

Minutes of Planning and Development

Meeting Date: Thursday, 11 January 2024, starting at 6.30 pm
Present: Councillor S Bibby (Chair)

Councillors:

T Austin	S Hore
I Brown	S O'Rourke
S Brunskill	M Peplow
L Edge	J Rogerson
M French	K Spencer
G Hibbert	N Stubbs

In attendance: Director of Economic Development and Planning, Director of Resources & Deputy Chief Executive, Head of Development Management and Building Control, Head of Legal and Democratic Services and Senior Accountant

553 APOLOGIES FOR ABSENCE

Apologies for absence for the meeting were received from Councillors L Jameson and K Horkin

554 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 7 December 2023 were approved as a correct record and signed by the Chair.

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

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

556 PUBLIC PARTICIPATION

There was no public participation.

557 PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990

(i) 3/2023/0305 - land at former Higher Standen Farm (adj Swardean Way Valley Lane Higher Peak Crescent South Gate Broadfield Street) Pendle Road Clitheroe BB7 1PR

Members noted the late item report.

RESOLVED THAT COMMITTEE:

Deferred and delegated to the Director of Economic Development and Planning for approval subject to the conditions in the report with amendments to condition 2 following confirmation/agreement of the final submitted drawing package:

1. The development hereby approved 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:

List of approved drawings to be confirmed and agreed

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

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.

4. Prior to their installation details of a scheme for any external building mounted 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 and retained as approved unless agreed in writing by the Local Planning Authority

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 and to limit unnecessary light spill/pollution

5. Notwithstanding the submitted details, prior to their installation, details of the proposed roof mounted Photovoltaic Panels, including section details, shall 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 order that the Local Planning Authority may ensure that the detailed design and external appearance of the proposal is appropriate to the locality and responds positively to the inherent character of the area.

6. Notwithstanding the submitted details, prior to their installation, details of the provision of proposed Electric vehicle Charging Points, shall 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. For the avoidance of doubt, the agreed provision(s) shall be installed and made available for use prior to first use or occupation of the development hereby approved.

REASON: In order that the Local Planning Authority may ensure that proposed development includes provisions to encourage sustainable methods of travel.

HIGHWAYS MATTERS:

7. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

REASON: to reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

8. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 25 metres have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 1 metres above the level of the adjacent footway/verge/highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework.

9. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with the approved details. Thereafter the onsite parking provision shall be retained as such in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety.

10. No building or use hereby permitted shall be occupied or the use commenced until a cycle storage plan for the care home has been submitted to the Local Planning Authority, in consultation with the Local Highway Authority. These cycle facilities shall thereafter be kept free of obstruction and be made 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.

11. Within 6 months of occupation the submitted Interim Travel Plan should be developed into a Full Travel Plan containing the details listed below and be submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Full Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.

For the avoidance of doubt the Full Travel plan when developed needs to include the following as a minimum:

- Contact details of Travel Plan coordinator
- Travel survey results
- Details of cycling, pedestrian and public transport links to and within the site
- Details of the provision of cycle parking
- SMART Targets
- Action plan of measures to be introduced and appropriate funding
- Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years

REASON: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling

LANDSCAPE AND ECOLOGY:

12. The landscaping proposals hereby approved shall be implemented in the first planting season following occupation or first use of the development, and shall be maintained thereafter for a period of not less than 15 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.

DRAINAGE AND FLOODING:

13. 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 (February 2023 / KRS.0635.006.R.001.A / KRS Enviro).

The measures shall be fully implemented prior to occupation of the development and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority

REASON: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

14. Prior to the installation of any drainage infrastructure, details of the final surface water sustainable drainage strategy for the site shall be submitted to, and approved in writing by, the Local Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the site specific flood risk assessment and indicative surface water sustainable drainage strategy submitted (14th June 2023 / 220018-JPS-XX-XX-RP-C-001 – Revision 4 / JPS) 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. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly and shall be limited to a maximum peak flow rate of 5l/s.

The details of the drainage strategy to be submitted for approval 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 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.

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.

15. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to 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.

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

b) Measures taken to prevent siltation and pollutants from the site entering 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.

16. The occupation 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.

FURTHER CONTROL OVER DEVELOPMENT:

17. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (as amended or re-enacted) the use of the development/building hereby approved shall only be used for the purposes of Use Class C2 (Residential institution).

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

(ii) 3/2023/0801 - Car Park Mardale Road Longridge PR3 3EU

RESOLVED THAT COMMITTEE:

Grant planning permission subject to the following conditions:-

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Location Plan (1:1250)
Proposed Development (1:500)
Proposed Development (1:200)
Proposed Elevations (1:50)

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

3. Notwithstanding the submitted details, details 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.

(iii) 3/2023/0767 - Land adj Rush Paddock Farm Osbaldeston Lane Osbaldeston BB2 7LY

RESOLVED THE COMMITTEE:

Refused planning permission for the following reasons:

1. The proposal is considered to be in direct conflict with Policy DMG1 and DMB3 of the Ribble Valley Core Strategy insofar that the proposed development would result in significant harm to the residential amenities of the occupiers of 1 & 2 Ribblesdale Place, Rush Paddock Farm, Paddock Barn and The Bungalow which all have elevations that overlook the site and which would experience adverse loss of privacy and increased noise and disturbance impacts caused by parking and access arrangements associated with the development. This is also in conflict with the National Planning Policy Framework which requires planning decisions to avoid noise giving rise to significant adverse impacts on health and quality of life.

2. The proposal is considered to be in direct conflict with Key Statement EN2 and Policies DMG1 and DMB3 of the Ribble Valley Core Strategy in that the proposed lodges, by virtue of their overall scale, design and cramped form of development would fail to be in keeping with the character of the landscape, being of significant harm to the character and visual amenity of the area.

3. The proposal would result in the introduction of an incongruous, anomalous and discordant form of development by virtue of the cramped layout, design and materials proposed that would significantly visually compromise and undermine the open aspect of the area that defines the inherent character of the immediate and wider area. As such the proposal would result in an unacceptable visual impact to

the character and visual amenities of the open countryside contrary to Policies DMG1, DMG2 and DMB3 of the Ribble Valley Core Strategy 2008-2028.

4. The proposed development is considered to be indirect conflict with Policy DMG3 of the Ribble Valley Core Strategy insofar that the proposed development will have a significant adverse impact on highway safety due to the substandard visibility splay to the south side of the site access along Osbaldeston Lane together with the lack of footways linking the site with bus stops and facilities which could result in potential conflict with other highway users. The lack of footways and poor connectivity to nearby services and facilities would also place increased reliance on the private motor vehicle by occupants of the development, as opposed to encouraging sustainable means of travel, which is in conflict with the National Planning Policy Framework.

(iv) 3/2023/0833 - Unit 26 Mitton Road Business Park Whalley BB7 9YE

Mr Michael Hargreaves spoke in support of the application.

Councillor A Wilkins-Odudu was given permission to speak and spoke in support of the application.

RESOLVED THAT COMMITTEE:

Minded to grant planning permission. The application is to be brought back to a future committee with draft conditions

558 PLANNING ENFORCEMENT UPDATE

The Chief Executive submitted a report providing Committee with an update on planning enforcement. Members were informed that the Council currently had 90 live planning enforcement matters, of which 32 had submitted planning applications awaiting decisions. Between 12 September 2023 and 02 January 2024, the Council received 37 new complaints.

The proposed amendments to the Council's Planning Enforcement Policy were outlined to Committee, i.e. that when formal enforcement action is taken, ward Councillors and the Chair of Planning & Development Committee will be informed.

In response to a query from Councillor Spencer, the Head of Legal and Democratic Services provided a summary of the action that the Council could take if there had been a breach of planning control.

RESOLVED THAT COMMITTEE

Approve the amendments to the Planning Enforcement Policy.

559 REVISED REVENUE BUDGET 2023/24

The Director of Resources and Deputy Chief Executive submitted a report seeking for Members to agree a revised revenue budget for 2023/24 for this Committee.

Members were reminded that the original estimate for this current financial year was set in March 2023 but there could be numerous variations to the budget as the year progressed, particularly through the budget monitoring process. At this time of year,

the Council revise the estimates for the current financial year to predict the likely outturn.

It was noted that 5% had been originally allowed for pay increases and 7.5% for price increases. The pay award for 2023/24 had now been settled and the overall cost for the Council was 6.5%, which was approximately £170,000 above what had been allowed for. The changes to the level in inflation had also been taken into account.

The Director of Resources and Deputy Chief Executive summarised some of the substantial movements for members' information. She advised that the total movement from the Original Estimate to the Revised Estimate was a decrease of £50,010, or £34,350 after movements to and from earmarked reserves.

RESOLVED:

Agree the revenue revised estimate for 2023/24.

560

ORIGINAL REVENUE BUDGET 2024/25

The Director of Resources and Deputy Chief Executive submitted a report asking Members to agree the draft revenue budget for 2024/25, for consideration as Special Policy and Finance Committee.

The Council's three-year budget forecast had been presented to Policy and Finance Committee in September 2023 when it predicted that there would be the following budget gaps: £877k in 2024/25, £2.261m in 2025/26 and £2.740m in 2026/27, after allowing for use of general fund balances. The biggest factors affecting the forecast were the:

- threat of losing the New Homes Bonus
- assumption that the 'One-off Funding Guarantee' was indeed a one-off for 2023/24
- Level of interest rates and inflation

The key updates to the September 2023 forecast were summarised as follows:

- The continuation of the 'One-off Funding Guarantee' where required
- The New Homes Bonus and the Rural Delivery Grant will both continue for 2024/25
- The Revenue Support Grant will increase in line with CPI with no negative RSG
- Business rates will not be reset and Business Rate Pooling will continue
- A council tax referendum principle of up to 3% or £5 for district councils
- Ribble Valley's Core Spending Power is set to increase by 4.7%

The Director of Resources and Deputy Chief Executive highlighted some of the main variations to net expenditure for this Committee, which included inflationary increases and the 25% national increase in planning fees. However planning fee income was expected to be lower than the inflated base mainly due to a reduction in the number of major planning applications being received.

The total movement from the Original Estimate in 2023/34 to the Original Estimate 2024/25 was an increase of £93,880, or £41,680 after movements to and from earmarked reserves.

RESOLVED THAT COMMITTEE:

Approve the revenue original estimate for 2024/25 and submit this to the Special Policy and Finance Committee

561

REVISED CAPITAL PROGRAMME 2023/24 AND FUTURE CAPITAL PROGRAMME REVIEW AND NEW BIDS

The Director of Resources and Deputy Chief Executive submitted a report asking for approval of the 2023/24 revised estimate for this Committee's capital programme.

£26,420 had originally been approved for one capital scheme, namely for residual planning system upgrades. It was proposed that this sum be left within the 2023/24 revised capital programme.

For this Committee's future capital programme, there were no previously approved capital schemes for 2024/25 to 2027/28 to review and no new capital scheme bids were submitted for 2028/29.

RESOLVED THAT COMMITTEE:

Approve the 2023/24 revised estimate of £26,420 for this Committee's capital programme

562

CORPORATE PLAN PERFORMANCE REPORTING

The Chief Executive submitted a report informing Committee in relation to year-end reports for 2021/21 and 2022/23 that detail performance against local performance indicators. The report provided an overview of the Council's performance up to 31 March 2023.

Analysis showed that of the 21 Planning Services key performance indicators (KPIs) that could be compared to target:

- 9.5% (2) of the KPIs met target and or were on track.
- 9.5% (2) of the KPIs close to target where delivery was on track and was currently being managed.
- 0% (0) of the KPIs missed target where performance was or was likely to be off track.
- 81% (17) of the KPIs provide data only.

Of the 21 Planning Services KPIs where performance trend can be compared over the years:

- 43% (9) of the KPIs had improved
- 9.5% (2) of KPIs stayed the same
- 47.5% (10) of PIs worsened

Analysis showed that of the 4 Building Control KPIs that could be compared to target:

- 50% (2) met target and or were on track.

- 50% (2) of the KPIs close to target where delivery was on track and was currently being managed.

Of the 4 Building Control KPIs where performance trend can be compared over the years:

- 25% (1) of the KPIs had improved
- 75% (3) of KPIs stayed the same

563 WORKING GROUP MEMBERSHIP

The Chief Executive submitted a report confirming that the membership of the Working Group under the remit of this Committee for the remainder of the Municipal Year 2023/2024 remained unchanged following changes to political groups.

Members noted the contents of the report.

564 APPEALS (IF ANY)

Members noted the contents of the Appeals report.

565 MINUTES OF WORKING GROUPS

There were no minutes from working groups.

566 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

567 EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

The meeting closed at 7.34 pm

If you have any queries on these minutes please contact the committee clerk, Jenny Martin jenny.martin@ribblevalley.gov.uk.