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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:** | 3/2023/0390 | |  |  |  |
| **DECISION DATE:** | 29 November 2023 | |  |  |  |
| **DATE RECEIVED:** | 15/05/2023 | |  |  |  |
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| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Mr Mark Harrison  MFH Projects  Unit 11  Three Point Business Park  Charles Lane  Haslingden  BB4 5EH | |  | Mr Craig Harrison  Sunderland Peacock Ltd  Hazelmere  Pimlico Road  Clitheroe  BB7 2AG | | |
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| **DEVELOPMENT PROPOSED:** | | Erection of three dwellings with associated highway works (pursuant to variation of condition 2 (approved plans) on planning permission 3/2016/0092. |
| **AT:** | Victoria Terrace Mellor Brow BB2 7PL | |
| 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): | | |
|  | 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:  - Location Plan Dwg no 11.138 12 Rev B  - Proposed Floor Plans Dwg no 5766-P01A  - Proposed Elevations Dwg no 5766-P02A  - Proposed Elevations Dwg no 5766-P03A  - Proposed Floor Plans Dwg no 5766-P04B  - Proposed Elevations Dwg no 5766-P05B  - Proposed Elevations Dwg no 5766-P06B  - Proposed Elevations Streetscene Dwg no 5766-P07B  - Proposed Site Plan Dwg no 5766-P08C  Reason: For the avoidance of doubt as the proposal was the subject of agreed design improvements and/or amendments and to clarify which plans are relevant to the consent.  P.T.O. | |
|  | The materials to be used on the external surfaces of the development as indicated on Proposed Plan: Proposed Elevations Dwg no 5766-P02A, Proposed Elevations Dwg no 5766-P03A, Proposed Elevations Dwg no 5766-P05Band Proposed Elevations Dwg no 5766-P06B shall be implemented as indicated unless otherwise agreed in writing by the Local planning Authority.    Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy. | |
|  | The development shall be implemented in accordance with the approved renewable energy scheme (that was submitted to and approved in writing by the Local Planning Authority under application reference 3/2019/0314) which is as follows:-  " Energy Statement (Ref: 8635 - March 2019)  " Regulations Compliance Report  The approved scheme/details shall be implemented as part of the development and retained as operational thereafter.  REASON: In order to encourage renewable energy and to comply the Key Statement EN3 and Policies DMG1 and DME5 of the Ribble Valley Core Strategy. | |
|  | The development shall be carried out in accordance with the approved boundary treatment scheme (that was submitted to and approved in writing by the Local Planning Authority under application reference 3/2019/0314) which is as follows:-  " 5766 - PC01  " 5766 - PC02  " 5766 - PC03  Reason: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality in accordance with Policies DMG1 and DMH3 of the Ribble Valley Core Strategy.  P.T.O. | |
|  | Notwithstanding the details shown on the approved plans and the requirements of condition 1 of this permission, within three months of the date of this planning permission, a landscaping scheme for the site (including elements of both 'hard' and 'soft' landscaping) shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the proposed surface treatment of all hard surfaced areas and the type, species, siting, planting distances and programme of planting of any trees and shrubs. The duly approved landscaping scheme shall be carried out within 12 months of the dwellinghouse first being occupied 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 three years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.  Reason: In order to achieve a satisfactory level of landscaping in the interests of visual amenity in accordance with the requirements of Policy DMG1 of the Ribble Valley Core Strategy. | |
|  | The development shall be carried out in strict accordance with all the mitigation measures stated in the Extended Phase 1 Habitat Survey and Baseline Ecological Impact Assessment by Cameron S Crook & Associates (dated January 2016).  Reason: In order to ensure protected species are not negatively impacted by the proposed development in accordance with Key Statement EN4 and Policies DME2 and DME3 of the Ribble Valley Core Strategy. | |
|  | The approved artificial bird/bat box details, as shown on the following drawings:-  " 5766 - PC06  " 5766 - PC07  " 5766 - PC08  shall be incorporated into those individual dwellings/buildings during their construction before each such dwelling/building is first brought into use and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.  Reason: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and to reduce the impact of development in accordance with Key Statement EN4 and Policies DME2 and DME3 of the Ribble Valley Core Strategy.  P.T.O. | |
|  | The development shall be carried out in accordance with the approved de-culverting works and compensatory habitat scheme details (that was submitted to and approved in writing by the Local Planning Authority under application reference 3/2019/0314) which is as follows:-  " Drainage Strategy Report (Issue 1 C-0886 Dated 3/29/2019)  " C - 0886 - 01  " C - 0886 - 02  " C - 0886 - 03  Reason: In the interests of species protection and conservation and to reduce the impact of development in accordance with Key Statement EN4 and Policies DME2 and DME3 of the Ribble Valley Core Strategy. | |
|  | Unless otherwise agreed in writing with the Local Planning Authority, no development shall take place until all the existing trees within, or directly adjacent, to the site (except those shown to be removed on the approved plans), have been enclosed with temporary protective fencing in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction - Recommendations. 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 protect trees of landscape and visual amenity value adjacent to the site or those likely to be affected by the proposed development in accordance with Key Statement DME2 and Policies DMG1 and DME1 of the Ribble Valley Core Strategy. | |
|  | Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, amending or re-enacting that Order) any future extensions and/or alterations to the dwelling including any development within the curtilage as defined in Schedule 2 Part 1 Classes A to H shall not be carried out without the formal written consent of the Local Planning Authority.  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 in accordance with the requirements of Policies DMG1 and DMH3 of the Ribble Valley Core Strategy.  P.T.O. | |
|  | The development shall be carried out in complete accordance with the approved scheme for the construction of the site access (that was submitted to and approved in writing by the Local Planning Authority under application reference 3/2019/0314) which is as follows:-  " 5766 - PC04  " 5766 - PC05  The approved access scheme shall be constructed prior to any of the dwellings hereby approved being first brought into use, and shall be maintained as such thereafter.  Reason: In the interests of highway safety and to comply with Polices DMG1 and DMG3 of the Ribble Valley Core Strategy. | |
|  | The new estate road/access between the site and Mellor Brow shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.  Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with Polices DMG1 and DMG3 of the Ribble Valley Core Strategy. | |
|  | The approved construction method statement, namely ‘Construction Method Statement (Ref CMS 01 - 22.03.2019)’ shall be adhered to throughout the construction period.  Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings and to ensure the development would not be of detriment to the safe operation of the immediate highway during the construction of the development in accordance with Policies DMG1, DMG3 and DMI2 of the Ribble Valley Core Strategy. | |
|  | The car parking spaces and manoeuvring areas as shown on Proposed Site Plan Dwg no 5766-P08C shall be provided prior to the first occupation of any of the dwellinghouses hereby permitted, and shall be permanently maintained thereafter clear of any obstruction to their designated purpose.  Reason: In the interests of highway safety and to comply with Policy DMG1 of the Ribble Valley Core Strategy. | |
|  | The site shall be drained via separate systems for the disposal of foul and surface water.  Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with Policy DME6 of the Ribble Valley Core Strategy.  P.T.O. | |
|  | The approved surface water drainage scheme (that was submitted to and approved in writing by the Local Planning Authority under application reference 3/2019/0314) which is as follows:-  " Drainage Strategy Report (Issue 1 C-0886 Dated 3/29/2019)  " C - 0886 - 01  " C - 0886 - 02  " C - 0886 - 03  shall be implemented prior to first occupation of the dwellings and maintained as such thereafter.  Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy DME6 of the Ribble Valley Core Strategy, as well as the NPPF and NPPG. | |
|  | The development shall be completed, maintained and managed thereafter in accordance with the approved sustainable drainage management and maintenance plan, namely " Drainage Strategy Report (Issue 1 C-0886 Dated 3/29/2019).  Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development. | |

**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. | |
| 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.