

Appendix A: Planning permission decision notice, reference 03/2010/0070

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

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

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Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2010/0070

DECISION DATE: 30 April 2010

DATE RECEIVED: 08/03/2010

APPLICANT:

Mr C Garth-Jones
Halsteads Farm
Rimington
Clitheroe
Lancashire
BB7 4EA

AGENT:

Janet Dixon Town Planners Ltd
10A Whalley Road
Clitheroe
Lancs
BB7 1AW

DEVELOPMENT PROPOSED: Demolition of agricultural buildings. Construction of 2no. holiday cottages and construction of new access and turning space.

AT: Halsteads Farm Rimington Clitheroe Lancashire BB7 4EA

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 Drawing No's TRI-0507 Rev. A, Sheets 1 to 4.

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

3. Precise specifications and samples of walling and roofing materials and details of any window and door surrounds including materials to be used 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 ENV3 of the Ribble Valley Districtwide Local Plan.

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4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any Order revoking or re-enacting that Order) no development under Schedule 2, Part I, Classes E, F, G and H, and Part II Class A, shall be carried out without the formal written consent of the Local Planning Authority.

Reason: In order that the Local Planning Authority shall retain effective control over the development in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and in the interests of safeguarding any adjacent residential amenity or visual amenity.

5. The units of accommodation shall not be let to or occupied by any one person or group of persons for a continuous period of longer than 3 months in any one year and in any event shall not be used as a permanent accommodation. A register of such lettings shall be kept and made available to the Local Planning Authority to inspect on an annual basis.

Reason: In order to comply with Policies G1, G5, ENV3 and RT1 of the Ribble Valley Districtwide Local Plan. The building is located in an area where the Local Planning Authority would not normally be minded to grant the use of building for a permanent residential accommodation.

6. 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 27th of February 2010.

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.

7. The proposed new access from the site to Rimington Lane shall be constructed to a minimum width of 5m, and this width shall be maintained for a minimum distance of 12m measured back from the nearside edge of the carriageway, in accordance with the details indicated on the drawing titled 'Proposed Road Layout'.

Reason: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users.

8. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block paviors, or other approved materials.

Reason: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

9. The new access road that runs along the north east boundary of the site adjacent to the Ash tree indicated on the drawing titled 'Proposed Site Layout' shall be constructed in accordance with the details on the attached sheet titled HF/DT/DT-01 before its use in connection with the development hereby approved, and shall remain so in perpetuity.

Reason: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

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10. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned a minimum of 5m behind the nearside edge of the carriageway and visibility splay fences or walls shall be erected from the gateposts to the existing highway boundary, such splays to be not less than 45o to the centre line of the access. The gates shall open away from the highway. Should the access remain ungated 45o splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the carriageway.

Reason: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to permit vehicles to pull clear of the carriageway when entering the site and to assist visibility.

11. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 there shall not at any time in connection with the development hereby permitted, be erected or planted, or allowed to remain upon the land hereinafter defined, any building, wall, fence, hedge, tree, shrub or other device.

The visibility splay to be the subject of this condition is indicated on the approved plan titled 'Proposed Road Layout', and shall be constructed and maintained at verge level in accordance with the approved scheme in conjunction with the Highway Authority.

Reason: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to ensure adequate visibility at the street junction or site access.

12. No part of the development, hereby approved, shall be occupied until the approved scheme referred to in Condition's 7, 8 and 9 have been constructed and completed in accordance with the scheme details.

Reason: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway works.

Relevant planning policy

Policy G1 - Development Control
Policy G5 - Settlement Strategy
Policy ENV3 - Development in Open Countryside
Policy ENV19 - Listed Buildings
Policy RT1 - General Recreation and Tourism Policy
PPS5 - Planning for the Historic Environment.

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.

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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. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning Area Surveyor East 01254 823831 or writing to the Area Surveyor East, Lancashire County Council, Area Office, Riddings Lane, Whalley, Clitheroe BB7 9RW quoting the planning application number.
4. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway related to this proposal. The applicant should be advised to contact the Environment Director at PO Box 9, Guild House, Cross Street, Preston, PR1 8RD in the first instance to ascertain the details of such an agreement and the information to be provided.

STEWART BAILEY
DIRECTOR OF DEVELOPMENT SERVICES