

Minutes of Planning and Development

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

Councillors:

I Brown	K Horkin
S Brunskill	A Humphreys
S Carefoot	S O'Rourke
J Clark	J Rogerson
L Edge	R Sherras
B Holden	

In attendance: Director of Economic Development and Planning, Head of Planning Services and Solicitor

Also in attendance: Councillors S Fletcher and G Scott

657 APOLOGIES FOR ABSENCE

Apologies for absence for the meeting were received from Councillors B Buller, M French and M Robinson.

658 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 6 January 2022 were approved as a correct record and signed by the Chairman.

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

Councillor J Rogerson declared an interest in Planning Application 3/2021/0356.

Councillor K Horkin declared he owned businesses in Clitheroe.

660 PUBLIC PARTICIPATION

There was no public participation.

661 PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990

662 PLANNING APPLICATION 3/2021/1042 - LAND REAR OF 16 WHITEACRE LANE, BARROW

The Head of Planning Services informed committee that plans were still awaited.

RESOLVED that the application be approved and deferred and delegated to the Director of Economic Development and Planning for appropriate conditions and an acceptable design.

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

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 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 OS Map Nov 2021
Proposed Building Layout Plan March 2021
Proposed Section Plan Sept 2021
Proposed Revised Elevation Plan March 2021 received on 18/01/22

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

Materials

3. This permission shall relate to the materials specified on elevation plan received on 18/01/22 and photograph sent on the 19/01/22 in relation to the natural stone. 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.

Drainage

4. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the flood risk assessment drainage strategy (October 2021 / 041121 - Revision A / REFORD). The measures shall be fully implemented prior to the commencement of the use of the development and in accordance with the timing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.

REASON: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 166 and 168 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

5. 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.

REASON: 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 and 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.

6. 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 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 an 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.

Councillor J Rogerson returned to the meeting.

664

PLANNING APPLICATION 3/2021/1153 - LAND ADJ. 9 OLD ROAD, CHATBURN

RESOLVED that the application be deferred and delegated to the Director of Economic Development and Planning in consultation with Chair and Vice Chair of Planning committee subject to an assessment of additional information in relation to biodiversity report and ecological assessment.

Councillor G Scott was given permission to speak on this item.

(Mr D Parkinson spoke against the above application)

665

PLANNING APPLICATION 3/2021/1228 - 8 MAIN STREET, BOLTON-BY-BOWLAND

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 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 and documents:

Proposed Elevation/ Floor plans received on 6/12/21.

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

666

PLANNING APPLICATION 3/2021/1229 - 8 MAIN STREET, BOLTON-BY-BOWLAND

RESOLVED that Listed Building Consent 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 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 and documents:

Proposed Site plan submitted with the application
Proposed Elevation/ Floor plans received on 6/12/21.

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

667

PLANNING APPLICATION 3/2021/1240 - EASTWOOD HOUSE, WISWELL

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

RESOLVED that the application be approved 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 drawings plan references

Location Plan Received on 2/02/22

Proposed Floor Plan Drawing 6005a received on 2/02/22

Proposed Elevation Plan Drawing 6005a received on 2/02/22

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.

668

DISPLAY OF PLANS AT PLANNING AND DEVELOPMENT COMMITTEE

The Director of Economic Development and Planning submitted a report outlining the options in considering the request to displaying plans during committee meetings.

She reminded members that paper copies of plans used to be displayed in the council chamber, but this process had stopped at least 5 years ago. Members considered the options available, namely returning to displaying paper copies; having a PowerPoint presentation displaying the plans and photographs of application sites; or awaiting the rollout of the new councillor IT equipment. She outlined the pros and cons for each of these options.

She also informed committee that at a national level the 2020 Planning White Paper included a clear direction of travel to digitise the planning process with online map-based plans enabling the community to be more engaged within the planning system.

RESOLVED THAT COMMITTEE

Agree that no changes be made to the current system to enable an assessment of member access to planning documents via their new Surface Pro IT equipment. This would be reviewed in 6 months after the new tablets had been distributed and used by members in committee meetings.

669

CHIPPING PLAYGROUND - SECTION 106 MONIES

The Director of Economic Development and Planning submitted a report seeking authority to release Section 106 contributions to Chipping Parish Council to facilitate improvement works at the playground in Chipping.

The Section 106 monies were secured when planning permission was granted to redevelop Kirk Mill. This agreement was varied in 2017 and included a contribution of £23,598.72 to provide an off-site play area within the vicinity of the development. The contribution split into three trigger points and the first two had already been received.

The Parish Council were planning to refurbish the children's playground commencing with the replacement of the largest unit. Quotations for the works had been received and the equipment had already been replaced.

RESOLVED THAT COMMITTEE:

Authorise payment of £10,619.42 to Chipping Parish Council for the completion of the play area improvements as set out, within 28 working days of the date of this committee.

670

STATUTORY REVIEW JUDGMENT

The Director of Economic Development and Planning submitted a report for information updating members on the High Court challenge in respect of a Planning Inspectorate decision for land at the junction of Chatburn Road and Pimlico Link Road, Clitheroe.

The challenge had been made by this Council following a Planning Inspector allowing the non-determination appeal and awarding partial costs against the Council of an application for 39 dwellings where the committee had supported the officers reason for refusal in respect of the proposals that had subsequently been presented to the Planning Inspectorate. The challenge was made due to the Inspector's interpretation of the Core Strategy Policies, in particular, Policy DMG2.

The case was considered in the High Court on 16 September 2021 where the judge found for the Council in the matter and concluded that the Inspector's decision should be quashed. However, before the Secretary of State could re-make the quashed decision on a proper basis, the appellant had applied to the Court of Appeal for permission to appeal against the Order of His Honour Judge Bird. This was refused and the matter would now be reverted to the Secretary of State.

The Council's legal costs had also been received following the courts order that the Secretary of State for Housing, Communities and Local Government and Oakmere Homes pay them.

The Director of Economic Development and Planning informed committee that the outcome of the challenge clearly confirmed that the Council's applications of Policy DMG2 was correct and development outside the settlement boundaries does not engage part 1 of the policy.

671

LOCAL PLAN EVIDENCE BASE - ECONOMIC AND EMPLOYMENT LAND REVIEW

The Director of Economic Development and Planning submitted a report for information in relation to the Economic and Employment Land Needs Study that forms part of the Local Plan Evidence Base.

The Council had commissioned Lichfields to undertake the study which would establish land requirements, consider policy imperatives in relation to employment land use classes together with other key economic matters.

The study was also important to enable the Council to promote sufficient employment opportunities to help sustain and support established new housing development and inform future links between employment growth and housing.

The consultants had also undertaken a business survey as part of the study.

A key finding of the study is that the Council is in a position where there is a relatively significant shortfall of suitable and readily available sites to meet economic growth aspirations and future demands, and should therefore, give consideration to identifying and allocating additional sites that are considered suitable and deliverable.

Members requested that they be kept informed of developments at Samlesbury.

672

APPEALS

3/2021/0141 – change of use of an agricultural building to 5 dwelling under Class Q (a) and (B) at barn at Alston Old Hall Farm, Longridge, PR3 3BN – appeal dismissed

3/2021/0141 – Application for costs – refused

3/2021/0697 – erection of new stable block and change of use of land for all-weather menage for private use at Kitchens, Cross Lane, Bashall Eaves, BB7 3NA – appeal dismissed

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REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

674

EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

The meeting closed at 7.28 pm

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