

## Minutes of Planning and Development

Meeting Date: Thursday, 1 December 2022, starting at 6.30 pm  
Present: Councillor A Brown (Chair)

Councillors:

T Austin	M French
I Brown	B Holden
B Buller	K Horkin
S Carefoot	S O'Rourke
L Edge	R Sherras
K Fletcher	

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

Also in attendance: Councillors D Birtwhistle and D O'Rourke

### 521 APOLOGIES FOR ABSENCE

Apologies for absence for the meeting were received from Councillors S Brunskill, J Clark and J Rogerson

### 522 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 20 October 2022 were approved as a correct record and signed by the Chairman.

### 523 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS

Councillor T Austin declared an interest in planning application 3/2022/0857 and only spoke as a ward councillor.

Councillor Horkin declared he owned business premises in Clitheroe. Councillor Edge declared she owns a business park in Clayton-le-Dale.

### 524 PUBLIC PARTICIPATION

There was no public participation.

### 525 PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990

### 526 PLANNING APPLICATION 3/2022/0637 - KEEPERS COTTAGE, NORTHCOTE ROAD, OLD LANGHO, BB6 8DB

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

#### *Time Scale for Implementation of Consent*

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.

*Approved Plans and Documents*

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 Drawing No: A1.0  
Proposed Site Plan Drawing No: A1.2  
Landscaping Plan Drawing No: 1000A  
Proposed Ground Floor Plan Drawing No: A1.4  
Proposed First Floor Plan Drawing No: A1.5  
Proposed Elevations Drawing No: A1.6

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

*Materials*

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.

*Landscaping and boundary treatments*

4. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub / hedgerow clearance or tree works / removal shall commence or be undertaken on site until a scheme for the hard and soft landscaping of the site and details of the alignment, height, and appearance of all boundary treatments has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include as a minimum, the types and numbers of trees and shrubs to be retained and planted within the site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and specifications of all retaining structures.

For the avoidance of doubt the landscaped area to the rear of the hotel shall be landscaped as a communal area of open space and shall not be split into individual 'garden' areas.

The approved landscaping scheme 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 tree protection/management recommendations shall be carried out in strict accordance with the details of the submitted Arboricultural Impact Assessment Overview dated November 2022 and landscaping plan Drawing No. 1000 Rev A dated 11/10/2022. The specified tree protection measures 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 ensure the proposal is satisfactorily landscaped and trees / hedgerow of landscape / visual amenity value are retained as part of the development and that adequate protection of trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development.

### *Highways*

5. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Proposed Site Plan Drawing No: A1.2 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.

6. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety.

7. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Proposed Site Plan Drawing No: A1.2.

Any part of the parking area located within the root protection areas of the existing trees shall be constructed using no-dig construction techniques.

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, to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and to protect the trees to be retained adjacent to the site.

8. Prior to the first occupation a minimum of one car parking space implemented in accordance with Proposed Site Plan Drawing No: A1.2 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. The charging point shall be retained in perpetuity thereafter

REASON: In the interests of supporting sustainable travel.

9. The hotel hereby approved shall not be used until a cycle storage plan for the commercial use has been submitted to and approved in writing by the Local Planning Authority. These cycle facilities shall be provided in accordance with the approved details prior to the first use of the hotel hereby approved and shall thereafter be kept free of obstruction and available for the parking of bicycles only at all times.

REASON: To allow for the effective use of the parking areas and to promote sustainable transport as a travel option, encourage healthy communities and reduce carbon emissions.

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:

- The erection and maintenance of security hoarding where appropriate;
- Wheel washing facilities;
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of the construction;
- Measures to control the emission of dust and dirt during construction;
- Delivery, demolition and construction working hours.

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

REASON: In the interests of safeguarding neighbouring residential amenity and for the safe operation of the adopted highway during the demolition and construction phases.

### *Usage*

11. Notwithstanding the provisions The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the development hereby approved shall only be used as hotel accommodation and for no other purpose, including any other purpose outside of Use Class C1.

REASON: For the avoidance of doubt, and to avoid an over-intensive use and to ensure that the development remains compatible with the character of the area and the intensity and frequency of usage remains proportionate to the use hereby approved.

12. The hotel accommodation hereby approved shall not be let to or occupied by any one person or group of persons for a combined total period exceeding 90 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. A register of all occupants of the accommodation hereby approved shall be maintained 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 principal occupier together with dates of occupation.

REASON: To ensure that the development remains compatible with the character of the area and the intensity and frequency of usage remains proportionate to the use hereby approved.

#### *Hours of operation*

13. The premises shall not be open for sales of alcohol before the hours of 12:00 nor after 23:00 Monday to Friday, before 11:00 or after 23:00 on Saturdays, on Sundays and public holidays before the hours of 12 or after 22:00.

Use of the bar / lounge area as shown in Proposed Ground Floor Plan Drawing No: A1.4 shall solely be restricted to patrons of the hotel and shall not be used by any visiting members of the public or any other person(s) not registered as a guest at the premises.

REASON: To protect the amenities of nearby residents.

14. No amplified or other music shall be played on the premises between the following times: 22:00-08:00 Monday to Sunday.

REASON: To protect the amenity of the locality, especially for people living and / or working nearby.

15. The outdoor terrace area as shown in Proposed Ground Floor Plan Drawing No: A1.4 must not be used by customers consuming food or drink, prior to 08:00 and after the hours of 22.00.

REASON: To safeguard the living conditions of nearby residents, particularly with regard to the effects of noise.

#### *Refuse storage*

16. Before the development hereby permitted is first occupied, provision for refuse storage shall be provided within the site.

Notwithstanding the submitted details, elevational details at a scale of not less than 1:20 and details of the precise location of all proposed refuse storage provision shall have been submitted to and approved in writing by the Local Planning Authority prior to their installation.

The development shall be carried out in strict accordance with the approved details and the approved details shall be retained and made available for use at all times thereafter.

REASON: In order that the Local Planning Authority may ensure that the development provides adequate dedicated provision for the storage of domestic waste.

#### *Drainage*

17. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans.

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

### *Ecology*

18. The biodiversity mitigation measures as detailed in the ecology report dated 30th June 2022 shall be implemented in accordance with any specified details and timetable. Thereafter, the biodiversity measures shall be permanently maintained and retained in accordance with the approved details.

REASON: In the interests of biodiversity and to minimise / mitigate potential impacts from non-native invasive species resultant from the development.

### *Lighting*

19. Details of external lighting to be installed on any structure, or elsewhere within the site, shall be submitted to and approved in writing by the Local Planning Authority prior to any such lighting being installed.

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

### *HVAC / Plant*

20. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub / hedgerow clearance or tree works/removal shall commence or be undertaken on site unless and until details of all external or building mounted HVAC, plant, extract or ducting has been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality and that any externally mounted equipment is not of detriment to the residential amenities of nearby occupiers or visual amenities of the area.

### *Demolition*

21. No works of demolition or construction shall be carried out beyond the works indicated within the following plans:

- Existing Ground Floor Demolition Plan Drawing No: A1.7
- Existing First Floor Demolition Plan Drawing No: A1.8

REASON: To define the scope of the permission hereby approved and to safeguard the visual amenities of the locality against over-intensive development

(Rebecca Govier spoke in favour of the above application)

Councillor Austin declared an interest in the next application, spoke as ward councillor then left the room)

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:
  - 0567A/93 Drawing 00 A: Location Plan
  - 0567A/93 Drawing 05 A: Proposed Site Plan
  - 0567A/93 Drawing 06 B: Proposed Site Plan
  - 0567A/93 Drawing 08: Proposed plan and Elevation of Toilet Block

Reason: To clarify the nature of the details relating to the development hereby approved.

2. Prior to their installation details of a scheme for any external building or ground mounted lighting/illumination, shall have been submitted to and approved in writing by the local planning authority.

For the avoidance of doubt the submitted details shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated. The lighting schemes(s) be implemented in accordance with the approved details.

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 by virtue of excessive light spill and to minimise/mitigate the potential impacts upon protected species resultant from the development.

3. The proposed hedgerow and enhancement planting as indicated on the approved details (0567A/93 Drawing 05 A and 0567A/93 Drawing 06 B) shall be implemented within three months of the date of this permission. The implemented hedgerow shall thereafter 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, hedgerow 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 and trees/hedgerow of landscape/visual amenity value are retained as part of the development.

4. The proposed access widening, vehicular access improvements within the site and proposed vehicular 'passing places' shall be implemented and be made available for use within six months of the date of this permission.

For the avoidance of doubt, the access that interfaces directly with Whinney Lane shall be surfaced with tarmacadam, or similar hard bound material (not

loose aggregate) for a distance of at least 10 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To ensure adequate vehicular access to an within the site and to reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety.

Councillor Austin returned to the meeting.

528 PLANNING APPLICATION 3/2022/0115 - LAND EAST OF SALESBURY VIEW, WILPSHIRE

This application was withdrawn.

529 PLANNING APPLICATION 3/2022/0781 - LAND NORTH OF RIBBLE VALLEY ENTERPRISE BUSINESS PARK, A59, BARROW

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. Prior to the commencement of development, or the submission of any reserved matters, a plan indicating the phasing of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved phasing plan.

(a) Before development is commenced on any one phase of the development details of all 'Reserved Matters' pertaining to that phase namely appearance, layout, scale and landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority.

(b) An application for approval of all 'Reserved Matters' must be made not later than the expiration three years beginning with the date of this permission.

(c) The development to which this permission relates must be begun not later than two years from the date of approval of the last of the reserved matters to be approved.

REASON: This condition is required to be imposed by the provisions of Section 92 of the Town and Country Planning Act 1990as 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 for up to 23,959m<sup>2</sup> of commercial employment floorspace and shall be carried out in complete accordance with the proposals as detailed on drawings:

Location Plan	RVI.BBBP.LP.01	dated
04.08.2022		
Proposed Site Access Plan	3465-F02 Rev A	dated APR
22		



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

3. Prior to the submission of any reserved matters applications on the site pursuant to Condition 1 a Design Code shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall include the design principles for the whole of the site and will incorporate, amongst other elements:
  - The Masterplan for the site
  - Building Design principles
  - Layout considerations including landscaping principles (evidenced by a Landscape and Visual Impact Assessment) and treatment of the western edge of the site particularly in respect of the suitable use classes for the buildings along this boundary
  - Parking areas
  - Appropriate building and hard surfacing materials
  - Details of appropriate boundary treatments
  - Lighting
  - Bin storage and rubbish collection
  - Ecology, nature conservation and Biodiversity Net Gain
  - Existing and proposed levels
  - Tree works and tree protection measures

Each reserved matters application thereafter shall be submitted in accordance with the Approved Design Code.

REASON: To ensure a comprehensive approach to the development of this site is achieved and in the interests of the proper planning of the site.

4. As part of the first reserved matters application, pursuant to Condition 1, for the layout of each phase the following details shall be submitted:
  - Noise assessment
  - Air Quality Assessment

The development thereafter shall be carried out in accordance with the approved details including any necessary mitigation identified.

REASON: In the interests of the proper and comprehensive planning of the site to create a high-quality sustainable development.

5. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment (9th August 2022 / PGC 268 Version 4 / PG Consulting)

The measures shall be fully implemented prior to first occupation of any of the units hereby approved and in accordance with the timing / phasing arrangements embodied within the scheme.

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.

6. As part of the first reserved matters application a detailed, final surface water sustainable drainage strategy for the site shall be submitted.

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 for the:
  - i. 100% (1 in 1-year) annual exceedance probability event;
  - ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
  - iii. 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep

Calculations must be provided 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. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
  - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and 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. Drainage plan showing 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 and connecting cover levels to confirm minimum 150 mm+ 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, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
- c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365.
- d) Evidence of an assessment of the existing on-site watercourses to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.
- e) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.
- f) Evidence of an agreement in principle with the third-party landowners to connect to the offsite surface water body.

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 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

7. As part of the first reserved matters application a Construction Surface Water Management Plan shall be submitted detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations.

The details of the plan to be submitted for approval shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
- 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 plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

REASON: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework.

8. The commencement of use of the development shall not be permitted until a site specific Operation and Maintenance Manual 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 details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of SuDS components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

REASON: To ensure that surface water 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 sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.

9. The commencement of use of the development shall not be permitted until a site specific verification report, pertaining to the surface water sustainable 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, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

REASON: To ensure that surface water 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 the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.

10. Prior to the commencement of the development or as part of the first reserved matters application for each phase details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

REASON: To ensure a satisfactory form of development in the interest of the visual amenity of the area

11. The application for approval of reserved matters for each phase shall be accompanied by full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details.

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

12. As part of the first reserved matters application for landscaping and/ or layout a landscape and biodiversity plan shall be submitted. 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. The landscaping shall include:

- Full details of Biodiversity Net Gain on the site
- Soft landscaping should include the provision of native and non-native flowering perennial species, to provide a pollen and nectar source for invertebrates.
- Trees planting of native species where practically possible.
- 'Hedgehog holes' to be incorporated into the fencing of the site.
- 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.

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.

- 13 No development shall take place until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites for that phase have been submitted to and approved in writing by the Local Planning Authority.

The details shall be submitted on a building dependent bird/bat species development site plan and include details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into those individual buildings during the actual construction of those individual buildings identified on the submitted plan before each such building is first brought into use.

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

14. 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

15. For the full period of construction facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud, 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.

16. All of the buildings hereby approved shall be used only for industrial/ employment purposes (Use Classes B2/B8/ E(g)(iii) and for no other purpose whatsoever, (including any other purpose in Class E of the schedule to the Town and Country Planning (Use Classes) Order 1987 or any subsequent re-enactment).

REASON: to define the permission acknowledging the allocated land designation in respect of this site.

17. 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;
  - Delivery 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.

18. No development shall commence until a scheme including full engineering, drainage, street lighting and constructional details and timetable of implementation for the temporary construction site access, new roundabout on A59 and off-site highway works shall be submitted to and approved in writing by the Local Planning Authority.

The works shall include the following and be implemented prior to the first occupation of any building. The off-site highway works shall include:

- A new 50m ICD roundabout designed to current DMRB standards (currently CD116) at the site access on A59.
- A reduction in the speed limit on the A59 from national speed limit to 40mph to tie into the speed limit changes and off-site highway works at Pendle Fisheries.
- Widen the existing footway on Whalley Road C549 to create a 3m wide shared pedestrian/cycle route between Elbow Wood Drive and Barrow Primary School.
- Upgrade of nearest bus stops on Holm Road and Whalley Road to quality bus stop standard with bus shelters.
- Diversion of and upgrade of public footpath 3-47-FP1 to link pedestrians and cyclists from the development site to Whalley Road and Holm Road via A59.

REASON: to ensure the continued safe operation of the highways

19. No part of the development shall commence until a Framework Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented in accordance with the agreed timetable within the approved Plan.

REASON: In the interest of promoting sustainable transport

20. No development shall take place until a road phasing and completion plan has been submitted to and approved in writing by the Local Planning Authority.

The road phasing and completion plan shall set out the development phases and completion sequence that roads serving each phase of the development will be completed. The development shall then be carried out in accordance with the approved road phasing and completion plan.

REASON: To ensure the phasing and completion of roads serving the development are completed

21. Within 3 months of commencement of the development details of the proposed arrangements for future management and maintenance of the roads within the development shall be submitted to and approved in writing by the Local Planning Authority.

The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time a private management and maintenance company has been established.

REASON: To ensure the internal roads are appropriately managed and maintained

22. Within 3 months of commencement of the development full engineering, drainage, street lighting and constructional details to adoptable standards (LCC specification) of the internal roads shall have been submitted to and approved in writing by the Local Planning Authority.

The development shall, thereafter, be constructed in accordance with the approved details with the roads completed prior to the occupation of the buildings which they serve.

REASON: To ensure the roads serving the development are constructed and completed to an appropriate standard.

23. No part of the development in each phase shall be occupied until the internal access roads within that phase have been constructed to at least base course level.

REASON: To enable suitable access to the parts of the site under construction.

24. No part of the development shall be occupied until the pedestrian links and public footpath crossing the site have been upgraded to adoptable standards.

REASON: to ensure that staff accessing the site have access options which support sustainability

25. As part of the first reserved matters application relating to layout details of a scheme to accommodate a minimum of 7 HGV lay over bays within the site for

public use with associated signs and markings shall be submitted to and approved in writing the Local Planning Authority.

These shall be constructed in accordance with the approved details and made available for use prior to the first occupation of any of the buildings hereby approved.

REASON: to mitigate for the loss of the existing HGV parking on the A59

26. As part of the first reserved matters application for each phase of the development full details of the car, secure covered cycle, motorcycle and electric vehicle charging point parking spaces shall be submitted to the Local Planning Authority.

The parking shall be implemented prior to the first occupation of any building to which it is associated and maintained thereafter for as long as the development is occupied.

REASON: to ensure that sufficient parking is provided for each building constructed.

27. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological investigation. 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 a phased programme beginning with a geophysical survey with further phases of evaluation and mitigation works as indicated by the results of the previous phase. This work should be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists ([www.archaeologists.net](http://www.archaeologists.net)). A digital copy of the report and the photographs shall be placed in the Lancashire Historic Environment Record prior to the dwelling consented being first occupied.

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

28. 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 Council 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.

29. Prior to the commencement of each phase of the development an assessment of the likely impact of the development on air quality shall be carried out and submitted to and approved in writing by the Local Planning Authority. The



assessment should consider the impact the proposed development will have in terms of the air quality objectives described in the Clean Air Strategy.

The development thereafter shall be carried out in accordance with any identified mitigation measures within the assessment

REASON: to ensure that the development does not adversely impact on air quality through increased pollution

30. Prior to the commencement of each phase of the development a lighting scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that no light nuisance from the industrial premises will affect the surrounding residential properties. The development thereafter shall be carried out in accordance with the approved details.

REASON: To ensure residents of the domestic dwellings in the development are protected from light nuisance. The lighting scheme should comply with the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light Guidance note 01/21

31. Prior to the commencement of each phase of the development full details of measures to prevent nuisance being caused to residents from smoke and fumes arising from the building works shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained for the duration of the construction period. There shall be no burning on site of construction waste.

REASON: In the interest of residential amenity in accordance with the provisions

32. Construction deliveries to and from the site and construction works, shall be restricted to between 0800 and 1800hrs Monday to Friday, 0900 to 1300hrs on Saturdays, and shall not take place on Sundays and Bank Holidays. All works will be undertaken in accordance with BS5228:2009

REASON: in the interests of highway safety and neighbour amenity

33. Prior to the commencement of each phase of the development, a Dust management plan shall be submitted to and approved in writing by the Local Planning Authority. The Dust Management plan shall identify all areas of the site and the site operations where dust may be generated and further identify control measures to ensure that dust does not travel beyond the site boundary. The identified measures shall thereafter be implemented as part of the construction phase and maintained at all times in situ. Should any equipment used to control dust fail, the site shall cease all material handling operations immediately until the dust control equipment has been repaired or replaced.

REASON- to protect properties of nearby occupiers from this site.

34. Prior to the first use of each phase of the development, a noise-mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include measures that will be implemented to ensure that any noise associated with the development does not cause detriment to amenity of local residents or a nuisance, especially to those living and working in the vicinity. Consideration of the following noise sources shall be made on the assessment: Forklift truck movements, noise from deliveries, noise from vehicles visiting the site, any external plant as part of the development, break out sound from the

internal use of the buildings, noise from the building fabric and from ventilation and openings in the building fabric. The noise assessment shall provide details of an appropriate layout of the site so that it protects nearby residential properties. The development thereafter shall be constructed and completed in accordance with any agreed measures.

REASON: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy

### **INFORMATIVES:**

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 e-mailing [lhsstreetworks@lancashire.gov.uk](mailto:lhsstreetworks@lancashire.gov.uk)
- All references to public highway include footway, carriageway and verge

### **Note**

The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Environment Directorate for further information by telephoning the Developer Support Section (Area East) on 0300 123 6780, or email [developeras@lancashire.gov.uk](mailto:developeras@lancashire.gov.uk). The granting of planning permission does not entitle the closure of or obstruction to a public right of way.

### **Ordinary Watercourse (Land Drainage) Consent**

Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010),

you need consent from the Lead Local Flood Authority if you want to carry out works within the banks of any ordinary watercourse which may alter or impede the flow of water, regardless of whether the watercourse is culverted or not.

- Consent must be obtained before starting any works on site. It cannot be issued retrospectively.
- Sites may be inspected prior to the issuing of consent.
- Unconsented works within the Highway or Sustainable Drainage System may prevent adoption.
- Applications to culvert an existing open ordinary watercourse will generally be refused.
- Enforcement action may be taken against unconsented work.

For the avoidance of doubt, once planning permission has been obtained it does not mean that Ordinary Watercourse Consent will be given. It is strongly advised that you obtain any required consent before or concurrently as you apply for planning permission to avoid delays.

You should contact the Flood Risk Management Team at Lancashire County Council to obtain Ordinary Watercourse Consent. Information on the application process and relevant forms can be found here: <https://www.lancashire.gov.uk/flooding/drains-and-sewers/alterations-to-a-watercourse/>

### **Informative 02 Appropriate Legal Agreement**

The proposed outfall may require a legal agreement with a third party to access and construct the outfall in addition to any permission(s) from flood risk management authorities. Evidence of an in-principle agreement(s) should be submitted to the Local Planning Authority.

(Jack Appleton spoke in favour of the above application. Councillor D Birtwistle was given permission to speak on the above application)

530

#### **RIBCHESTER PLANNING OBLIGATION**

The Director of Economic Development and Planning submitted a report seeking authority from members to release Section 106 contributions to Ribchester Playing Field Trust to facilitate improvement works at the playing field.

The Section 106 agreement for the planning permission granted to convert the Newdrop in to five dwellings (3/2020/0215) included an off-site contribution of £3,101.67 for leisure facilities.

In Ribchester the Ribchester Playing Field Trust is responsible for the equipment and facilities at the playing field. Quotes had been received for the replacement of wooden picnic tables and benches with ones made from recycled plastic.

#### **RESOLVED THAT COMMITTEE**

Authorise payment of £3,101.67 to Ribchester Playing Field Trust for the completion of the playing field improvements set out in the report on completion of the works.

531

#### **PLANNING ENFORCEMENT UPDATE**

The Chief Executive submitted a report for information giving an update on planning enforcement.

Between 11 August and 10 November 2022 the Council had received 61 new complaints, one of which fell into category 1, 12 into category 2 and 48 into category 3.

On investigation, 22 matters had been closed and no further action taken. For those where action was required, 11 planning contravention notices have been served.

532

#### **APPEALS (IF ANY)**

3/2021/0208 – proposed single storey rear extension at 4 King Henry Mews, Bolton-by-Bowland, BB7 4HR – appeal dismissed

3/2021/0648 – change of use of land to tourism, including siting of a shepherd’s hut for use as holiday accommodation with associated outdoor space, car parking and alteration of vehicle access at Land at Scridbles Croft, Smalden Lane, Grindleton, BB7 4RX – appeal allowed.

3/2021/1155 – conversion of 2no.holiday lets into 1no. dwelling house at Pendle View, Lovely Hall Lane, Copster Green, BB1 9EQ – appeal dismissed

3/2022/0506 – regularisation of unauthorised change of use of agricultural land to residential curtilage at 5 Hawthorn Close, Langho, BB6 8DZ – appeal dismissed

3/2022/0387 – regularisation of an unauthorised change of use from one dwelling in to two at Garth Cottage, Clitheroe Road, Mitton, BB7 9PH – appeal dismissed

533 MINUTES OF WORKING GROUPS

534 LOCAL DEVELOPMENT PLAN WORKING GROUP - 10 AUGUST 2022

The minutes of the Local Development Plan working group held on 10 August 2022 were circulated for information.

535 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

536 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That by virtue of the next item of business being exempt information under Paragraph 1 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 the press and public be now excluded from the meeting.

537 DEVELOPMENT MANAGEMENT STAFFING

The Director of Economic Development and Planning submitted a report updating members on staffing matters within the directorate and seeking direction in respect of suggested changes to the staffing structure within the Development Management team.

She informed committee that the Principal Planner with heritage knowledge and experience was leaving the authority and that it would be necessary to seek this expertise when required on specific applications. She outlined the options available for the replacement of this officer and the other vacant principal officer post, including using Growth Lancashire who currently provide heritage and conservation advice to 7 of the Lancashire Authorities, which would allow a change to hierarchy within the service.

RESOLVED THAT COMMITTEE

1. Agree to replace two Principal Planning Officer posts with two Senior Officer posts and advertise the jobs as outlined in the report (the establishment will not be changed at this stage until the outcome of the period of advertising was known), and
2. Confirm that an exemption to the contract procedure rules be accepted to obtain external heritage advice from Growth Lancashire.

The meeting closed at 7.30 pm

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