

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

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Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2012/0876

DECISION DATE: 15 March 2013

DATE RECEIVED: 03/10/2012

APPLICANT:

Leehand Properties
c/o Agent

AGENT:

JWPC Limited
1B Waterview
White Cross
Lancaster.
Lancs
LA1 4XS

DEVELOPMENT Proposed development of 3no. houses.

PROPOSED:

AT: Land off Victoria Terrace Mellor Brook 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 no later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. This permission shall relate to the proposal as shown on drawing No's 11.138/03C, 04C, 05C, 06C, 09A, 10 and 11.

REASON: For the avoidance of doubt and to ensure compliance with the submitted plans.

3. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved in writing 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 Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Consultation Draft.

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4. Prior to the first occupation of any of the dwellings hereby permitted, the access into the site from Mellor Brow shall have been formed to the satisfaction of the Local Planning Authority in accordance with submitted drawing number 11.138.10 (and as more specifically detailed on drawing number 10 dated 07.06.06 that has previously been approved under references 3/2007/0136/P and 3/2010/0180/P). Additionally, the access road serving the three dwellings and all garages and parking spaces shall have been provided in accordance with the submitted plans.

REASON: In the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Consultation Draft.

5. No part of the development hereby permitted shall be commenced until an arboricultural impact and tree constraints plan in accordance with BS5837 2012 - Trees in Relation to Design, Demolition and Construction has been submitted to and approved in writing by the Local Planning Authority.

Prior to commencement of any site works including delivery of building materials and excavations for foundations or services, all trees identified in the Mellor Brook Tree Preservation Order 1999 and identified for retention in the approved Arboricultural Impact Assessment and Tree Constraints Plan shall be protected in accordance with BS5837 2012, the details of which shall be agreed in writing and implemented in full throughout the period of construction works under the supervision of a qualified arboriculturalist and in liaison with the Local Planning Authority.

A tree protection monitoring schedule shall be agreed by the Local Planning Authority and tree protection measures shall be inspected by the Local Planning Authority before any development works are commenced.

All previously approved root protection/exclusion zones shall remain in place until all building work has been completed and all excess materials have been removed from the 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/exclusion zones. In addition, no impermeable surfacing shall be constructed within any protection zone.

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

REASON: In order to ensure that all trees protected by a Tree Preservation Order or shown for retention in the approved Arboricultural Impact Assessment and Tree Constraints Plan, are physically protected from the potential adverse effects of development in the interests of visual amenity and to comply with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME2 of the Core Strategy 2008 to 2028 A Local Plan for Ribble Valley Regulation 22 Consultation Draft.

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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. In particular the submitted details shall relate to the extensive landscaping/screen planting close to the western site boundary as shown (in illustrative form) on drawing no 11.138/09A.

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 visual amenity and the amenities of nearby residents and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 - 2028 - A Local Plan for Ribble Valley Regulation 22 Submission Draft.

7. The development shall be carried out in strict accordance with all mitigation measures stated in the Extended Phase 1 Habitat Survey and Baseline Ecological Impact Assessment by Cameron S Crook and Associates dated September 2012 that was submitted with the application. Specifically, the following requirements shall be satisfied:

·Checks for any new badger setts on the site shall be carried out six to eight weeks prior to any site works (including clearance) being carried out and the results of such checks shall be submitted in writing for the consideration of the Local Planning Authority.

·In relation to bats, existing flight-lines shall, wherever possible, be maintained and the required partial demolition of the existing building shall be undertaken during the period October to March inclusive.

·In relation to breeding birds, as much existing mature vegetation as possible shall be retained and no vegetation shall be removed during the breeding season of February to July inclusive or until or unless checked for breeding birds by an ecologist.

·In relation to botany/vegetation communities/habitats, the mature woodland and scrub adjoining the site of the proposed development shall be retained and links into the wildlife corridor shall be maintained.

REASON: In the interests of species protection and conservation and to comply with Policies DMG1 and ENV10 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 - 2028 - A Local Plan for Ribble Valley Regulation 22 Submission Draft.

8. Prior to the commencement of development, a working method statement relating to the required de-culverting works and the creation of compensatory habitat shall be submitted to and approved in writing by the Local Planning Authority. The working method statement shall include details of the length of the proposed de-culverting, the design of the new channel to be opened up and details of what will happen to the excavated material. The development shall thereafter be carried out in complete accordance with the approved details unless any subsequent amendments or modifications have first been agreed in writing by the Local Planning Authority.

REASON: In the interests of species protection and conservation and to comply with Policies DMG1 and ENV10 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy 2008 - 2028 - A Local Plan for Ribble Valley Regulation 22 Submission Draft.
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**RIBBLE VALLEY BOROUGH COUNCIL
PLANNING PERMISSION CONTINUED**

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Relevant planning policy

Ribble Valley Districtwide Local Plan
Policy G1 - Development Control.
Policy G3 - Settlement Strategy.
Policy ENV10 - Development Affecting Nature Conservation.
Policy ENV13 - Landscape Protection.

Core Strategy 2008 - 2082 - a Local Plan for Ribble Valley Regulation 19/22 Consultation Draft
Policy DMG1 - General Considerations.
Policy DMG2 - Strategic Considerations.
Policy DME2 - Landscape and Townscape Protection.
Policy DME3 - Site and Species Protection and Conservation.

National Planning Policy Framework (NPPF).

Summary of reasons for approval

The proposal would provide three dwellings in a sustainable location within an existing settlement and without any seriously detrimental effects upon highway safety, ecology/trees, visual amenity or the amenities of any nearby residents.

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

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.



**JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES**