

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111

Fax: 01200 414488

Planning Fax: 01200 414487

Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2010/0303

DECISION DATE: 10 September 2010

DATE RECEIVED: 26/07/2010

APPLICANT:

Mr G Lowe

c/o Agent

AGENT:

Reedley Chartered Town Planning & Architectural
Consultants

2 Reedley Business Centre

Redman Road

Burnley

Lancs

BB10 2TY

DEVELOPMENT PROPOSED: Proposed erection of replacement portal frame building, covered midden slurry pit and 6 ton feed hopper, and laying out of access track and associated landscaping (re-submission).

AT: Higher Lickhurst Farm Bowland-with-Leagram Chipping Lancashire

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):

1. 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 pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The permission shall relate to the development as shown on Plan Reference No's LOWE/03 Dwg 01D, LOWE/03 Dwg 02A, LOWE/03 Dwg 03A and LOWE/03 Dwg 04A.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

3. Precise specifications or samples of the materials to be used for the walls and roof of the approved building, including their colour and texture, shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan ensuring a satisfactory standard of appearance given the location of the site within the Forest of Bowland Area of Outstanding Natural Beauty.

4. Unless otherwise agreed in writing with the Local Planning Authority the development shall be carried out in strict accordance with the recommendations of the bat survey and report submitted with the application dated 16 June 2009.

REASON: To comply with policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan ensuring that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed.
P.T.O.

5. Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services all trees within the nearby vicinity to remain shall be protected in accordance with the BS5837 [Trees in Relation to Construction] and which shall be agreed in writing.

The root protection zone shall be 12 x the DBH and must cover at least the entire branch spread of the trees, [the area of the root soil environment from the trunk to the edge of the branch spread] and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented without prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and considered to be of visual, historic or botanical value are afforded maximum physical protection from the adverse affects of development, and in order to comply with planning policies G1 and ENV13 of the District Wide Local Plan.

6. The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever possible the retention of existing trees, have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening.

The approved landscaping scheme shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 5 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.

REASON: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 13 August 2010.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments.

8. Within 3 months of the building works hereby approved being completed the existing agricultural buildings indicated on the approved plans to be demolished, shall be demolished.

REASON: Permission would not have been given for the proposed development but for the fact that the existing buildings are redundant.

P.T.O.

Relevant planning policy

Policy G1 - Development Control.
Policy G5 - Settlement Strategy.
Policy ENV1 - Area of Outstanding Natural Beauty.
Policy ENV19 - Listed Buildings.
SPG - Agricultural Buildings and Roads

SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding countryside, nor would its use have an adverse impact on highway safety.

Note(s)

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. 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. Consent of the Environment Agency is required prior to the discharge of effluent to surface or underground waters. Consent will only be considered if discharge to the foul sewer is not practicable, in which case the applicant should consider:

(i) Construction of a soakaway area with no residual discharge to watercourse.

(ii) Construction of a soakaway area with a high level overflow discharging to watercourse.

Direct discharge to watercourse which will only be considered where options (i) and (ii) are impracticable. The applicant should be advised to contact the Environment Agency, Area Planning Liaison Officer, Lutra House, Dodd Way, Off Seedlee Road, Walton Summit, Bamber Bridge, Preston PR5 8BX for any option not involving discharge to foul sewer.

The below ground slurry tank must comply with the Water Resources (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010. Further guidance on the construction of slurry reception pits and in-situ or above-ground slurry stores or tanks is available on the following website www.environment-agency.gov.uk/static/documents/Business/SSAFO_Factsheet_1.pdf

Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency may be required for any discharge of sewage or trade effluent into water including groundwater and may be required for any discharge of surface water liable to contamination of such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant or into waters which are not controlled waters. Such consents must comply with the requirements of the Groundwater Regulations 1998 including prior investigation, technical precautions and requisite surveillance and may be withheld. (Controlled waters include rivers, streams, groundwater, reservoirs, estuaries and coastal waters).

The proposed covered midden does not fall under the Water Resources (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010. The applicant must notify the Environment Agency at least 14 days before the new/alterd structure is brought into use using Form WQE3.
P.T.O.

APPLICATION NO. 3/2010/0303

DECISION DATE: 10 September 2010

The Council considers that the proposed midden and the front elevation of the portal frame building shall be faced in natural stone, given their location within the AONB.

STEWART BAILEY
DIRECTOR OF DEVELOPMENT SERVICES