

Minutes of Planning and Development Committee

Meeting Date: Thursday, 26 November 2020 at 6.30pm
Present: Councillor A Brown (Chair)

Councillors:

T Austin	B Holden
I Brown	A Humphreys
B Buller	S Knox
S Carefoot	J Rogerson
J Clark	R Sherras
L Edge	R Thompson
M French	

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

844 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillor S O'Rourke.

845 MINUTES

The minutes of the meeting held on 29 October 2020 were approved as a correct record and signed by the Chairman.

846 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no declarations of pecuniary and non-pecuniary interest.

847 PUBLIC PARTICIPATION

Messrs David Conroy, Alan Schofield and David Eccleston all spoke on agenda item 6 – Confirmation of TPO 3/19/3/217 at land lying south side of Ribchester Road, Clayton-le-Dale. They all urged the Committee to confirm the tree preservation order.

848 PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

1. APPLICATION REF: 3/2020/0733
GRID REF: SD 368775 432788

DEVELOPMENT DESCRIPTION:

EXTENSION TO EXISTING GARAGE TO CREATE DOUBLE GARAGE WITH FIRST FLOOR ROOM ABOVE. IMPROVEMENT OF VEHICULAR ACCESS INCLUDING ERECTION OF TWO NEW GATES 1.8M HIGH. SINGLE STOREY EXTENSION TO FRONT OF HOUSE WITH TWO DORMERS ABOVE.

RESUBMISSION OF APPLICATION 3/2019/1015 AT BRAEMAR, BRYERS CROFT, WILPSHIRE BB1 9JE

APPROVED subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

REASON: Required to be imposed pursuant to Section 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:

Site Plan B103 and red edge location plan
Proposed Elevations B102
Proposed 3 D gate view B105
Proposed 3 D View Extension B104
20-011 PL05
20-011 PL06

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

3. The entrance gates, hereby approved, shall open away from the highway in accordance with the submitted details and shall be retained in that manner thereafter.

REASON: In the interests of highway safety.

4. 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 by the Local Planning Authority before their use in the proposed development. All works shall be undertaken strictly in accordance with the details as approved.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality and to protect the character and appearance of the building.

2. APPLICATION REF: 3/2020/0325
GRID REF: SD 375227 443018

DEVELOPMENT DESCRIPTION:

CONSTRUCTION OF 17 DWELLINGS WITH ASSOCIATED WORKS, LANDSCAPING AND ACCESS. LAND NORTH OF CHATBURN ROAD CLITHEROE BB7 2EQ

DEFERRED and DELEGATED to the Director of Economic Development and Planning for approval following the satisfactory completion of a Legal Agreement, within 3 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 3 months and 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 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:

- Drawing No: 068-Loc01 Location Plan
- Drawing No: 068-P-01 Rev E Site Layout Plan
- Drawing No: 068-P-02 Rev B Fencing Layout
- Drawing No: 068-P-03 Rev B Vehicle Charging Layout
- Drawing No: 068-P-04 Rev B Street scene and Section
- Drawing No: 068-P-05 Rev B Site Layout with External Levels
- Drawing No: 19664-100 Revision 2 General Arrangement
- Drawing No: 19664-101 Revision 2 Contour Layout
- Drawing No: C-981-40 Rev B Landscape Proposal and Tree Survey
- Drawing No: 19.664 - 500 Revision 2 Drainage Layout
- Drawing No: 19.664 - 510 Rev C Drainage Long Section
- Drawing No: 19.664 - 530 Drainage Details
- Drawing No: 19.664 - 531 Headwall Detail and Outfall Long Section
- Drawing H3C – Headwall Flap Valve
- Drawing SHE-0104-5600-1500-5600 x2 – Hydrobrake Optimum & characteristics
- Drawing SHE-0126-7800-1280-7800 x2 – Additional Hydrobrake details & Characteristics
- Drawing No: 19.664 – 532 Drainage Details – Manhole and Hydrobrake
- Drawing No: 19.664 - 720 Long Sections
- 33624_LH_D1 – Rev A - polystorm attenuation tank - general arrangement
- Drawing No: 068-BOW-P01 Bowfell Plans
- Drawing No: 068-BOW-P02 Bowfell Elevations
- Drawing No: 068-BOW-SPL-P01 Bowfell Split Level Plans
- Drawing No: 068-BOW-SPL-P02 Bowfell Split Level Elevations
- Drawing No: 068-ENN-AG-P01 Ennerdale with attached garage Plans
- Drawing No: 068-ENN-AG-P02 Ennerdale with attached garage Elevations
- 068-GRA-P01 Grasmere Plans
- 068-GRA-P02 Grasmere Elevations
- 068-ROTH-P01 Rothay Plans
- 068-ROTH-P02 Rothay Elevations

- 068-WAS SPL-P01 Wasdale Split Level Plans
- 068-WAS SPL-P02 Wasdale Split Level Elevations
- 068-WAS-P01 Wasdale Plans
- 068-WAS-P02 Wasdale Elevations
- 068-MF-01A Material Finishes Layout
- 068-MF-01C Material House Types List Chatburn Road South
- Drawing Griz – P01
- Drawing Griz – P02
- Drawing Griz - P03
- Drawing App P01 1 Rev A
- Drawing App P02 Rev A
- Drawing App P03 Rev A
- Proposed Tenure Layout 068/P/06 Revision D
- Detailed Landscape Proposals & Tree Survey c-981-40 Revision B

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

Landscape and Ecology

3. The landscaping proposals hereby approved shall be implemented in the first planting season following the first occupation 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 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. 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.

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.

5. During the construction period, all trees as shown to be retained within the submitted details shall be protected in accordance with British Standard BS 5837 (2012) or any subsequent amendment to the British Standard.

All protective fencing shall be in accordance with BS5837 (2012): 'Trees in Relation to Construction' and be erected in its entirety prior to any other operations taking place on the site. The agreed tree protection shall remain in place and be maintained for the duration of the construction phase of the development. For the avoidance of doubt no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protection areas(s) specified.

REASON: To protect trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development hereby approved.

Drainage and Flooding

6. The development permitted by this planning permission shall be carried out in accordance with the surface water drainage scheme set out on drawing 19.664-500 Rev C. The surface water drainage scheme shall be fully implemented prior to occupation and in accordance with the timing / phasing arrangements embodied within the scheme. The surface water drainage scheme shall then be managed and maintained thereafter in accordance with the arrangements set out in the accompanying maintenance plan (by Reford Consulting Engineers Limited, dated July 2020).

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To reduce the risk of flooding to the proposed development and future occupants. To ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.

Highways Matters

7. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. For the avoidance of doubt the submitted information shall provide precise details of:
 - A. The siting and location of parking for vehicles of site operatives and visitors
 - B. The siting and location for the loading and unloading of plant and materials
 - C. The siting and locations of all site cabins
 - D. The siting and location of storage of plant and materials used in constructing the development
 - E. The siting and locations of security hoarding
 - F. The siting location and nature of wheel washing facilities to prevent mud and stones/debris being carried onto the Highway (For the avoidance of doubt such facilities shall remain in place for the duration of the construction phase of the development).
 - G. The timings/frequencies of mechanical sweeping of the adjacent roads/highway
 - H. Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
 - I. The highway routes of plant and material deliveries to and from the site.

- J. Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.
- K. Days and hours of operation for all construction works.
- L. Contact details for the site manager(s)

The approved statement shall be adhered to throughout the construction period of the development hereby approved.

REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway for the duration of the construction phase of the development.

3. APPLICATION REF: 3/2020/0729
GRID REF: SD 374452 442021

DEVELOPMENT DESCRIPTION:

PROPOSED DEMOLITION OF EXTENSION AT THE REAR OF ST MARY'S CENTRE AND CONSTRUCTION OF THREE APARTMENTS AT THE INSTITUTE REAR OF ST MARY'S CENTRE, CHURCH STREET, CLITHEROE BB7 2DG

APPROVED: This permission shall be read in conjunction with the Unilateral Undertaking dated 24 November 2020 and 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:

ALOC Location Plan
A101 Proposed ground floor plan - apt 01/02
A102 Proposed ground floor plan - apt 03
A103 Proposed first floor plan - apt 03
A200 Existing elevations - York St
A201 Proposed elevations - York St
A202 Proposed elevations - apt 01/02
A203 Proposed elevations - apt 03
A301 Proposed section

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.

Foul water

- 4 Foul and surface water shall be drained on separate systems.

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

Highway safety/sustainability

5. 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;
- Wheel washing facilities;
- 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, demolition and construction working 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 phase.

6. Deliveries to the approved development shall only be accepted between the hours of 9:30am and 2:30pm Monday to Friday, to avoid peak traffic on the surrounding highway network.

REASON: In the interest of highway safety.

7. 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.

8. The cycling storage facilities to be provided in accordance with a scheme to be first approved in writing by the Local Planning Authority and the cycling facilities to be provided in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

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.

Ecology

9. Notwithstanding the submitted details, no development above ground level shall commence or be undertaken on site until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

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

NOTES

In relation to CMP the applicant is advised of the following:

- 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
- All references to public highway include footway, carriageway and verge.

(Judith Douglas spoke in favour of the above application)

849 APPEALS UPDATE

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Costs app Received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2018/0932 R (Enforcement appeal)	20/02/2020	Bolton Peel Farm Bolton by Bowland Road Bolton by Bowland BB7 4NJ	WR			Awaiting Decision
3/2018/1105 R	09/01/2020	Higher College Fm Lower Road Longridge PR3 2YY	Hearing		02/12/20 Virtual	Awaiting Hearing
3/2019/0510 R	24/04/2020	Land SW of Clitheroe Golf Club Whalley Road Barrow BB7 9BA	Hearing		16/09/20 Virtual	Awaiting Decision
3/2019/0877 U	12/06/2020	Land at the junction of Chatburn Road and Pimlico Link Road Clitheroe BB7 2EQ	WR	Costs app made by appellant 6/8/2020		Appeal allowed Costs partially allowed 10/11/20 Awaiting Decision
3/2020/0288 R	26/08/2020	Bay Gate Farm Barrett Hill Brow Bolton by Bowland BB7 4PQ	WR			Awaiting Decision
3/2020/0329 R	28/09/2020	Three Millstones Waddington Road West Bradford BB7 4SX	WR			Awaiting Decision
3/2020/0058 R	Waiting for start date from PINS	Oxendale Hall Osbaldeston Lane Osbaldeston BB2 7LZ	WR (to be confirmed by PINS)			
3/2020/0057 R	Waiting for start date from PINS	Oxendale Hall Osbaldeston Lane Osbaldeston BB2 7LZ	WR (to be confirmed by PINS)			
3/2020/0669 R	Waiting for start date from PINS	3 Bradley Court Chipping BB7 3LY	HH			

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Costs app Received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2020/0590 R	Waiting for start date from PINS	Leaside Mire Ash Brow Mellor BB2 7EZ	HH			
3/2018/0468 3/2018/0474 Redetermination of appeal following High Court Order	24/09/2020	Great Mitton Hall Mitton Road Mitton BB7 9PQ	Hearing		30/11/20 Virtual	Awaiting Hearing

850 TREE PRESERVATION ORDER 7/19/3/217 LAND LYING SOUTH SIDE OF RIBCHESTER ROAD, CLAYTON-LE-DALE

The Director of Economic Development and Planning submitted a report asking Committee to consider objections to the Tree Preservation Order (TPO) relating to land lying to the south side of Ribchester Road, Clayton-le-Dale and to decide whether the order should be confirmed.

A Tree Preservation Order had been served on two trees on the said piece of land where it was understood United Utilities needed to carry out some infrastructure improvement works to the Wilpshire Waste Water Treatment Works that would require a 4m wide permanent access road necessitating some tree and vegetation removal.

Objections to the TPO had been made by both the landowner and companies permitted access/right of way of the track, as well as emails and calls of support from residents.

She informed Committee that the trees have amenity value and the TPO was served to guarantee their protection. However, this does not preclude a planning application being submitted or determined. An application was expected to Lancashire County Council with Ribble Valley Borough Council as a consultee for the necessary works to improve the waste water provision for the local area.

RESOLVED: That Committee confirm the Tree Preservation Order 3/19/3/217 for land lying south side of Ribchester Road, Clayton-le-Dale.

851 SABDEN CHILDREN'S PLAY AREA

The Director of Economic Development and Planning submitted a report seeking Committee's authority to release Section 106 contributions for improvements to the equipped play area in Sabden.

She informed Committee that when planning permission was given to redevelop the former Victoria Mill in Sabden, the associated Section 106 secured a commuted sum of £17,785 for public open space. She reported that Sabden Parish Council, who have responsibility for the play area in the village, had approached the Council to request part of the public open space contribution be used for

improvements to the play area, including installation of a High Pedestal Slide and associated works as well as safety surfacing at a total of £13,100.66. These proposals were in accord with the requirements of the legal agreement.

RESOLVED: That Committee authorise the payment of invoice(s) from Sabden Parish Council following completion of play area improvements as set out in the report within 28 working days of receipt, up to the amount of £13,100.66 from the S106 commuted sum.

852 MINUTES OF THE DEVELOPMENT PLAN WORKING GROUP

The minutes of the Development Plan working groups dated 29 September 2020 and 21 October 2020 were submitted for committee's information.

RESOLVED: That the minutes be noted.

853 APPEALS

- a) 3/2019/0877 – erection of 39 dwellings with landscaping and associated works, and access from adjacent development site at Land at junction of Chatburn Road and Pimlico Link Road, Clitheroe – appeal allowed with conditions.
- b) Cost application in relation to Land at Chatburn Road and Pimlico Link Road, Clitheroe – allowed in part.
- c) 3/2019/0510 – erection of 14 No over 55 Bungalows and 10 No affordable bungalows and associated works at Land SW of Clitheroe Golf Club, Whalley Road, Barrow BB7 9BA.

The meeting closed at 7.10pm.

If you have any queries on these minutes please contact Nicola Hopkins (414532).