|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 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:** | 3/2023/0305 | |  |  |  |
| **DECISION DATE:** | 12 January 2024 | |  |  |  |
| **DATE RECEIVED:** | 24/04/2023 | |  |  |  |
|  | | | | | |
| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Mr Colin Hetherington  Wrightcare Developments Ltd and the Trustees of the Higher Standen Farm Settlement  The Eric Wright Group  Sceptre Way  Bamber Bridge  Preston  PR5 6AW | |  | Mr Steven Abbott  Steven Abbott Associates LLP  Balmoral House  Ackhurst Business Park  Chorley  PR7 1NY | | |
|  |
|  |
|  |
|  |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
| **DEVELOPMENT PROPOSED:** | | Proposed construction of a 68 bed residential care home, related infrastructure and landscaping. |
| **AT:** | land at former Higher Standen Farm (adj Swardean Way Valley Lane Higher Peak Crescent South Gate Broadfield Street) Pendle Road Clitheroe BB7 1PR | |
| 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 approved 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. | |
|  | 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:  220018-DWA-XX-XX-DR-A-SK102-B-Proposed First Floor GA Plan  220018-DWA-XX-GF-DR-A-101-E-Proposed Ground Floor GA Plan  220018-DWA-XX-XX-DR-A-103-E-Proposed Roof Plan  220018-DWA-XX-XX-DR-A-141-I-Proposed Elevations Colour  220018-DWA-XX-XX-DR-A-151-F-Site Section A-A and GA Section  220018-DWA-XX-XX-DR-A-192-H-Propsoed Site Plan  220018-DWA-XX-XX-DR-A-194-G-Proposed Boundary Treatment Plan  220018-DWA-XX-XX-DR-A-195-A-Proposed Site Location Plan  220018-DWA-XX-XX-DR-A-SK191-A-Exisitng Site Plan  220018-JPS-ZZ-ZZ-DR-C-00101-PO1-Additional Parking Sketch  220018-JPS-ZZ-ZZ-DR-C-00501-PO1-Exisitng Drainage Layout  220018-JPS-ZZ-ZZ-DR-C-00502-PO6-Proposed Drainage Layout  220018-JPS-ZZ-ZZ-DR-C-00701-PO4-External Works General Arrangement  220018-JPS-ZZ-ZZ-DR-C-00702-PO4-External Works Pavement Composition  220018-TEL-ZZ-XX-DR-L-102-I-Hard landscape Specification  220018-TEL-ZZ-XX-DR-L-102-C-Landscape Details A-A & B-B  220018-TEL-ZZ-XX-DR-L-102-C-Landscape Details C-C  220018-TEL-ZZ-XX-DR-L-102-/-Landscape Details D-D & E-E  REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent hereby approved. | |
|  | Notwithstanding the submitted details, details or specifications of all materials to be used on the external surfaces of the development hereby approved shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.  REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the area.  P.T.O. | |
|  | Prior to their installation details of a scheme for any external building mounted 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(s) be implemented in accordance with the approved details and retained as approved unless agreed in writing by the Local Planning Authority  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 and to limit unnecessary light spill/pollution | |
|  | Notwithstanding the submitted details, prior to their installation, details of the proposed roof mounted Photovoltaic Panels, including section details, shall have been submitted to and approved in writing by the Local Planning Authority. 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 and external appearance of the proposal is appropriate to the locality and responds positively to the inherent character of the area. | |
|  | Notwithstanding the submitted details, prior to their installation, details of the provision of proposed Electric vehicle Charging Points, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details. For the avoidance of doubt, the agreed provision(s) shall be installed and made available for use prior to first use or occupation of the development hereby approved.  REASON: In order that the Local Planning Authority may ensure that proposed development includes provisions to encourage sustainable methods of travel.  P.T.O. | |
|  | HIGHWAYS MATTERS: | |
|  | No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.  REASON: to reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area. | |
|  | No part of the development hereby permitted shall be occupied until such time as vehicular  visibility splays of 2.4 metres by 25 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, and in accordance with the National Planning Policy Framework. | |
|  | The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with the approved details. Thereafter the onsite parking provision shall be retained as such 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. | |
|  | No building or use hereby permitted shall be occupied or the use commenced until a cycle storage plan for the care home has been submitted to the Local Planning Authority, in consultation with the Local Highway Authority. These cycle facilities shall thereafter be kept free of obstruction and be made 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.  P.T.O. | |
|  | Within 6 months of occupation the submitted Interim Travel Plan should be developed into a Full Travel Plan containing the details listed below and be submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Full Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.  For the avoidance of doubt the Full Travel plan when developed needs to include the following as a minimum:  o Contact details of Travel Plan coordinator  o Travel survey results  o Details of cycling, pedestrian and public transport links to and within the site  o Details of the provision of cycle parking  o SMART Targets  o Action plan of measures to be introduced and appropriate funding  o Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years  REASON: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling  LANDSCAPE AND ECOLOGY | |
|  | The landscaping proposals hereby approved shall be implemented in the first planting season following occupation or first use of the development, and shall be maintained thereafter for a period of not less than 15 years to the satisfaction of the Local Planning Authority.  This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted. All trees/hedgerow shown as being retained within the approved details shall be retained as such in perpetuity.  REASON: To ensure the proposal is satisfactorily landscaped and trees/hedgerow of landscape/visual amenity value are retained as part of the development. | |
|  | DRAINAGE AND FLOODING: | |
|  | The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment (February 2023 / KRS.0635.006.R.001.A / KRS Enviro).  The measures shall be fully implemented prior to occupation of the development 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  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.  P.T.O. | |
|  | Prior to the installation of any drainage infrastructure, details of the final surface water sustainable drainage strategy for the site shall be submitted to, and approved in writing by, the Local Planning Authority.  The detailed surface water sustainable drainage strategy shall be based upon the site specific flood risk assessment and indicative surface water sustainable drainage strategy submitted (14th June 2023 / 220018-JPS-XX-XX-RP-C-001 - Revision 4 / JPS) and sustainable drainage principles and requirements 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), directly or indirectly and shall be limited to a maximum peak flow rate of 5l/s.  The details of the drainage strategy to be submitted for approval shall include, as a minimum;  a) Sustainable drainage calculations for peak flow control and volume control for the:  (i) 100% (1 in 1-year) annual exceedance probability event;  (ii) 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;  (iii) 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep.  Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.  b) Final sustainable drainage plans appropriately labelled to include, as a minimum:  (i) Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;  (ii) Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;  (iii) Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;  (iv) Drainage plan showing 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 and connecting cover levels to confirm minimum 150 mm+ difference for FFL;  (vi) Details of proposals to collect and mitigate surface water runoff from the development boundary;  (vii)Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;  c) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.  The sustainable drainage strategy shall be implemented in 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. | |
|  | No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.  The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:  a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.  b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.  The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.  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. | |
|  | 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.  P.T.O. | |
|  | FURTHER CONTROL OVER DEVELOPMENT: | |
|  | 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) and the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (as amended or re-enacted) the use of the development/building hereby approved shall only be used for the purposes of Use Class C2 (Residential institution).  REASON: To define the scope of the permission hereby approved and to ensure that the development remains compatible with the character of the area | |

**Note(s)**

|  |  |
| --- | --- |
|  | 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. |
| 3.  4. | 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.  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 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.