



TOWN AND COUNTRY PLANNING DECISION NOTICE

TOWN AND COUNTRY PLANNING ACT 1990

THE APPLICATION

Applicant:

United Utilities

Mr Steven Highly

PO Box 487

Grasmere House

Lingley Green Avenue

Great Sankey

WA5 3LP

Agent:

ML PLANNING CONSULTANCY LTD

5 Bobbin Mill Cottages

Stubbins Lane

Claughton on Brock

Preston

PR3 0PL

Full Planning Application

FOR:

Highway access improvement to existing site entrance

AT:

Land adjacent to the A666

near Egerton

Blackburn

BL7 8BL

APPLICATION REFERENCE NUMBER: **10/18/0144**

The application was received: **08/02/2018**

THE DECISION

Date of Decision: 05/04/2018

In pursuance of their powers under the above Act, the Council

PERMITS

The above development in accordance with the details given on the application form and submitted plans. Permission is given subject to the following CONDITIONS:

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

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

2. The measures set out in Section 7.2 - 7.7 of the submitted "Ecological Appraisal" should be adhered to.

REASON: To mitigate against the potential loss or damage to habitats or species of importance, in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2 and the National Planning Policy Framework (NPPF).

3. The measures set out within Section 7.1 of the "Ecological Appraisal" should be actioned.

REASON: To achieve sustainable development and to conserve and enhance biodiversity, in accordance with policy 9 of the Blackburn with Darwen Borough Local Plan Part 2 and the national Planning Policy Framework (NPPF).

4. The visibility splays as proposed in the submitted Design and Access Statement are to be implemented prior to the commencement of timber removal operations within the site and are to be retained thereafter.

REASON: To secure the safe, efficient and convenient movement of all highway users, in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.

5. This consent relates to the submitted details marked received on 16th February 2018 and numbered sss-7777 Revision B, C285-03, C285-02, and any subsequent amendments approved in writing by the Local Planning Authority within 12 months of the date of this decision.

REASON: To clarify the terms of this consent

REASONS FOR GRANTING PLANNING PERMISSION:

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal is of appropriate design and appearance and would not be detrimental to the landscape or ecological characteristics of the West Pennine Moors, the openness of the Green Belt, or compromise highway safety in accordance with Policies 3, 9, 10 and 41 of the Blackburn with Darwen Local Plan Part 2 (December 2015) and the National Planning Policy Framework (March 2012).

2. The Local Planning Authority operates a pre-planning application advice service. All applicants are encouraged to engage with the Local Planning Authority at pre-planning application stage. As part of the determination of this planning application the Local Planning Authority has worked pro-actively and positively with the applicant ensuring all the issues have been resolved. The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance the NPPF.

Your attention is drawn to the NOTES attached and to the following:

1. A process has been introduced by The Department for Communities and Local Government for dealing with material and non-material amendments to planning permissions. For more information please contact the case officer or consult the Planning Portal website www.planningportal.co.uk

2. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other Enactment, Byelaw, Order or Regulation. Before commencing development you are advised to check the requirements of the Building Regulations. Section 31 of the County of Lancashire Act 1984 (access for the Fire Brigade) also applies. For information please contact the Building Surveyors, telephone 01254 505022. Additionally, if you wish to carry out building work which involves work along a party boundary the Party Wall Etc Act 1996 comes into force. You must find out whether your works falls within the Act by contacting your Solicitor, and if it does, you must notify all affected neighbours.

3. The Construction (Design & Management) Regulations 2015

The development hereby approved may be subject to the Construction (Design and Management) Regulations 2015 which govern health and safety through all stages of a construction project. The Regulations require clients (i.e. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Clients have further obligations. Your designer will tell you about these and your planning supervisor can assist you in fulfilling them. Further information is available from the Health and Safety Executive Infoline 0845 345 0055

4. STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

5. The granting of planning permission does not entitle a developer to obstruct, move, or disturb the surface of any public footpath, bridleway, byway open to all traffic or a road used as a public path. Any proposed stopping-up or diversion of a public right of way should be the subject of an Order under the appropriate Act. Failure to comply with the above may render the developer liable to action by the Highway Authority. All Enquiries to Highways@blackburn.gov.uk

6. Prior to the commencement of any works that affect or adjoin the adopted highway, contact is to be made with the local highway officer Simon Littler on 07766 578007.

PLEASE NOTE:

Town and Country Planning (Written Representations) Regulations 1987

In accordance with the provisions of these Regulations, in the event of an appeal, the Local Authority's copy of the completed appeal form should be sent to:

The Director of Growth & Development, Blackburn with Darwen Borough Council, Town Hall, Blackburn. BB1 7DY

A handwritten signature in black ink, appearing to read 'I.R.', is centered on the page.

Ian Richardson,
Director of Growth & Development
Blackburn with Darwen Borough Council.