

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: 3/2020/1089

DECISION DATE: 11 February 2021

DATE RECEIVED: 18/12/2020

APPLICANT:

Mr and Mrs Eastham
Easthams Building Contractors Ltd
Shay Lane Ind Estate
Shay Lane
Longridge
PR3 3BT

AGENT:

Mr Steven Walker
Walker Design
Unit B First Floor
Lostock Office Park
Lynstock Way
Bolton
BL6 4SG

DEVELOPMENT PROPOSED: Variation of Conditions of planning application 3/2018/0467. Condition 2 - Relocation of approved house, Condition 5 - Updated AIA. Removal of Condition 4 - Gates, wall, fence.

AT: The Woodlands Hothersall Lane Hothersall PR3 2XB

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 from the date of the consent issued under 3/2020/1089 namely 13/12/2018.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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:
GA3108-LP-01-A (amended plan received 27/06/18)
GA3108-001-C (amended plan received 16/10/18)
GA3108-PSP-01-C (amended plan received 20/11/18)
Proposed Site plan 2246.P.101.A

Reason: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. Notwithstanding the submitted details, prior to the replacement dwelling hereby approved being occupied, details at a scale of not less than 1:20 of the proposed boundary walling, gates and fencing shall have been submitted to and approved 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 of the boundary treatments are appropriate to the locality.

4. Unless otherwise agreed in writing with the Local Planning Authority, the trees and hedges shall be retained on site as detailed within the submitted Arboricultural Impact Assessment as updated by report dated 17/12/20 and all the trees shown to be retained shall 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 ensure the adequate protection of trees/hedging of landscape and visual amenity value.

5. 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 area and to protect the amenity of the neighbouring residential property (Wingfield House).

6. No clearance of any vegetation in preparation for or during the course of development shall take place during the bird breeding season (March - August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird breeding season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

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.

7. The section of proposed driveway within the root protection area of any retained tree(s) shall be constructed using a no dig method above existing ground level. There shall be no excavations, soil stripping or site grading within the root protection area unless otherwise agreed in writing.

Reason: In order to prevent root damage and ground compaction within the root protection area and to ensure long term survivability of trees over which the driveway will be constructed.

8. No external lighting shall be installed on the replacement dwelling hereby approved, or elsewhere within the site, without the prior written approval of the Local Planning Authority.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and to protect the amenity of the neighbouring residential property (Wingfield House).

9. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety .

10. The car parking (for the replacement dwelling) and manoeuvring areas shall be provided as shown on Drawing Number GA3108-PSP-01-C (amended plan received 20/11/18) prior to the first occupation of the replacement dwellinghouse hereby permitted, and shall be permanently maintained thereafter clear of any obstruction to their designated purpose.

Reason: To allow for the effective use of the parking areas.

11. 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 area and to protect the amenity of the neighbouring residential property (Wingfield House).

12. The en-suite bathroom window in first floor of the east facing side elevation of the replacement dwelling, shall be obscurely glazed to a minimum of level 4 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed. The duly installed window shall be retained as such thereafter.

Reason: To prevent overlooking and to safeguard the privacy of occupiers of neighbouring dwelling at Wingfield House.

13. 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.

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. The Local Planning Authority operates a pre-planning application advice service which applicants are encouraged to use. Whether or not this was used, 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.
4. The applicant is required to submit a Section 80 (Demolition Notice) and will be required to make good and weather proof the exposed elevation of the adjoining property at Wingfield House. The applicant is advised to contact the Council Building Regulations Service with regard to this issue.
A number of buildings on site to be demolished may contain asbestos and only fully license operators can carry out works to any such buildings.

John Machole

pp 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/planning-inspectorate>. 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.