

Minutes of Planning and Development

Meeting Date: Thursday, 10 March 2022, starting at 6.30 pm
Present: Councillor A Brown (Chair)

Councillors:

I Brown	B Holden
S Brunskill	A Humphreys
B Buller	S O'Rourke
S Carefoot	M Robinson
J Clark	J Rogerson
L Edge	R Sherras
M French	

In attendance: Director of Economic Development and Planning and Head of Legal and Democratic Services

Also in attendance: Councillors S Bibby, S Fletcher, M Hindle and G Mirfin

717 APOLOGIES FOR ABSENCE

Apologies for absence for the meeting were received from Councillor K Horkin.

718 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 10 February 2022 were approved as a correct record and signed by the Chairman.

719 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON-REGISTRABLE INTERESTS

Councillor J Rogerson declared an interest in planning application 3/2021/0505 – Oak Bank Farm, Stoneygate Lane, Ribchester

720 PUBLIC PARTICIPATION

There was no public participation.

721 PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990

Councillor J Rogerson declared an interest in the next item of business and left the room.

722 PLANNING APPLICATION 3/2021/0505 - OAK BANK FARM, STONEYGATE LANE, RIBCHESTER

RESOLVED that the application be approved subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchasing 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:

Proposed plans and elevations (wedding venue) 133/2945/02 Rev C
Proposed plans and elevations (lodges) 133/2945/03 Rev C
Location and Site Plan 133/2945/04 Rev A

REASON: For the avoidance of doubt as the proposal was the subject of agreed design improvements and/or amendments and to clarify which plans are relevant to the consent hereby approved.

3. The materials to be used on the external surfaces of the development as indicated within the approved details shall be implemented in accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the area.

4. The car parking areas hereby approved shall be surfaced in a permeable material using grasscrete, gravel or other similar surface and be undivided or demarcated with timber dividers. Details of the proposed surfacing materials should be submitted to the local planning authority for approval prior to their use in the development. The development shall be implemented in accordance with the approved details and thereafter retained as such.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the area.

5. Each holiday unit hereby approved shall not be let to or occupied by the owner, any one person or group of persons for a combined total period exceeding 28 days in any one calendar year and in any event shall not be used as a unit of permanent accommodation or any individual(s) sole place of residence.

The owner shall maintain a register of all guests of each unit of accommodation hereby approved at all times and shall be made available for inspection by the Local Planning Authority on request. For the avoidance of doubt the register shall contain:

- the name and address of the owner's permanent residence (where they pay Council tax and/ or are registered to vote and keep the majority of their possessions);
- the name and address (permanent residence) of main guest who made the booking together with dates of occupation.

For the avoidance of doubt permanent residence is where the owner/ guest pay Council tax and/or are registered to vote and keep the majority of their possessions.

REASON: To prevent the permanent residential occupation of the site in a location where new residential development is unacceptable in principle and to define the scope of the permission hereby approved.

6. The landscaping proposals hereby approved (Drawing: 133/2945/04 Rev A) 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 10 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.

All trees/hedgerow shown as being retained within the approved details shall be retained as such in perpetuity.

REASON: To ensure the proposal is satisfactorily landscaped; that trees/hedgerow of landscape/visual amenity value are retained as part of the development and to provide biodiversity net gain.

7. The development shall be carried out in strict accordance with the recommendations of the Preliminary Bat Roost Assessment Report dated 23.3.2021. Prior to development commencing full details and location of the proposed wildlife enhancements recommended the report shall have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with these details. On completion of the approved works a verification report shall be submitted to the Local Planning Authority and the enhancements maintained in perpetuity.

REASON: In order to provide biodiversity net gain and offset any impacts as a result of the development.

8. All tree works/tree protection shall be carried out in strict accordance with the submitted tree survey dated November 2021.

The specified tree protection measures to BS5837 shall remain in place throughout the construction phase of the development and the methodology hereby approved shall be adhered to during all site preparation/construction works.

REASON: To protect trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development hereby approved.

9. Prior to the first use of the wedding/ event venue hereby permitted a scheme showing dedicated electric vehicle charging points throughout the application site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the electric vehicle charging points shall be provided in accordance with the approved scheme prior to the first use of the caravans hereby permitted.

REASON: To promote options for sustainable modes of transport within the site.

10. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:

- 24 Hour emergency contact number;

- Details of the parking of vehicles of site operatives and visitors;
- Details of loading and unloading of plant and materials;
- Arrangements for turning of vehicles within the site;
- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (pedestrians and cyclists);
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities;
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
- Measures to control the emission of dust and dirt during construction;
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
- Construction vehicle routing;
- Delivery, demolition and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

REASON: In the interests of the safe operation of the adopted highway during the demolition and construction phases.

11. No part of the development hereby permitted shall be occupied until such time as the access arrangements and offsite highway works (hedge offset 1m behind the highway boundary) shown on drawing number 33/2945/04 Rev A have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

12. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on drawing number 133/2945/04 Rev A have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

13. Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 1 metres above the nearside carriageway level which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

REASON: To ensure adequate inter-visibility between highway users at the street junction or site access, in the interests of highway safety.

14. No development shall take place until details of a landscaping and maintenance scheme of the land within the approved visibility splays have been submitted to, and approved in writing by, the Local Planning Authority..

Thereafter the land shall be landscaped and maintained in accordance with the approved details.

REASON: To ensure adequate inter-visibility between highway users at the street junction or site access, in the interests of highway safety.

15. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 10 metres of the highway boundary, nor shall any be erected within a distance of 10 metres of the highway boundary unless hung to open away from the highway.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2021).

16. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with GHA drawing number Wade/133/2945/04 Amendment A. Thereafter the onsite parking provision shall be maintained in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

17. Noise levels, at the façade of the bedrooms of the outside of noise sensitive premises, shall not exceed the levels set by the World Health Organisation of:

50dB LAeq during operational hours between daytime and evening hours of 07.00-23.00, and
45dB LAeq / 60dB LMax fast during operational hours of Night-time 23.00 – 07.00

REASON: To ensure that the noise levels from the operation and use of the building, including the playing of live/pre-recorded music, shall not cause nuisance to nearby noise sensitive premises in the interests of residential amenity,

18. The development should be designed so that the rating levels for cumulative noise from external plant and equipment shall not exceed the existing background noise level (LA90) at the external façade of any noise sensitive premises, as assessed in accordance with British Standard 4142(2014) or any subsequent replacement national standards.

REASON: To negate the risk of any potential statutory nuisance to any nearby noise sensitive premises once the venue is operational, in the interests of residential amenity

19. Prior to the first use of the wedding and events building hereby approved , an Events Management Plan, which specifically details the proposals for the control of noise at the site, shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include, but not limited to, details of the following:

- Mitigation measures to control the noise from amplified/non-amplified music at the site
- Measures to ensure a reduction of potential nuisance from guests/ patrons exiting and entering the site;
- Measures to control the use of any outside areas by patrons

The use of the building for weddings/ events thereafter shall accord with the mitigation measures contained within the approved plan.

REASON: To negate the risk of any potential statutory nuisance to any nearby noise sensitive premises once the venue is operational, in the interests of residential amenity.

- 20 The capacity of the wedding/ events venue hereby approved shall not exceed 120 attendees/ guests at any one time.

REASON: In the interests of the general amenities of the area and to safeguard, where appropriate, neighbouring residential amenity.

- 21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, no external lighting/floodlighting or building mounted lighting shall be shall be erected or placed anywhere within the site to which this consent relates without express planning permission first being obtained.

Reason: To enable the Local Planning Authority to exercise control over development which could prove materially harmful the character and visual amenities of the immediate area.

INFORMATIVES:

- The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email developeras@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number.
- The grant of planning permission will require the developer to obtain the appropriate permits to work on, or immediately adjacent to, the adopted highway network. The applicant should be advised to contact 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.

Note: Construction Management Plan.

- There must be no reversing into or from the live highway at any time – all vehicles entering the site must do so in a forward gear and turn around in the site before exiting in a forward gear onto the operational public highway.
- There must be no storage of materials in the public highway at any time.
- There must be no standing or waiting of machinery or vehicles in the public highway at any time.

- Vehicles must only access the site using a designated vehicular access point.
- There must be no machinery operating over the highway at any time, this includes reference to loading/unloading operations – all of which must be managed within the confines of the site.
- A licence to erect hoardings adjacent to the highway (should they be proposed) may be required. If necessary, this can be obtained via the County Council (as the Highway Authority) by contacting the Council by telephoning 01772 533433 or emailing lhsstreetworks@lancashire.gov.uk
- All references to public highway include footway, carriageway and verge.

(G Hoerty spoke in favour of the above application)

Councillor J Rogerson returned to the meeting.

723

PLANNING APPLICATION 3/2022/0046 - 42 KNOWSLEY ROAD, WILPSHIRE

RESOLVED that the application be approved subject to the following conditions:

1. 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:

Location Plan 21.052.pl.01

Floor Plans and Elevations 21.052.pl.02

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent hereby approved.

2. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary, nor shall any be erected within a distance of 5 metres of the highway boundary unless hung to open away from the highway.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2019).

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (as amended or re-enacted) the property shall only be used for the purposes of residential care home (C2) and for no other purpose, including any other purpose within Use Class C2.

REASON: To define the scope of the permission hereby approved and to ensure that the development remains compatible with the character of the area.

4. The premises shall only be used as a residential care home for children, with a maximum of 4 children in residence at any one time who shall be from a 40 mile radius of the application site.

REASON: In the interest of a community cohesion and safeguarding residential amenity.

5. The residential care home for children hereby approved shall not be used to provide care to children requiring an emergency placement.

REASON: To safeguard residential amenity.

(Mr Edwards spoke against the above application. Cllr S Bibby was given permission to speak on the above application)

724

PLANNING APPLICATION 3/2021/1004 - 1 - 7 GEORGE STREET, WHALLEY

RESOLVED that the application be minded to approve and go back to committee for appropriate conditions.

(Mr S Ronnan spoke in favour of the above application. Cllrs G Mirfin and M Hindle were given permission to speak on the above application)

725

PLANNING APPLICATION 3/2021/1118 - LAND REAR OF FORMER PUNCH BOWL, HURST GREEN

RESOLVED that the application be refused for the following reasons:

1. The proposed development is harmful to the setting of the listed building because it is unduly prominent, incongruous, conspicuous, discordant and dominant in location, scale, form and materials. This is contrary to Key Statement EN5 and Policy DME4 and DMG1 of the Ribble Valley Core Strategy.
2. The proposed development is harmful to the character of the open countryside in the immediate setting of the Forest of Bowland AONB because it is unduly prominent, incongruous, conspicuous and discordant in the landscape. This is contrary to Key Statement EN2 and Policy DMG2 and DMG1 of the Ribble Valley Core Strategy.

726

PLANNING APPLICATION 3/2022/0055 - OLD EAVES HALL, WADDINGTON RD, WEST BRADFORD

RESOLVED that the application be deferred and delegated to the Director of Economic Development and Planning to await the statutory consultation period and subject to the following conditions:

Time

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchasing Act 2004.

Plans

2. Unless explicitly required by this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on plan references:

Location Plan 6048-E00
Proposed Elevation and Floor Plans s 6048-P05

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

Materials

3. Prior to the commencement of the construction of the development hereby approved full details of the external materials and surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be constructed in accordance with the approved materials.

REASON: To ensure that the appearance of the development is appropriate to the character and setting of the area.

727

WOODLAND CORRIDOR OFF WHALLEY ROAD, MELLOR BROOK

The Director of Economic Development and Planning submitted a report asking committee to consider the confirmation of the Woodland Corridor, Off Whalley Road, Mellor Brook Tree Preservation Order.

The Council had been informed that some felling had recently taken place on a recently protected site. Following a site visit, it had become apparent that the area could be classified as a woodland corridor with the trees within this area being considered to be of visual amenity due to the native species and maturity and collectively they cover a large linear area which is an important wildlife and habitat corridor.

In November 2021 a TPO had been served on the landowners and one formal objection had been received.

Members were reminded that a TPO does not preclude a planning application being submitted or determined and where a planning permission is granted any loss or impact on protected trees is mitigated as part of the planning approval.

RESOLVED THAT COMMITTEE:

Confirm the Woodland Corridor, Off Whalley Road, Mellor Brook Tree Preservation Order 2021.

728

RESPONSES TO NEIGHBOURING AUTHORITY LOCAL PLAN CONSULTATIONS - CONSULTATION ON LANCASTER CLIMATE EMERGENCY LOCAL PLAN REVIEW (REGULATION 19)

The Director of Economic Development and Planning submitted a report informing members of the current consultation on the Lancaster Local Plan Review – Regulation 19 consultation draft Development Plan documents.

In January 2019, Lancaster declared a climate change emergency and in doing so set out a range of ambitions and actions around climate change and lowering carbon emissions. This also triggered an immediate review of its Local Plan specifically in relation to climate change.

Under the duty to cooperate on strategic matters that cross administrative boundaries, Lancaster had sought to work with us. As the Council has previously co-operated with Lancaster City Council on the production of their recently adopted plan, they have only sought to further co-operate on the new policies introduced or significantly changed.

This Council recognises the need for mitigation and adaption measures to address climate change issues and therefore proposed the following actions as part of the Statement of Common Ground:

“Action A: To work with neighbouring and other local planning authorities to address common issues around Climate Change through their respective plan-making processes, recognizing that at any one-time different authorities may be proceeding with different plans with different aims and objectives not necessarily related to climate change and taking into account the relative stage of plan-making that each local authority is currently at. The application of planning policies around the issue of Climate Change will be tailored to local ambitions and local circumstances.

Action B: That where there is shared ground and aligned plan making ambitions in relation to the preparation of planning policies, local planning authorities will seek to work in a collaborative and proactive manner, whether this be through shared-working or shared-evidence, to achieve effective use of resources and, where possible, a consistent approach to issues.”

RESOLVED THAT COMMITTEE:

1. Endorse the actions above as part of our legal duty to cooperate,
2. Agree that the Local Plan working group monitor the Lancaster City Council Climate Change Emergency Local Plan Review and keep committee informed.

729

RESPONSES TO NEIGHBOURING AUTHORITY LOCAL PLAN CONSULTATIONS - BLACKBURN WITH DARWEN LOCAL PLAN CONSULTATION (REGULATION 19) AND STATEMENT OF COMMON GROUND

The Director of Economic Development and Planning submitted a report informing members of the current consultation on the new Blackburn Local Plan and associated cross-boundary matters, as well as the key policies and objectives, and highlighting any potential issues.

Under the duty to cooperate, the Council's views were sought on the publication version of the Plan as part of a Regulation 19 consultation. The matters to be considered included a significant housing site close to our boundary at Brownhill, the delivery of new employment land and further development within Blackburn town centre to improve the quality of retail offering.

The Plan as proposed does not raise any strategic matters of concern at this time and it was proposed that the statement of common ground would have the following wording:

- There is common ground on the draft planning policies set out in the emerging Blackburn with Darwen Local Plan (2021-2037); and
- That there are no unresolved strategic issues in relation to matters set out in Section 5 of this statement.

Members discussed some concerns around the new housing developments already having an effect on traffic through the village of Mellor and the possible linking of the Samlesbury Enterprise Zone being linked to the M65.

RESOLVED THAT COMMITTEE:

1. Endorse the comments as above as part of our legal duty to cooperate and confirm that no objections are necessary.
2. Agree that the Local Plan working group monitor the Blackburn with Darwen Local Plan and keep committee informed.

730

RESPONSES TO NEIGHBOURING AUTHORITY LOCAL PLAN CONSULTATIONS - WYRE BOROUGH COUNCIL DRAFT PARTIAL LOCAL PLAN REVIEW - REGULATION 19 CONSULTATION

The Director of Economic Development and Planning submitted a report advising members of the current consultation on the Wyre Borough Local Plan full review.

As a neighbouring authority and statutory consultee, the Council had been notified of the proposal for Wyre to undertake a full review of their Plan. At this early stage there were no specific issues that the Council would like to see addressed.

RESOLVED THAT COMMITTEE:

Endorse the comments as set out and the response made to Wyre Borough Council and note that the Wyre Local Plan full review would continue to be monitored as it progresses through its statutory stages with relevant reports to committee as appropriate.

731

REVENUE MONITORING 2021-22

The Director of Resources submitted a report for information on the position for the period April 2021 to January 2022 for this year's revised revenue budget for this committee.

The comparison between actual and budgeted expenditure showed an underspend of £76,816 to January 2022 of the financial year 2021/22. After allowing for transfers to/from earmarked reserves there was an underspend of £69,611.

732

CAPITAL PROGRAMME 2022-23

The Director of Resources submitted a report for information of the schemes for inclusion in the committee's 2022/23 capital programme.

The committee had an approved 2022/23 capital programme of £26,420 for one scheme.

733

APPEALS

3/2021/0745 – new boot room to North elevation at Brockthorn, Tosside, BD23 4SX – appeal allowed.

3/2021/0820 – change of use of domestic annexe to form a separate dwelling at Tipping Meadow, Lyndale Ave, Wilpshire, BB1 9LP – appeal allowed.

3/2021/0820 – application for costs – refused.

734 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

735 EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

The meeting closed at 7.33 pm

If you have any queries on these minutes please contact the committee clerk, Olwen Heap 01200 414408 olwen.heap@ribblevalley.gov.uk.