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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:** | 3/2023/0165 | |  |  |  |
| **DECISION DATE:** | 19 July 2023 | |  |  |  |
| **DATE RECEIVED:** | 06/03/2023 | |  |  |  |
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| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Mr Anthony Blackwell  Redrow Homes Limited  c/o Agent | |  | Mr Chris Garratt  Eden Planning and Development  1 Market Street  Altrincham  WA14 1QE | | |
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| **DEVELOPMENT PROPOSED:** | | Proposed temporary construction access and haul route and associated works and will be used specifically for construction of the flood compensation scheme. |
| **AT:** | Land at Neddy Lane Billington BB7 9LL | |
| 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 hereby permitted shall be commenced before the expiration of three years from 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. | |
|  | The development hereby approved shall be carried out in strict accordance with the following plans:  4441/Eng/001-5 Location Plan Rev A  4441/Eng/A59-1 Visibility Splays  4441/Eng/440-1 Hall Road Layout  4441/Eng/A59 -2 A59 Access and Egress  P6280 Works Access A59 Billington Dated 1st June 2023  4441/Eng/440 -1 Tree Protection Plan  4441/Eng/4440- 1 Arboricultural Impact Assessment    Reason: For the avoidance of doubt and in the interests of proper planning.  P.T.O. | |
|  | No later than twelve months from the commencement of development, the temporary access and haul road hereby approved, as shown shaded red and green on approved plan ref: 4441/Eng/440-1, shall be removed in their entirety, the ground returned to grassed form, the site access returned to its pre-development construction, and all materials removed from the site.  Reason: In the interests of protecting the countryside characteristics, visual amenity, highway safety and impacts on the public right of way network. | |
|  | The temporary access and haul road hereby approved shall be constructed in the materials indicated on approved plan 4441/Eng/A59-2.  Reason: to ensure the development is constructed in an appropriate manner. | |
|  | Prior to any works commencing on the temporary access and haul road hereby approved, all of the signage shown on the approved Works Access plan (ref: P6280 dated 1st June 2023) shall be erected on the A59 in strict accordance with the submitted details. The signage shall be retained for the lifetime of the temporary development. On the expiration of this temporary planning permission, the signage shall be removed.  Reason: In order to ensure that road users are aware of the temporary works access when using the A59 in the interests of highway safety. | |
|  | The 2.4m x 40m visibility splays shown on plan reference 4441/Eng/A59-1 A59 Visibility Splays shall be provided prior to any works commencing on the temporary access and haul road hereby approved and shall not at any time thereafter during the lifetime of the temporary development 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: In order to ensure that satisfactory access is provided for access and egress onto the public highway. | |
|  | Throughout the lifetime of the temporary development hereby approved, wheel washing and road cleaning facilities shall be provided in accordance with the approved details submitted on 17th July 2023.  Reason: In order to ensure that satisfactory provision is made for wheel washing of vehicles leaving the site and road cleaning of the A59 to prevent mud onto the public highway and to protect nearby watercourses.  P.T.O. | |
|  | Construction of the temporary access and haul road hereby approved shall be carried out in strict accordance with the recommendations outlined in the Arboricultural Method Statement dated 7th July 2023 by Arbtech in relation to tree protection and supervised excavations within the root protection areas of Tree T13 and group G2 as indicated on the Tree Protection Plan (ref: 4441/Eng/440 -1).  Reason: In order to ensure that appropriate tree protection/mitigation is in place to prevent any undue impacts on existing trees. | |
|  | There shall be no changes to the existing ground level on site unless proposed ground level changes are submitted and approved in writing by the Local Planning Authority prior to such change taking place. The ground levels shall be constructed and completed in accordance with any approved level changes.  Reason: To ensure that the development has a satisfactory visual impact and a minimum risk of flooding. | |

**Note(s)**

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|  | The proposed access road will cut across Footpath FP0306039. The applicant will need to apply for a temporary closure or diversion order from the relevant Authority. The Public Right of Way Team at Lancashire County Council have indicated that a temporary closure of the path would be acceptable whilst the access road is constructed, but this must not extent to the full duration of the flood compensation scheme. On completion of the access road the footpath must be made accessible for users with a designated crossing point and signage being made available. | |
|  | 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. | |
| 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. P.T.O.

· 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.