

Minutes of Planning and Development

Meeting Date: Thursday, 16 March 2023, starting at 6.30 pm
Present: Councillor A Brown (Chair)

Councillors:

T Austin	L Edge
I Brown	M French
S Brunskill	J Rogerson
B Buller	R Sherras
J Clark	

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 S Atkinson, R Elms, S Fletcher, M Hindle, S Hore, G Mirfin, G Scott and R Walsh

779 APOLOGIES FOR ABSENCE

Apologies for absence for the meeting were received from Councillors K Fletcher, K Horkin and S O'Rourke

780 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 16 February 2023 were approved as a correct record and signed by the Chairman.

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

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

782 PUBLIC PARTICIPATION

Councillor S Hore and Mrs Margaret Kelly both spoke on agenda item 5(i) Application 3/2022/0568 – Malt Kiln Brow, Chipping PR3 2GP.

783 PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990

(i) Application 3/2022/0568 - Malt Kiln Brow, Chipping PR3 2GP

RESOLVED: RESOLVED THAT COMMITTEE:

Approve the application subject to the following conditions:

1. The development must be begun before the expiration of three years beginning with the date of this permission.

REASON: This condition is 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. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 01.08.2022 including the following plans/documents:

- BTD/P20 rev A: Boundary Treatment Elevations & Details.
- DS/GA01 rev C: Drainage Strategy.
- SKETCH01 rev A: Flex MSE Retaining Wall Proposed Section.
- MKB/C/01 rev -: House Type C, Proposed Elevations.
- MKB/C/02 rev -: House Type C, Proposed Floor Plans.
- MKB/D/01 rev -: House Type D, Proposed Elevations.
- MKB/D/02 rev -: House Type D, Proposed Floor Plans.
- LAN/BND/P01 rev D: Hard Landscaping, Soft Landscaping & Boundary Treatment Layout.
- MKB/L01 rev -: Location Plan.
- MKB/P01 rev G: Proposed Site Plan.
- Levels Sketch rev C: Proposed Levels.
- MKB/P07 rev B: S278 Highway Works, General Arrangement.
- MKB/P08 rev A: S278 Highway Works, Site Boundary.
- MKB/P02 rev C: Proposed Site Sections, 1 of 2.
- MKB/P02.1 rev A: Proposed Site Sections, 2 of 2.
- MKB/P06 rev A: Swept Path Analysis.
- MKB/TS01 rev -: Topographical Survey.
- MKB/P03 rev D: Traffic Management Plan.
- MKB/P04 rev D: Tree Protection Plan.

The development shall be retained hereafter in accordance with this detail.

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

3. The development hereby permitted shall be carried out in accordance with the approved Foul & Surface Water Drainage Design Drawing DS/GA01, Rev C - Dated 28.12.22. For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of any dwelling, the drainage scheme shall be completed in accordance with the approved details for that dwelling. The approved measures shall be retained thereafter for the lifetime of the development.

REASON: To ensure satisfactory sustainable drainage facilities are provided to serve the site to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

4. No works above slab level shall commence until details of the materials to be used in the construction of the external surfaces of the dwellings (including the external walls, roof, windows, lintels, cills, soffits, fascias and bargeboards) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

REASON: To safeguard the visual amenities of the locality

5. (a) The development shall be carried out in accordance with the approved hard and soft landscaping and boundary treatment details (Drawing Nos. LAN/BND/P01 Rev D: Hard Landscaping, Soft Landscaping and Boundary

Treatment Details, BTD/P20 rev A: Boundary Treatment Elevations & Details; and SKETCH01 rev A: Flex MSE Retaining Wall Proposed Section).

(b) Prior to first occupation of any dwelling, precise details of the hedgerow, shrub and green wall planting specifications and schedules (including plant size, species and number/ densities) as shown on approved drawing No. LAN/BND/P01 Rev D, and bin store enclosure if proposed shall be submitted to and approved in writing by the Local Planning Authority.

(c) The site shall be landscaped (including boundary treatment details) in accordance with the approved details prior to first occupation of any dwelling or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained. Any shrubs or hedgerow planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 7 years of planting, or any hedge or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

(d) The implemented landscaping scheme shall thereafter be managed and maintained in accordance with the approved residential maintenance and management plan, January 2023 Rev C.

REASON: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology.

6. The development shall be constructed and completed in accordance with the approved site levels (Levels Sketch rev C: Proposed Levels; MKB/P02 rev C: Proposed Site Sections, 1 of 2; MKB/P02.1 rev A: Proposed Site Sections, 2 of 2.).

REASON: To ensure the development has a satisfactory visual impact, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding

7. No dwelling hereby approved shall be occupied until the parking / turning area(s) shown on the approved plan (LAN/BND/P01 rev D: Hard Landscaping, Soft Landscaping & Boundary Treatment Layout) as relating to that dwelling has been laid out, surfaced and drained. The parking / turning area(s) shall not thereafter be used for any purpose other than for the parking and manoeuvring of vehicles.

REASON: To ensure that adequate off road parking is provided to serve the development in the interests of highway safety.

8. (a) The internal estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level prior to first occupation of any dwelling.

(b) In the event that the internal estate road is not proposed for adoption by the Local Highway Authority then:-

- (i) details of road construction (surface materials and depth) and highway infrastructure (footways, street lighting, drainage)

shall be submitted to and approved in writing by the Local Planning Authority and the new estate road(s) shall be constructed in accordance with the approved details prior to first occupation of any dwelling.

- (ii) Details of the proposed arrangements for future management and maintenance of the estate road within the development shall be submitted to and approved in writing by the Local Planning Authority and the estate road shall thereafter be maintained in accordance approved management and maintenance details.

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative; to ensure that any private roads are of sufficiently adequate construction to support any loading applied to them to enable effective waste management and emergency services satisfactory access; and to ensure that adequate management arrangements are in place in the form of a management company.

- 9. Upon completion of the construction phase the vehicle access and hardstanding from Malt Kiln Brow shall be removed, and the land shall be landscaped in accordance with the approved details (Drawing Nos. LAN/BND/P01 Rev D: Hard Landscaping, Soft Landscaping and Boundary Treatment Details) prior to first occupation of any dwelling.

REASON: To limit the number of access points and ensure a satisfactory visual impact.

- 10. No part of the development hereby approved shall be commenced until the new site access has been constructed and completed in accordance with the approved detail shown on plan ref: MKB/P07 rev B: S278 Highway Works, General Arrangement; MKB/P08 rev A: S278 Highway Works, Site Boundary; and MKB/P06 rev A: Swept Path Analysis.

REASON: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

- 11. The construction phase of the development shall be carried out in accordance with the approved construction and environment management plan (dated January 2023) and approved plan ref MKB/P03 rev D: Traffic Management Plan.

REASON: To mitigate the impact from construction on residential amenity, water and air quality and highway safety.

- 12. An electric vehicle recharging (EVCP) scheme for all dwellings shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that charge points shall have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently. No dwelling shall be occupied until the approved EVCP scheme has been provided for the dwelling to which it relates, and such electric vehicle recharging point shall be maintained and retained for that purpose thereafter.

REASON: To ensure the provision of appropriate on-site mitigation to compensate for the impact on air quality caused by the development in the

surrounding area.

13. The measures contained within the approved Tree Survey (Treestyle Consultancy dated 15.07.2022) and Tree Protection Plan (MKB/P04 rev D: Tree Protection Plan) with respect to those trees shown as being retained shall be implemented in accordance with the approved details before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

Reason: In order to protect trees from damage or loss in the interests of the amenity of the area.

14. The visibility splays shown on plan reference: MKB/P01 rev G: Proposed Site Plan (identified as that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed access from the continuation of the nearer edge of the carriageway of Fish House Lane to points measured 43m in both directions along the nearer edge of the carriageway of Fish House Lane from the centre line of the proposed access) shall be provided prior to any construction works commencing on site. The visibility splays shall not at any time thereafter be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

REASON: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic.

15. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the garages hereby approved shall be retained solely for the housing of a private motor vehicle, and at no time shall any works be undertaken that would prevent it from being used for that purpose.

REASON: To ensure that the on-site vehicle parking provision is maintained to avoid the standing of traffic on the adjoining highway to the detriment of the safety and free flow of traffic thereon and in the interest of the amenity of the street scene.

16. 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 car park 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.

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

17. Any removal of vegetation, including trees and hedges, should be

undertaken outside the nesting bird season (March to August) unless an up-dated pre-clearance check has by carried out by a licensed ecologist within the 24 hours prior to any removal and no nesting birds are found to be present. The up-dated pre-clearance check shall be have submitted to the Local Planning Authority prior to the removal of any trees and/or hedges

REASON: To ensure that there are no adverse effects on the favourable conservation status of birds and to protect the bird population from damaging activities.

18. 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 prior to their installation. 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 scheme shall be implemented in accordance with the approved details and retained as approved.

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 and to minimise/mitigate the potential impacts upon protected species resultant from the development.

19. Prior to any works commencing above slab level, details of the provisions to be made for artificial bird nesting and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved artificial bird/bat boxes shall be attached before any dwelling hereby approved is occupied.

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

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 2 Class A (or any Order revoking and re-enacting that Order with or without modification), no fences, gates, walls, railings or other means of enclosure shall, at any time, be constructed/erected within the curtilage of any dwelling without express planning permission first being obtained.

REASON: To safeguard the appearance of the development.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order, 2015 Schedule 2 Part 1 Class A – E and Part 14 (or any Order revoking and re-enacting this Order with or without modification), there shall be no extensions or alterations to the dwellings hereby approved, construction of buildings or installation of renewable energy, without express planning permission first being obtained.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and the amenities of nearby residents

The Director of Economic Planning and Development submitted a report seeking authority from Members to release Section 106 contributions to Longridge Sports Club.

Longridge Sports Club have made improvements to the sports hall and squash courts, including resealing the sports hall floor. The club are seeking to utilise part of the Section 106 contributions to fund this work.

Proof of payment has been received from the Club showing payment to the contractors for the work have been received detailing the work which has been undertaken as the works have been undertaken by various contractors and suppliers. It is considered that works to the club meet the requirements of the S106 Agreement. The costs of the improvement work undertaken totals £12,411.

RESOLVED THAT COMMITTEE:

Authorise the payment of the already received invoice(s) from Longridge Sports Club within 28 working days of Committee, up to the amount of £10,000.

785

ARCHAEOLOGICAL ADVICE

The Head of Development Management and Building Control submitted a report seeking authority from Members in respect of a Service Level Agreement (SLA) with LCC for archaeological advice relating to planning applications.

During the 2023/24 period, the archaeology service offered by LCC beyond 31.3.2024 will be reviewed, and a proposal is expected to be presented to the Lancashire authorities for future discussion. Any such proposal, including fee proposal, will be informed by a more comprehensive assessment of response rates and future needs and officers at the Council will be engaged in this process to seek the best outcome for the Ribble Valley.

In the meantime however, it is considered that entering into a SLA with LCC for the 2023/24 period would be the most appropriate course of action to allow Ribble Valley to continue to benefit from the archaeology advice it receives from LCC and meet the requirements of the NPPF both in terms of sound decision taking and plan making.

RESOLVED THAT COMMITTEE:

Members agree for the Head of Development Management & Building Control to enter into a SLA with LCC for the provision of Archaeological advice for 2023/24 and to pay the invoice for that period.

Members agree for the Head of Development Management & Building Control to engage with LCC and other Lancashire authorities in a future review of the archaeology service beyond 31.3.2024, with any future suggested SLAs brought back to this Committee for decision.

786

RIBBLE VALLEY LOCAL PLAN - EVIDENCE BASE UPDATE

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

Members were asked to note the change in the timetable of the Local Plan programme and to anticipate a new schedule to come forward within a revised Local Development Scheme published in the coming months. Work continues on the production of the new Local Plan and a further update on progress will be brought to a future Committee.

787 CAPITAL PROGRAMME 2023-24

The Director of Resources submitted a report informing Members of the schemes approved for inclusion in this Committee's 2023/24 capital programme.

The Committee has an approved 2023/24 capital programme of £26,420 for one scheme.

788 REVENUE MONITORING 2022-23

The Director of Resources submitted a report for information letting Members know the position for the period April 2022 to January 2023 of this year's revised revenue budget as far as this Committee is concerned.

The comparison between actual and budgeted expenditure shows an underspend of £77,407 to January 2023 of the financial year 2022/23. After allowing for transfers to/from earmarked reserves there is an overspend of £35,525

789 APPEALS (IF ANY)

It was noted that the enforcement appeal hearing in relation to the Punch Bowl Inn, Hurst Green had taken place and the decision was in the Council's favour.

790 MINUTES OF WORKING GROUPS

There were no items under this heading.

791 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

792 EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

The meeting closed at 6.45 pm

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