

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

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Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2019/0064

DECISION DATE: 15 March 2019

DATE RECEIVED: 18/01/2019

APPLICANT:

Mr S O'Callaghan
O'Callaghan Ltd (OCCE)
Showley Fold
Showley Road
Clayton le Dale
Blackburn
BB1 9DR

AGENT:

Mrs Judith Douglas
Judith Douglas Town Planning Ltd
90 Pimlico Road
Clitheroe
BB7 2AH

DEVELOPMENT PROPOSED: Use of land as storage compound and construction of building for vehicle servicing, workshop, tool store, offices and ancillary accommodation for a civil engineering company. (Amendments to planning permission 3/2018/0309 including revised site boundaries and new access in the adjacent field).

AT: Land opposite Woodfield Garage Longsight Road Clayton le Dale BB2 7JA

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):

Time Limit

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 by Section 51 of the Planning and Compulsory Purchase Act 2004

P.T.O.

Plans

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:

- 5365 - 01 D - Location Plan
- 5365 - 03 B - Proposed Plans and Elevations
- 5365 - 05 E - Proposed Site Plan (amended plan received 05/02/19)

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

Amenity

3. Noise limits from the site shall not exceed the World Health Organisation recommendation of 30dB LAeq at night time within the internal areas of the nearest noise sensitive premises, and 50dB LAeq at the external patio and garden areas of the nearest noise sensitive premises.

REASON: To protect the amenities of occupiers of nearby properties.

4. The use of the land and the building hereby approved shall be restricted to the hours between 07:00 - 20:00 Monday to Saturday inclusive, and not at all on Sundays and Bank Holidays.

REASON: To safeguard the occupiers of adjacent premises from undue noise or other associated disturbance

5. No building or engineering operations within the site or deliveries to and from the site, in conjunction to the construction process, shall take place other than between 07:30 hours and 18:00 hours Monday to Friday and between 08:30 hours and 14:00 hours on Saturdays, and not at all on Sundays or Bank Holidays.

REASON: To protect the amenities of occupiers of nearby properties.

6. No external lighting shall be installed on the building hereby approved, or elsewhere within the site, without the prior written approval of the Local Planning Authority. Details of any such lighting shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. Only the duly approved lighting shall be installed on the buildings hereby approved.

REASON: In order to ensure a satisfactory appearance in the interests of visual amenity and to prevent nuisance arising.

P.T.O.

Landscaping/Ecology

7. 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 and reduce or remove the impact of development.

8. Unless otherwise agreed in writing with the Local Planning Authority, all trees and hedges shall be retained on site as detailed within the submitted Arboricultural Impact Assessment (project ref: BTC1692). No development shall take place until all the existing trees and hedges within, or directly adjacent to, the site (other than those shown to be removed on the approved documents) 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 the existing vegetation in the interest of visual amenity.

9. Notwithstanding the landscaping details shown on approved plan ref 5365 - 05 E (amended plan received 05/02/19), within three months of commencement of development on site, a detailed scheme showing all new tree/hedge planting shall have been submitted for the written approval of the Local Planning Authority. The submitted scheme shall include the type/species, number, locations and a timetable for implementation of all the new trees/hedges to be planted and the development shall be carried out in strict accordance with the duly approved details and timings, with the areas shown to be landscaped retained as such thereafter. Any trees or hedging removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

REASON: To ensure the proposed landscaped areas are provided to an acceptable level and within a suitable timescale.

P.T.O.

10. The proposed 1.8m high earth bund, shown on approved drawing 5365 - 05 E (amended plan received 05/02/19), shall have been provided on site prior to the building or storage/yard area hereby approved being first brought into use. The earth bund shall be retained as approved thereafter.

REASON in the interest of visual amenity and to protect the amenity of neighbouring residents.

11. The development hereby approved shall be carried out in complete accordance with the recommendations and ecological enhancement measures detailed within section 7 of the submitted Ecological Appraisal (Ref: 5046 20th December 2018).

REASON: In the interests of biodiversity and to enhance opportunities for species of conservation concern and reduce the impact of development.

12. No above ground level works shall commence or be undertaken on site until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority.

For the avoidance of doubt the details shall be submitted on a bird/bat species site plan and include the exact locations of the artificial bird nesting boxes and artificial bat roosting boxes, as well as the type/design of boxes to be installed.

The artificial bird/bat boxes shall be installed and made available for use before the building/use of the site (whichever is sooner) hereby permitted becomes operative and thereafter retained. The development shall be carried out in strict accordance with the approved details.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and protected.

Highways

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or amending that Order) 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 over 1m above road level. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed access/entrance from the continuation of the nearer edge of the carriageway of Longsight Road to points measured 215m in each direction along the nearer edge of the carriageway of Longsight Road, from the centre line of the access.

REASON: To ensure adequate visibility at the site access.
P.T.O.

14. No works associated with connecting the approved access to the public highway (Longsight Road) shall commence until a scheme for the construction of the site access has been submitted to, and approved by, the Local Planning Authority. The access shall be constructed in accordance with the approved details and shall be available for use prior to the land or building (whichever is sooner) hereby approved being first brought into use.

REASON: In order to satisfy the Local Planning Authority that the details of the access are acceptable before work commences on site.

15. 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

16. The construction of the development hereby approved shall be carried out in complete accordance with the details submitted within the document titled: "*Construction Phase Plan – Dated 1st March 2019*" (received 05/03/19)".

REASON: To protect existing road users in the interest of highway safety in accordance with Ribble Valley Core Strategy Policies DMG1 and DMG3.

Drainage

17. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Strategy, BEK/18385/181218/1/OCCE Rev A- Dated 18 December 2018 (prepared by BEK). The development shall be completed in accordance with the approved details and for the avoidance of doubt, no surface water will be permitted to drain directly or indirectly into the public sewer.

REASON: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

P.T.O.

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 developer should be aware that the any works on, or immediately adjacent to the adopted highway network, would require the appropriate permits from Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on lhsstreetworks@lancashire.gov.uk or on 01772 533433
5. Alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.
6. The applicant is advised that the new site access, will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Community Services before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for "278 Agreement".
7. This consent does not give approval to a connection being made to the County Council's highway drainage system.

 **NICOLA HOPKINS**
DIRECTOR ECONOMIC DEVELOPMENT & PLANNING