sketch rev C: Proposed Levels; MKB/P02 rev C: Proposed Site Sections, 1 of 2; MKB/P02.1 rev A: Proposed Site Sections, 2 of 2.).    REASON: To ensure the development has a satisfactory visual impact, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding  P.T.O. | |
|  | No dwelling hereby approved shall be occupied until the parking / turning area(s) shown on the approved plan (LAN/BND/P01 rev D: Hard Landscaping, Soft Landscaping & Boundary Treatment Layout) as relating to that dwelling 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. | |
|  | (a) The internal estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level prior to first occupation of any dwelling.    (b) In the event that the internal estate road is not proposed for adoption by the Local Highway Authority then:-    (i) details of road construction (surface materials and depth) and highway infrastructure (footways, street lighting, drainage) shall be submitted to and approved in writing by the Local Planning Authority and the new estate road(s) shall be constructed in accordance with the approved details prior to first occupation of any dwelling.    (ii) Details of the proposed arrangements for future management and maintenance of the estate road within the development shall be submitted to and approved in writing by the Local Planning Authority and the estate road shall thereafter be maintained in accordance approved management and maintenance details.    REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative; to ensure that any private roads are of sufficiently adequate construction to support any loading applied to them to enable effective waste management and emergency services satisfactory access; and to ensure that adequate management arrangements are in place in the form of a management company. | |
|  | Upon completion of the construction phase the vehicle access and hardstanding from Malt Kiln Brow shall be removed, and the land shall be landscaped in accordance with the approved details (Drawing Nos. LAN/BND/P01 Rev D: Hard Landscaping, Soft Landscaping and Boundary Treatment Details) prior to first occupation of any dwelling.    REASON: To limit the number of access points and ensure a satisfactory visual impact. | |
|  | No part of the development hereby approved shall be commenced until the new site access has been constructed and completed in accordance with the approved detail shown on plan ref: MKB/P07 rev B: S278 Highway Works, General Arrangement; MKB/P08 rev A: S278 Highway Works, Site Boundary; and MKB/P06 rev A: Swept Path Analysis.    REASON: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users. P.T.O. | |
|  | The construction phase of the development shall be carried out in accordance with the approved construction and environment management plan (dated January 2023) and approved plan ref MKB/P03 rev D: Traffic Management Plan.    REASON: To mitigate the impact from construction on residential amenity, water and air quality and highway safety. | |
|  | An electric vehicle recharging (EVCP) scheme for all dwellings shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that charge points shall have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently. No dwelling shall be occupied until the approved EVCP scheme has been provided for the dwelling to which it relates, and such electric vehicle recharging point shall be maintained and retained for that purpose 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.     1. The measures contained within the approved Tree Survey (Treestyle Consultancy dated 15.07.2022) and Tree Protection Plan (MKB/P04 rev D: Tree Protection Plan) with respect to those trees shown as being retained shall be implemented in accordance with the approved details before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.     In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars.    Reason: In order to protect trees from damage or loss in the interests of the amenity of the area.    P.T.O. | |
|  | The measures contained within the approved Tree Survey (Treestyle Consultancy dated 15.07.2022) and Tree Protection Plan (MKB/P04 rev D: Tree Protection Plan) with respect to those trees shown as being retained shall be implemented in accordance with the approved details before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.    In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars.    Reason: In order to protect trees from damage or loss in the interests of the amenity of the area. | |
|  | The visibility splays shown on plan reference: MKB/P01 rev G: Proposed Site Plan (identified as that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed access from the continuation of the nearer edge of the carriageway of Fish House Lane to points measured 43m in both directions along the nearer edge of the carriageway of Fish House Lane from the centre line of the proposed access) shall be provided prior to any construction works commencing on site. The visibility splays shall not at any time thereafter be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.    REASON: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic. | |
|  | 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 reenacting that Order with or without modification), the garages hereby approved shall be retained solely for the housing of a private motor vehicle, 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. | |
|  | The surface water from the approved car park should be collected within the site and drained to a suitable internal outfall. Prior to commencement of the development details of the car park drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.    REASON: In the interest of highway safety to prevent water from discharging onto the public highway.  P.T.O. | |
|  | 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 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. | |
|  | 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 and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated.    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 and to minimise/mitigate the potential impacts upon protected species resultant from the development. | |
|  | Prior to any works commencing above slab level, details of the provisions to be made for artificial bird nesting and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved artificial bird/bat boxes shall be attached before any 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 of any dwelling without express planning permission first being obtained.    REASON: To safeguard the appearance of the development.  P.T.O. | |
|  | Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order, 2015 Schedule 2 Part 1 Class A - E and Part 14 (or any Order revoking and re-enacting this Order with or without modification), there shall be no extensions or alterations to the dwellings hereby approved, construction of buildings or installation of renewable energy, 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. | |
|  | 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. | |
|  | The grant of planning permission will require the applicant to enter into a S278 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 Lancashire County Council for further information by emailing the Highway Development Control Section at developeras@lancashire.gov.uk . | |
|  | Access to the site is proposed via the crossing of an ordinary watercourse to the south. Alterations to an ordinary watercourse fall within the remit of the Lead Local Flood Authority. The applicant should be aware that separate land drainage consent is required for the proposed access to the site. | |
| 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.