

Minutes of Planning and Development

Meeting Date: Thursday, 13 April 2023, starting at 6.30 pm
Present: Councillor A Brown (Chair)

Councillors:

T Austin	K Fletcher
I Brown	M French
B Buller	S O'Rourke
J Clark	J Rogerson
L Edge	R Sherras

In attendance: Director of Economic Development and Planning, Head of Development management and Building Control and Head of Legal and Democratic Services

908 APOLOGIES FOR ABSENCE

Apologies for absence for the meeting were received from Councillors S Brunskill and S Carefoot.

909 TO APPROVE THE MINUTES OF THE PREVIOUS TWO MEETINGS

The minutes of the two meetings held on 16 March 2023 were approved as a correct record and signed by the Chair.

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

There were no declarations of disclosable pecuniary, other registrable or non-registrable interests.

911 PUBLIC PARTICIPATION

There was no public participation.

912 PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990

913 3/2022/0878 - DUTTON MANOR MILL, CLITHEROE ROAD, RIBCHESTER PR3 2YT

Mr T Myers spoke in support of the application and Mr T Hobday spoke in opposition to the application.

RESOLVED THAT COMMITTEE:

Grant planning permission subject to the following conditions:

1. The development must be begun not later than the expiration of three years from the date of the original consent 3/2021/0440, dated 23rd September 2021.

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 Reference JM-0207 LOCAL PLAN
 - Proposed Site Plan Reference JM-0207 LOCAL PLAN 004 Rev E (received 19.08.2021)
 - Proposed Ground Floor Plan Reference JM-0207 LOCAL PLAN 005 Rev D (received 19.08.2021)
 - Proposed First Floor Plan Reference JM-0207 LOCAL PLAN 006 Rev C (received 19.08.2021)
 - Proposed Elevation and Section Plan Reference JM-0207 LOCAL PLAN 007 Rev E (received 19.08.2021)
 -

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

3. The development shall be carried out in accordance with the external walls, roofing and rainwater goods materials detailed in the 'Proposed Materials Schedule for Discharge of Condition 3' document submitted and approved in discharge of conditions application reference 3/2022/0362.

REASON: To ensure that the materials to be used are appropriate to the locality.

4. The landscaping proposals hereby approved shall be implemented in the first planting season following occupation or use of the development unless otherwise required by the reports above, 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.

REASON: To ensure the proposal is satisfactorily landscaped and appropriate to the locality.

5. The working hours within the premises shall be restricted to the period from 0700 to 1900 Mondays to Friday and 0800 to 1600 on Saturdays. No work shall be undertaken on Sundays, Bank or Public Holidays.

REASON: In order to protect the residential amenity of the occupiers of the adjacent properties from noise related activities.

6. No goods, plant or materials shall be deposited or stored on the site other than in the buildings shown on the approved plans.

REASON: To ensure a satisfactory appearance of the site in the interests of local visual amenity and in the interests of the amenities of nearby residents.

7. Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 1m 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.

8. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with drawing number JM-0207 004 Rev E. 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 (2019).

9. The Construction Method Statement and Proposed Site (Construction Phase) Layout Plan submitted and approved in discharge of conditions application reference 3/2022/0362 shall be adhered to throughout the construction period of the development.

REASON: In the interests of the amenity of the area and highway safety.

10. No construction work, construction traffic or operation of any plant/machinery shall take place on the site during the course of the development hereby approved except between the hours of 0800 hours and 1800 hours Monday to Friday and 0900 and 1300 on Saturdays. No construction work, construction traffic or operation of any plant/machinery shall take place on Sundays or Public Holidays. Furthermore, no deliveries or vehicles shall arrive on site outside these stipulated working hours.

REASON: In order to protect the residential amenity of the occupiers of the adjacent properties from noise disturbance.

11. 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 storage unit as indicated on plan reference JM-0207 LP 004 Rev E shall only be used for the purposes of B8 (Storage or distribution) and for no other purpose.

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

914

3/2022/0926 - FORMER RAILWAY TUNNEL, HIGHER ROAD, LONGRIDGE PR3 2XY

RESOLVED THAT COMMITTEE:

Grant Listed Building Consent subject to the following conditions:

That Listed Building Consent be granted subject to the following conditions:

1. The development hereby permitted must be begun not later than three years from the date of this permission.

REASON: Required to be imposed by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

2. The development hereby permitted shall not be carried out otherwise than in conformity with the following submitted plans and details and recommendations therein received by the Local Planning Authority unless prohibited by any other condition.

Plans

Existing General Arrangement And Defects Drawing No: 1045-SWA-00-XX-DR-S-0001 REV P2

22 0926 Location Plan

Strengthening Works Drawing No: 1045-SWA-00-XX-DR-S-0002 REV P1

Reports

22 0926 Bat survey

22 0926 Heritage Statement

22 0926 Technical Note

REASON: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied with the details.

3. No development shall take place until an Approval In Principle (AiP) Structural Report setting out how any structures within 6 metres of the edge of the adopted highway (and outside of this measure where the failure of any structures would affect the safety of road users) will be assessed, excavated, constructed, strengthened or demolished has been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved AIP Report.

REASON: To ensure the works safeguard the structural integrity of the adopted highway during the demolition and construction phase of the development.

4. No part of the development hereby granted consent shall commence until details of a method statement have been submitted to and agreed in writing with the Local Planning Authority. The details of the method statement shall be in accordance with the Bat Mitigation Guidelines 2004 (or any equivalent updated guidance which may be subsequently published) and include information on measures that aim to avoid, cancel or reduce negative effects of the development on protected species / roosts / habitat, including timings of the work.

The details submitted shall also include information on enhancement and compensatory measures including the type and function of replacement roosts, bat access points and long term security for roosts, together with a timeframe for implementation. This shall include the installation of compensatory bat boxes on site in line with the mitigations measures detailed

within Bat Survey Report and Method Statement European Protected Species (Bats) Reasonable Avoidance and Mitigation Measures dated 10.03.2023.

The development shall then proceed in accordance with the approved method statement. Any approved enhancement and compensatory measures shall be implemented in accordance with the approved timeframe and shall thereafter be retained in perpetuity.

REASON: To ensure the protection of species/habitat protected by the Wildlife and Countryside Act 1981 (as Amended) and in the interests of biodiversity and to enhance habitat opportunities for species of conservation concern/protected species and to minimise/mitigate the potential impacts upon protected species resultant from the development.

Informative (Highways)

Prior to works commencing, the Design and Work certificates shall be submitted to the Local Planning Authority, in consultation with the Local Highway Authority. Once works are complete, the Construction Compliance certificate shall be submitted to the Local Planning Authority, in consultation with the Local Highway Authority.

Informative (Ecology)

Site contractors and site project managers shall be made aware of the legal protection afforded to all species of bats in the UK. In the event that any bats are found or disturbed during any part of the development, all work shall cease until further advice has been sought from a licensed ecologist.

915

LONGRIDGE S106

The Director of Economic Planning and Development submitted a report seeking authority from Members to release Section 106 contributions to Mardale Playing Pitches.

RESOLVED THAT COMMITTEE:

1. Agree to breakdown the total s106 payment of £69,423 secured for off-site public open space improvements from the planning permission at Chipping Road, Longridge (ref: 3/2014/0764) as follows:-
 - £34,711 improvements to Mardale playing pitches,
 - £24,000 play facility improvements at Kestor Lane and
 - £10,711.50 improvements to Longridge Cricket Club.
2. Authorise the commitment of £34,711 public open space payment received to date to the improvement work on Mardale playing pitches.
3. Agree to the commitment of the two remaining sums after they are receipted by the Council (the Longridge Cricket Club share will be subject to a further report setting out how the club intends to utilise the contribution).

916 LOCAL PLAN UPDATE

The Director of Economic Planning and Development submitted an information report to update Members on the progress with the replacement Ribble Valley Local Plan.

Members noted the updates provided relating to the Strategic Flood Risk Assessment (SFRA) and the Strategic Housing and Employment Land Availability Assessment (SHELAA) and they anticipate further updates on these and other items in future months.

917 DLUHC CONSULTATION ON INCREASING PLANNING FEES AND PERFORMANCE

The Head of Development Management and Building Control submitted an information report updating Members on the current government consultation on changes to planning fees and performance.

It was noted that the government published a 'Technical consultation: Stronger performance of local planning authorities support through an increase in planning fees' on 28 February 2023. Within this consultation document were a number of proposed changes to planning fees and the way government monitors and measures the performance of planning services.

The proposals include:

- To increase planning fees for major applications by 35% and to increase planning fees for all other applications by 25%
- To double planning fees for retrospective applications to discourage unauthorised development.
- To introduce legislation when parliamentary time allows for all planning fees to be adjusted annually in line with inflation.
- Building the resilience, capacity, and capability of local planning authorities. At this stage the government are only seeking views on skills gaps, recruitment issues and ideas to address these challenges.
- To amend the existing metrics that measure performance of local planning authorities for speed of decision-making.
- The performance of a local planning authority for speed of decision making should primarily be assessed on the percentage of applications that are determined within the statutory determination period, not an agreed extended period of time.

The Members noted the proposed changes to planning fees and performance outlined in the report and requested the Head of Development Management & Building Control to respond to the consultation.

918 TECHNICAL CONSULTATION ON THE INFRASTRUCTURE LEVY

The Director of Economic Planning and Development submitted an information updating Members on the technical consultation on the Infrastructure Levy.

The Levelling Up and Regeneration Bill ('the Bill') seeks to replace the current system of developer contributions with a mandatory, more streamlined, and locally determined Infrastructure Levy.

The Bill provides the framework for the new Levy, with the detailed design to be delivered through regulations.

The Bill introduces the following components of the Levy:

- The Levy will be a mandatory charge.
- Levy rates are to be set by charging authorities (generally the local authority), and when setting rates, they must take into account certain factors. This includes the viability of development in the area and the desirability that rates can deliver affordable housing at a level equalling or exceeding what developers deliver now in that area.
- There is a process of examination in public of Infrastructure Levy charging schedules, in order for rates to be adopted.
- The Secretary of State for DLUHC can intervene in the preparation of charging schedules in certain circumstances.
- Charging authorities must publish an Infrastructure Delivery Strategy.

The Members noted the consultation and the list of questions asked in the appendix the report. The Director of Economic Development and Planning will formally respond to the consultation questions.

919 PLANNING APPEALS (IF ANY)

Of particular note was the recent decision regarding the enforcement appeal for the Punch Bowl Inn, Hurst Green BB7 9QW. The appeal was dismissed and a full costs order was awarded to Ribble Valley Borough Council.

There was a hearing on 7 March 2023 relating to Twyn Ghull Caravan Site, Settle Lane, Paythorne BB7 4JD. The appeal was dismissed on 27 March 2023.

920 MINUTES OF WORKING GROUPS

There were no minutes from working groups.

921 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

922 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That by virtue of the next item of business being exempt information under Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 the press and public be now excluded from the meeting.

923 DEVELOPMENT MANAGEMENT STAFFING

The Director of Economic Development and Planning submitted a report updating members on staffing matters within the Directorate.

RESOLVED THAT COMMITTEE:

1. Refer the staffing changes within Development Management to Personnel Committee for a permanent change to the establishment.
2. Continue to obtain the services of Growth Lancashire for the 2023/24 year.

The meeting closed at 7.32 pm

If you have any queries on these minutes please contact the committee clerk, Jenny Martin 01200 413214 olwen.heap@ribblevalley.gov.uk.