Planning permission

Name and address of applicant                  Name and address of agent (if any)
Electricity Northwest                          Mr Ronald Muriuki
304 Bridgewater Place                          Corstorphine & Wright Manchester
Birchwood Park                                 The Stables
Warrington                                     Paradise Wharf
Cheshire                                       Ducie Street
WA3 6XG                                        Manchester
F A O Mr Matthew Tregilgas

Part I - Particulars of application:

Date of application:                      Application No:
06 September 2012                           11/12/0364

Particulars and location of development:

Full: Development of vacant site to provide new training facility building with associated external compound, car parking, service road and outdoor training area (part of site only)

Land at Whitebirk Drive Whitebirk Rishton

Part II - Particulars of decision:

The HYNDBURN BOROUGH COUNCIL

hereby give notice in pursuance of the provisions of the Town & Country Planning Act 1990 that permission has been granted for the carrying out of the development referred to in part 1 hereof in accordance with the application and plans submitted subject to the conditions and reasons set out below:

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

   Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. The development shall be carried out in accordance with the following documents:

   (a) The planning application forms, design and access statement and additional information received by Hyndburn Borough Council.


   Reason: for the avoidance of doubt and to enable Hyndburn Borough Council to
adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policies Env6 & Env7 of the Hyndburn Core Strategy.

3 The facing and roofing materials to be used in the construction of the building hereby approved shall match exactly those used on the remainder of the building outside the boundary of Hyndburn Borough Council but within the red edge of the planning application.

Reason: To ensure the use of appropriate materials, in the interests of the visual amenities of the locality and in order to comply with Policies Env 6 and Env 7 of the Hyndburn Core Strategy.

4 All surfacing materials to be used on all hard-surfaced areas of the development outside the buildings shall exactly match that used on the remainder of the site outside the Hyndburn Borough Council boundary but within the red edged location plan.

Reason: To ensure the use of appropriate materials, in the interests of the visual amenities of the locality and in order to comply with Policies Env 6 and Env 7 of the Hyndburn Core Strategy.

5 The window frames and rainwater goods to be used on the building shall match those used on the remainder of the approved building outside Hyndburn Borough Council boundary, within the red edge application site.

Reason: To ensure the use of appropriate materials, in the interests of the visual amenities of the locality and in order to comply with Policies Env 6 and Env 7 of the Hyndburn Core Strategy.

6 Prior to the development commencing:

a. A Phase II investigation shall be carried out and the results submitted to, and approved in writing by, the Local Planning Authority (LPA)

b. If the Phase II investigations indicate that remediation is necessary, then a Remediation Statement shall be submitted to, and approved in writing by, the LPA. The remediation scheme in the approved Remediation Statement shall then be carried out. If remediation is required, a Site Completion Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the first use or occupation of any part of the development.

Reason: To safeguard the health of future occupants of the land in the interests of public health and to safeguard watercourses and in order to comply with Policy Env 7 the Hyndburn Core Strategy.

Informative Notes(s)

1. Subject to conditional control the proposal would be acceptable in terms of amenity and would not cause demonstrable harm to highway safety or any other matter of acknowledged importance and accordingly would suitably accord with local and national planning policies and in particular policies Env6 and Env 7 of the Hyndburn
Core Strategy and Hyndburn car parking and access standards.

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 that upon receipt all representations and consultation responses are available to view on the Council's web site. 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 with the National Planning Policy Framework.

2. This planning permission is granted in strict accordance with the approved plans. It should be noted however that:

(a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
(b) You or your agent or any other person responsible for implementing this permission should inform Development Control immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

3. This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.

If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:

(a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
(b) In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

4. The enclosed approval is issued under the Town & Country Planning Act 1990. You may also require Building Regulation approval which is dealt with by this Department's Building Control Section (Tel: 01254 380194). You must ensure that all necessary permissions are obtained BEFORE starting work, otherwise abortive expense may be incurred.
1 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate Temple Quay House 2 The Square Temple Quay Bristol BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the condition imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2 If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and can not be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the county borough or county district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3 In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

(a) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely sections 70(1) and 72(1) of the Act.

Date 10 October 2012

S Prideaux
CHIEF PLANNING AND TRANSPORTATION OFFICER

Planning
Scatchcliffe House
Ormerod Street
Accrington
Lancs
BB5 0PF

Note: 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.