

Minutes of Planning and Development

Meeting Date: Thursday, 7 April 2022, starting at 6.30 pm
Present: Councillor A Brown (Chair)

Councillors:

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

In attendance: Head of Planning Services, Solicitor and Principal Planning Officer

Also in attendance: Councillors M Hindle and G Mirfin

808 APOLOGIES FOR ABSENCE

Apologies for absence for the meeting were received from Councillors B Holden and J Rogerson.

809 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

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

810 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS

Councillor K Horkin declared an interest in Planning Application 3/2022/0091 – 2 Market Place, Clitheroe

811 PUBLIC PARTICIPATION

There was no public participation.

812 PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990

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

The Head of Planning Services informed committee that an additional condition would be added to protect the privacy of the dwellings to the rear.

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

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.

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:

Location Plan

Proposed Site Plan A1.2 20/8/2021

Proposed Elevations A2.2A 26/10/2021

Proposed Ground and First Floor Plans A1.4 20/8/2021

Proposed Mezzanine and Upper Floor Plans A1.5 13/9/2021

Proposed Sections Showing Distances to Church Lane Properties A3.2 13/9/2021

Solar PV Location Section A3.3 12/10/2021

Materiality

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

3. Notwithstanding that submitted, precise specifications and samples of proposed wall, roof, window, door, rooflight and solar panel materials shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works. The development thereafter shall be implemented in accordance with the approved details.

REASON: In order to ensure acceptable materials.

4. Precise specifications (including cross-section drawings) of proposed new windows, doors, rooflights and solar panels shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works. The development thereafter shall be implemented in accordance with the approved details.

REASON: In order to ensure acceptable windows, doors, rooflights and solar panels.

5. No building or use hereby permitted shall be occupied or the use commenced until secure cycle stores are provided at the site for use by the occupants of the apartments. The details regarding the cycle stores shall be submitted to and approved in writing by the Local Planning Authority. The respective cycle stores shall be retained at all times thereafter.

Reason: In the interest of providing suitable storage for cycles and sustainable modes of travel.

6. Notwithstanding that submitted, precise specifications and samples of proposed south elevation glazing (including details of obscure glazing) shall have been submitted to and approved in writing by the Local Planning Authority before its use in the proposed works. The development thereafter shall be implemented in accordance with the approved details.

REASON: To safeguard the residential amenities of adjoining properties on Church Lane.

7. No development including any demolition works shall take place until the applicant or their agent or successors in title has secured the implementation of a programme of building recording, analysis and reporting work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and

agreed in writing by the Local Planning Authority. The programme of works should comprise the creation of a record of the building to level 3 as set out in "Understanding Historic Buildings" (Historic England 2016). It should include a full description of the buildings, inside and out, drawn plans, elevations and at least one section (which drawings may be derived from checked and corrected architect's drawings), and a full photographic coverage, inside and out. The record should also include a rapid desk-based assessment, putting the building and its features into context. The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

8. No development shall take place until details of an assessment of all significant noise sources likely to affect the proposed development has been submitted in writing to and approved by the Local Planning Authority.

The noise report shall:

- a) Determine the existing noise climate including from existing commercial premises and from plant noise forming part of the development
- b) Predict the noise climate in bedrooms (night-time) and other habitable rooms of the development (day-time)
- c) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the proposed dwellings. If the noise attenuation measures include windows being kept closed, then details of alternative ventilation over background ventilation will be required.

This assessment shall demonstrate that the following standards are met within the proposed development.

L_{Aeq} 50-55dB 16 hours – outside living areas (for example balconies where appropriate)

L_{Aeq} 35dB 16 hours – indoors daytime (08.00-23.00)

L_{Aeq} 30dB 8 hours – indoors night-time (23.00-07.00)

L_AF_{max} 45dB 8 hours – indoors night-time (23.00-07.00)

L_AF_{max} 45dB 4 hours – indoors evening (19.00-23.00)*

* The evening standard L_AF_{max} will only apply where the existing evening L_AF_{max} significantly exceeds the L_{Aeq} and the maximum levels reached regular occur, for example several times per hour.

The assessment shall be carried out for the most sensitive hours.

REASON: To safeguard residential amenities.

9. Before the development is first brought into use all works which form part of the sound attenuation scheme as specified in the agreed noise report shall be completed and written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

If it cannot be demonstrated that the noise levels specified in the agreed noise report have been achieved, then a further scheme shall be submitted for the written approval of the Local Planning Authority incorporating further measures to achieve those noise levels. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

REASON: To safeguard residential amenities.

10. Before the development is first brought into use, an assessment of the sources of potential odour that might be detrimental to the amenity of future occupants of the proposed development, in particular from activities in nearby commercial properties from cooking and extract ventilation systems, shall have been submitted in writing to and approved by the Local Planning Authority.

The assessment will detail the odour sources and demonstrate how the amenity of future occupants of the proposed development will be protected from these odour sources. Any necessary mitigation measures shall thereafter be implemented as part of the development and retained in perpetuity thereafter.

REASON: To safeguard residential amenities.

11. Prior to the first occupation each dwelling shall have an electric vehicle charging point. Charge points must have a minimum power rating output of 7kW, be fitted with a universal socket that can charge all types of electric vehicle currently.

REASON: In the interests of supporting sustainable travel.

12. Precise specifications of the proposed re-building of the boundary wall shall have been submitted to and approved in writing by the Local Planning Authority before the implementation of this element of the proposed works. The development thereafter shall be implemented in accordance with the approved details.

REASON: In order to ensure an acceptable development.

13. Notwithstanding the rear balcony details further plans shall be submitted and agreed in writing by the Local Planning Authority incorporating proposals to minimise direct overlooking of the adjacent properties on the rear elevation. The details shall thereafter remain in perpetuity.

REASON To safeguard residential amenity

INFORMATIVES

It is recommended that the methodology for any noise assessment be submitted in writing to the RVBC Environmental Health Service prior to any assessment taking place.

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

PLANNING APPLICATION 3/2021/1255 - DEERHURST (FORMALLY HORROCKS),
KNOWLES BROW, HURST GREEN

The Head of Planning Services reported there would be a change to condition 2.

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 as Revised and dated 29/03/22

Proposed Site Plan excluding location plan 2051-01 Rev C

Proposed Cross section Plan 2051-03 Rev D

Proposed Elevation and Floor Plan 2051-02 Rev F

Mitigation Specification Details and plan dated 28/02/2021 from Verity Webster and shall remain in perpetuity.

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

Materials

2. Within 1 month of the date of this permission details of the boundary treatment and hardstanding area and a timescale for the restoration of the land to agricultural land shall be submitted to and agreed in writing by the Local Planning Authority with the restoration of the agricultural land at the rear completed within 6 months of the date of this permission.

REASON: To ensure that the appearance of the development is appropriate to the character and setting of the area and the restoration of the land to agricultural in the interest of visual amenity and safeguarding of the AONB from inappropriate development.

Highways

3. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Andrew Parker Architecture drawing number 02 Rev F. Thereafter the onsite parking provision shall be so maintained in perpetuity.

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)

INFORMATIVES: The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. The applicant should be advised to contact Lancashire County Council's Public Rights of Way section by email on PROW@lancashire.gov.uk, quoting the location, district and planning application number, to discuss their proposal before any development works begin. Any damage caused to the surface of the Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority

(Ms C Bradley spoke in favour of the above application)

PLANNING APPLICATION 3/2021/1290 - CLITHEROE CASTLE

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

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The permission shall relate to the development as shown on Plan Reference:

Location Plan
Existing Roof Plan
Section - Detail

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 any proposed new ridge or hip tiles shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

REASON: In order to safeguard the special architectural and historic interest and setting of the listed building.

4. The development shall be carried out in strict accordance with the recommendations of the bat survey and report submitted 20/9/2021 with regard to Method Statement, Reasonable Avoidance Measures, Timing of works and emergency advice.

REASON: To ensure: no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed; no adverse effects to the favourable conservation status of a bat population; the protection of the bat population from damaging activities and reduction or removal of the impact of development.

Councillor K Horkin declared an interest in the next item of business and left the meeting.

PLANNING APPLICATION 3/2022/0091 - 2 MARKET PLACE, CLITHEROE

The Head of Planning Services reported an amendment to condition 4.

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

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 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

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:

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

3. Notwithstanding the submitted details, details or specifications of all materials to be used on the external surfaces of the development hereby approved shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict 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. 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.

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

Cllr K Horkin returned to the meeting.

817

PLANNING APPLICATION 3/2020/0911 - SHACKLETONS GARDEN CENTRE, CHATBURN

The Head of Planning Services reported that the length of time allowed for the legal agreement to be finalised would be extended to 6 months.

RESOLVED that the application be deferred and delegated to the Director of Economic Development and Planning for approval following the satisfactory completion of a Legal Agreement, within 6 months from the date of this Committee meeting or delegated to the Director of Economic Development and Planning in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 6 months and 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 Site Plan February 2022	ref: 18.59 PL.01 Rev F	Received	28 th
Location Plan	ref: 18.59 / EX00 Rev A	Dated	February 19
Proposed Elevations	ref: 18.59 PL.04 Rev B	Dated	02.19
Proposed Sections	ref: 18.59 PL.05 Rev B	Dated	02.19
Proposed Sections	ref: 18.59 PL.06 Rev B	Dated	02.19

Proposed Lower Floor Plan	ref: 18.59 PL.02 Rev B	Dated 02.19
Proposed Upper Floor Plan	ref: 18.59 PL.03 Rev B	Dated 02.19
Tree Constraints Plan	ref: Ref: BTC1946-TCP	Dated March 2020
Access Sections March 2022	ref: 18.59 PL.13 Rev B	Received 17 th
Car Park layout November 2021	ref: 18.59 PL.11 Rev D	Received 9 th
Car Park Layout February 2022	ref: 18.59 PL.10 Rev E	Received 17 th
Vehicle Tracking February 2022	ref: 18.59 PL.13 Rev C	Received 28 th

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. 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
 - 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

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.

5. No part of the development hereby approved shall commence until a scheme for the construction of the site accesses and the off-site works of highway mitigation has been submitted to, and approved in writing by, the Local

Planning Authority. The site accesses and off-site highway works shall be completed in accordance with the approved details prior to the first use of the development hereby approved.

REASON: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.

6. No building or use hereby permitted shall be occupied or use commenced until the footway has been reinstated to full kerb height, where any vehicle crossover(s) are redundant, in accordance with the approved plans and the Lancashire County Council Specification for Construction of Estate Roads, to be retained in that form thereafter for the lifetime of the development.

REASON: To maintain the proper construction of the highway and in the interest of pedestrian safety.

7. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Stanton Andrews drawing number PL.01 Rev F and DTPC drawing titled "Updated Paths" 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).

8. Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 0.9 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.

9. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Stanton Andrews drawing number PL.01 Rev F. Thereafter the onsite parking provision shall be so 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).

10. No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed. The area shall thereafter be kept free of obstruction and available for the parking of cycles only at all times.

REASON: To ensure the provision and availability of adequate cycle parking and the promotion of sustainable forms of transport.

11. The surface water from the approved car park should be collected within the site and drained to a suitable internal outfall. Prior to commencement of the development details of the drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be

implemented in accordance with the approved details prior to the first use of the extension hereby approved.

REASON: In the interest of highway safety to prevent water from discharging onto the public highway.

12. Demolition or construction works shall not take place outside 8am to 6pm Mondays to Fridays and 8am hours to 1pm on Saturdays nor at any time on Sundays or Bank Holidays.

REASON: To protect the amenities of the nearby residents.

13. 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, stones and debris being carried onto the highway. Provision to sweep the surrounding highway network by mechanical means will be available and the roads adjacent to the site shall be mechanically swept as required during the full construction period.

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

14. During the construction period deliveries (relating to the construction activities) to the approved development shall only be accepted between the hours of 9:30am and 2:30pm Monday – Friday, to avoid peak traffic on the surrounding highway network.

REASON: In the interest of highway safety and neighbour amenity

15. Prior to the above ground construction of the extension hereby approved full details of the electric motor vehicle charging points to be provided within the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the charging points shall be installed and made available for use prior to the first use of the development hereby approved.

REASON: To support sustainable transport objectives and to contribute to a reduction in harmful vehicle emissions.

16. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the submitted flood risk assessment (24th November 2021 / 10301 – Revision 3 / Reid Jones Partnership) The measures shall be fully implemented prior to the first use of any building and in accordance with the timing arrangements embodied within the scheme.

REASON: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 168 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

17. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority.

The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the

National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

Those details shall include, as a minimum:

- a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change) for the whole site, including all existing and proposed surface water drainage systems.
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
 - i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;
 - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels, to include all existing and proposed surface water drainage systems up to and including the final outfall.
 - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
 - v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building to confirm minimum 150mm+ difference for FFL;
 - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
 - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
- c) Where existing on-site surface water drainage systems are to be used, then evidence is required to confirm these systems are in a sufficient condition to accept additional surface water runoff generated from the development. The sustainable drainage strategy shall be implemented in accordance with the approved details.

REASON: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 168 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

18. No development shall commence until details of how surface water and pollution prevention will be managed during each demolition and construction phase have been submitted to and approved in writing by the local planning authority.

Those details shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during demolition and construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.

b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The development shall be constructed in accordance with the approved details.

REASONS:

1. To ensure the development is served by satisfactory arrangements for the disposal of surface water during each demolition and construction phase(s) so it does not pose an undue flood risk on site or elsewhere;

2. To ensure that any pollution arising from the development as a result of the demolition and construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

19. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of a final 'operation and maintenance manual' for the sustainable drainage scheme as constructed. Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

REASON: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 168 of the National Planning Policy Framework.

20. No removal of vegetation including trees or hedges shall be undertaken within the nesting bird season (1st March - 31st August inclusive) unless a pre-clearance check on the day of removal, by a licenced ecologist, confirms the absence of nesting birds. A letter from the ecologist confirming the absence of nesting birds shall be submitted to the Local Planning Authority within one month of the pre-clearance check being undertaken.

Any removal of vegetation outside the nesting bird season shall be preceded by a pre-clearance check by a licensed ecologist on the day of removal to

ensure that removal does not result in unacceptable impacts upon nesting birds or other species of conservation concern.

REASON: To ensure that there are no adverse effects on the favourable conservation status of birds, to protect the bird population and species of importance or conservation concern from the potential impacts of the development.

21. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standard

REASON: To safeguard the trees to be retained

22. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution.

23. A scheme for the landscaping of the development and its surroundings shall be submitted to and approved in writing by the Local Planning Authority prior to the above ground construction of development hereby approved. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 10 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design

24. 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 erected or placed anywhere within the site to which this consent relates.

REASON: In the interests of general amenities of the locality and the amenities of nearby residents.

25. Prior to the first use of the extension to the garden centre hereby permitted retractable bollards shall be erected and brought into use on the access road as detailed on the approved plans. These bollards shall be retained erected at

all times except during periods of high visitor numbers when the main car park is full, and use of the overspill car park is required.

REASON: The overspill car park is only required to support visitors during busy periods. The main car park will be sufficient to accommodate visitors for most of the time and enables the overspill car park to remain visually open within the landscape.

26. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s).

REASON: To protect the appearance of the locality and in the interests of the amenities of local residents.

27. Notwithstanding the details shown on the submitted plans, the parking bays hereby approved shall be constructed using permeable materials on a permeable base.

REASON: In the interests of highway safety and to prevent flooding

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.

- This response does not grant the applicant permission to discharge to the highway drainage network, directly or indirectly. Neither does this response cover the suitability of any highway drainage proposal. The highway drainage proposal and the suitability for future highway adoption under Section 38 of the Highways Act 1980 is for the Highway Authority to comment on. Lancashire County Council Highway Authority does not allow private / non-highway water to be discharged into the adopted highway drainage system. This is set out in 5 paragraph 2.3.1.1 of the Code of Practice on Highway Status and Adoption.
- The proposed outfall may require a legal agreement with third party to access and construct the outfall in addition to any permission(s) from flood risk management authorities.
- When modelling your surface water sustainable drainage network, please ensure you apply a surcharged outfall unless you can demonstrate that a free-flowing outfall can be achieved.
- The LLFA notes that the southern part of the site is to drain to a 25x25x0.8m deep attenuation crate, which will then connect to manhole 'EX MH' at the south west corner of the existing building (Project 10301 / Drawing 101 / Issue P3). It is not clear where this manhole then connects to and if it currently drains surface water from the southern part of the site. This will need to be addressed in the final drainage strategy, with evidence that confirms the receiving drain is sufficiently sized and is in sufficient condition to accept additional surface water runoff generated by the development. The applicant must consider how surface water will be managed within any nondrained areas of the site, for example, grassed verges and areas of public open space. Infiltration has been discounted as a viable option for the disposal of surface water from the site, the applicant should therefore consider whether any runoff from the non-drained areas may contribute indirectly to the drainage system when saturated in heavy rainfall events. The drainage system must be designed to accommodate these indirect flows, to prevent the system from being overloaded and having the potential of causing flooding on or off site. It is evident from the indicative drainage strategy that surface water is intended to be managed in underground pipes and attenuation crates. The LLFA strongly encourages the developer to reconsider their approach to surface water management by maximising the use of other SuDS components in the surface water sustainable drainage design. Other SuDS components offer significant advantages over conventional piped drainage systems in reducing flood risk, absorbing diffuse pollutants and promoting groundwater recharge. Ponds, reed beds and seasonally flooded grasslands are also particularly attractive features within public open space. The wide variety of available SuDS components means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

- **CADENT GAS**

Affected Apparatus-The apparatus that has been identified as being in the vicinity of your proposed works is:

- Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity)
- Above ground gas sites and equipment

Requirements **BEFORE** carrying out any work you must:

- Note the presence of an Above Ground Installation (AGI) in proximity to your site. You must ensure that you have been contacted by Cadent and/or National Grid prior to undertaking any works within 10m of this site.

- Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
 - Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
 - Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 – 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
 - In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken
- **UNITED UTILITIES**
 - According to our records there is an easement in the vicinity of the proposed development site which is in addition to our statutory rights for inspection, maintenance and repair. The easement dated 14/02/1975 UU Ref: R676 has restrictive covenants that must be adhered to.
 - It is the responsibility of the developer to obtain a copy of the document, available from United Utilities Legal Services or Land Registry and to comply to the provisions stated within the document. Under no circumstances should anything be stored, planted or erected on the easement width. Nor should anything occur that may affect the integrity of the pipe or United Utilities legal right to 24 hour access. We recommend the applicant contacts our Property Services team to discuss how the proposals may interact with the easement. They should contact PropertyGeneralEnquiries@uuplc.co.uk
 - A water main crosses the site. As we need unrestricted access for operating and maintaining it, we will not permit development over or in close proximity to the main. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines'.
 - The applicant must comply with our 'Standard Conditions' document. This should be taken into account in the final site layout, or a diversion may be necessary. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion required as a result of any development will be at the applicant's expense. If considering a water mains diversion, the applicant should contact United Utilities at their earliest opportunity as they may find that the cost of mains diversion is prohibitive in the context of their development scheme.
 - Both during and post construction, there should be no additional load bearing capacity on the main without prior agreement from United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles.

Reason for pre-commencement planning conditions:

Drainage is not only a material consideration but an early and fundamental activity in the ground construction phase of any development and it is likely to be physically inaccessible at a later stage by being buried or built over. It is of concern to all flood risk management authorities that an agreed approach is approved before development commences to avoid putting existing and new communities at risk.

The revised NPPF considers sustainable drainage systems to be important and states that they should be incorporated unless there is clear evidence that this would be inappropriate and, as such the LLFA needs to be confident that flood risk is being adequately considered, designed for and that any residual risk is being safely

managed. To be able to do this the LLFA requires an amount of certainty either by upfront detail or secured by way of appropriate planning condition(s).

The proposed pre-commencement condition(s) allows for the principle of development to be granted and full detailed drainage designs to be conditioned for approval via a discharge of condition application which could be more favorable to developers in terms of less delay and less financial outlay early in the process. Nonacceptance of the pre-commencement condition could lead the LLFA to object to the principle of development until all residual risk issues are safely managed.

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PLANNING APPLICATION 3/2021/1134 - LAND EAST OF CHIPPING LANE, LONGRIDGE

The Head of Planning Services referred to amended plans that had been received.

RESOLVED that Committee defer and delegate their approval to the Director of Economic Development and Planning subject to resolution of all objections from the Lancashire Local Lead Flood Authority, resolution of all matters concerning the affordable housing scheme offer and completion of a legal agreement to tie in the existing S106 obligations to 3/2021/1134 and 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 91 of the Town and Country Planning Act 1990 as amended 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:

Location Plan 459LP06 Received on 1/4/22 Affordable Housing Layout 459-AF06 Rev A received on 1/4/22 Alderney (Det) MS07 Alderney (Det) MS08 Belmont End HBC2 1STE/02 Boundary Layout 459-BT06 Rev B received on 1/4/22 Brandon (End) BBRN 00CE Brandon (Mid) BBRN 5BRI Brandon (Mid) BBRN 00CI Denby (Det-Gable) BDBY 56CD MS03 Denby (Det-Gable) BDBY 5BRD MS00 Denford Classic (End) BDNF 00CE Denford Classic (Mid) BDNF 00CI Denford (End) BDNF 5BRE Ellerton Brick Render (Mid) BLLE 5BRI MS04 Ellerton (End - Gable) BLLE 5BRE MS04 Ellerton Stone (End - Gable) BLLE 5SRE MS04 Kingsville (End) BKIS 5BRE MS00 Kingsville (End) BKIS 00CE Kingsville (Mid) BKIS 5BRI MS00 Moresby Classic (Det) BMMS 00CD Moresby (Det) BMMS 5BRD MS08 Moresby (End) BMMS 5BRE MS07 Moresby (End) BMMS 5SRE MS08 Planning Layout 459-PL06 Rev B received on 1/4/22 Planting Plan. Garage drawing plans 2010/DET/C/135 and 2010/DET/CS/01, Bird and Bat Box Plan 11319/P08a Received on 1/4/22, Materials Layout Plan 459ML06 B Received on 1/4/22 Refuse strategy Layout plan 459 RS06 Revision B received on 1/4/22 Hard landscaping Layout 459HL06 Revision B received on 1/4/22 Storey Heights Layout Plan 459HL06 Revision B received on 1/4/22

REASON : For avoidance of doubt.

3. The internal estate roads shall be constructed in accordance with LCC specification for estate roads and to at least base course level prior to first occupation of any dwelling,

REASON: In the interests of highway safety.

4. Prior to the occupation of each dwelling the driveways and parking areas shall be constructed in a bound porous material and made available for use and maintained for that purpose for as long as the development is occupied.

REASON: In the interests of highway safety.

5. Prior to first occupation each dwelling shall have a secure cycle store at a ratio of 1 cycle space per bedroom details of which shall have been provided to and approved in writing by the local planning authority.

The approved cycle stores shall be retained in perpetuity.

REASON: In the interests of supporting sustainable travel.

6. Prior to the first occupation each dwelling shall have an electric vehicle charging point. Charge points must have a minimum power rating output of 7kW, be fitted with a universal socket that can charge all types of electric vehicle currently.

REASON: In the interests of supporting sustainable travel.

7. This permission shall relate to the proposed locations and specifications for bird and bat boxes submitted 24 February 2022 (Drawing 11319/P08a, February 2022; notwithstanding, the Red Line Boundary shown on this plan). The bird and bat boxes shall be installed before first occupation of each dwelling.

REASON: For the avoidance of doubt as the application was subject to revisions and in the interests of biodiversity and to enhance habitat opportunities for species of conservation concern/protected species.

8. Prior to the occupation of each dwelling and notwithstanding the proposed Refuse Strategy Layout 459-RS06 Rev A, revised details including plans for those dwellings located on the block paved private driveway, shall be submitted to and approved in writing by the local planning authority which show (i) areas of hardstanding for receptacles to be left on refuse collection days and (ii) details of the management arrangements to ensure receptacle collection points are left free of receptacles on non-collection days.

REASON: To avoid receptacles being left on the footways.

9. Notwithstanding the submitted details, precise specifications or samples of all external surfaces, including surfacing materials and their extents, of the development hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict 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.

10. The garage(s) hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the household(s) and shall not be used for any use that would preclude the ability for their use for the parking of private motor vehicles, whether or not permitted by the provisions of the Town

and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order.

REASON: To ensure to ensure that adequate parking provision is retained on site that limits the visual impact of the parked motor-vehicle upon the street scene and limits parking upon the highway.

11. Notwithstanding the submitted details, precise specifications including drawings of proposed detached garages shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development. The approved detached garages shall be implemented within the development in strict accordance with the approved details.

REASON: In the interests of highway safety.

12. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 459/ED/105, Rev L - Dated 25/10/2021 which was prepared by BARRATT HOMES. No surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

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.

13. No development shall commence (including any earthworks) until details of the means of ensuring the water main/s that is/are laid within the site boundary are protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall include a survey of the exact location of the water main/s and outline the potential impacts on the water main/s from construction activities and the impacts post completion of the development and identify mitigation measures to protect and prevent any damage to the water mains both during construction and post completion of the development. The details shall include a pre and post construction condition survey. Any mitigation measures shall be implemented in full in accordance with the approved details.

REASON: In the interest of public health and to ensure protection of the public water supply.

14. *Any conditions required by the LLFA.*

15. Notwithstanding the submitted information and before the commencement of development, full details of both hard and soft landscaping works shall have been submitted to and approved by the LPA in writing. For the avoidance of doubt the submitted details shall include:

- i) planting details (including species, numbers, planting distances/densities and plant sizes);
- ii) surfacing including full details of the colour, form and texture of all hard landscaping (ground surfacing materials);
- iii) street furniture;
- iv) boundary treatments;
- v) a programme for the implementation of the landscaping works including all boundary treatments.

The development shall be implemented in accordance with the approved details.

REASON: In order to ensure a development which is sympathetic to the character and appearance of the area.

16. Prior to the commencement of the development details of the proposed finished floor levels, ridge and eaves heights of the buildings hereby approved shall have been submitted to and approved in writing by the local planning authority. The submitted levels details shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of surrounding property. The development shall be carried out as approved.

REASON: In order to protect residential amenity and ensure a development which is sympathetic to the character and appearance of the area.

INFORMATIVES

The Lancashire Fire and Rescue Service has provided advice for access for fire appliances and water supplies (firefighting). Recommendations are made to make the applicant aware of conditions which will have to be satisfied on a subsequent Building Regulation application.

United Utilities advise that it is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

(Mr S Artiss spoke in favour of the above application)

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APPEALS

3/2021/0859 – retention of an unauthorised single storey extension to rear at Swallows Barn, Whalley Old Road, Billington, BB7 9JE – appeal dismissed.

3/2021/0597 – extension to existing industrial estate to include car parking, landscaping and service infrastructure without complying with a condition attached to 3/2017/0714 re external materials at Mitton Road Business Park, Whalley, BB7 9JY – appeal allowed.

3/2021/0056 – erection of donkey shelter, polytunnel and pergola at Higher Beck Farm, Green Moor Lane, Ribchester – appeal partially allowed.

3/2021/0785 – reinforce the flat roof over double garage, cover it with firestone EDPM rubber and create a patio with 1.150m high glass balustrade, accessed by wooden steps from the garden at 1 The Hazels, Wilpshire, BB1 9HZ – appeal dismissed.

3/2021/0969 – proposed replacement front porch and dormer to front at 20 Wellbrow, Longridge, PR3 3TB – appeal allowed.

3/2021/0925 – proposed roof lift and loft conversion, single storey rear extension and alteration to access from road – appeal partially allowed.

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REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

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EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

The meeting closed at 7.27 pm

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