



RIBBLE VALLEY
BOROUGH COUNCIL

26 SEP 2011

FOR THE
ATTENTION OF

For office use only
Application No. 320110784P
Date received
Fee paid £
Receipt No:

Council Offices, Church Walk, Clitheroe, Lancashire. BB7 2RA Tel: 01200 425111 www.ribblevalley.gov.uk

Application for Outline Planning Permission With Some Matters Reserved. Town and Country Planning Act 1990

Publication of planning applications on council websites

Please note that with the exception of applicant contact details and Certificates of Ownership, the information provided on this application form and in supporting documents may be published on the council's website.

If you have provided any other information as part of your application which falls within the definition of personal data under the Data Protection Act which you do not wish to be published on the council's website, please contact the council's planning department.

Please complete using block capitals and black ink.

It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application

1. Applicant Name and Address

Title:	MR	First name:	BERNARD
Last name:	HINDLE		
Company (optional):	-		
Unit:	-	House number:	-
House name:	THE LODGE		
Address 1:	CLITHEROE ROAD		
Address 2:	WHALLEY		
Address 3:			
Town:	CLITHEROE		
County:	LANCS		
Country:			
Postcode:	BB7 9AD		

2. Agent Name and Address

Title:		First name:	
Last name:			
Company (optional):			
Unit:		House number:	
House name:			
Address 1:			
Address 2:			
Address 3:			
Town:			
County:			
Country:			
Postcode:			

3. Description of the Proposal

Please indicate those reserved matters for which approval is being sought (tick all that apply):

☒ None ☐ Access ☐ Appearance ☐ Landscaping ☐ Layout ☐ Scale

Please describe the proposed works:

FOUR RESIDENTIAL 4/5-BEDROOM HOUSES
AND
TWO RESIDENTIAL 1-BEDROOM BUNGALOWS FOR OVER 55's.

Has building or works
already been carried out? ☐ Yes ☒ No

Have the works
been completed? ☐ Yes ☒ No

If Yes, please state the date when building
or works were started (DD/MM/YYYY):
(date must be pre-application submission)

If Yes, please state the date when the
works were completed (DD/MM/YYYY):
(date must be pre-application submission)

4. Site Address Details

Please provide the full postal address of the application site.

Unit: House number: House suffix:

House name: OLD WHALLEY NURSERIES

Address 1: LAMB ROE

Address 2: CLITHEROE ROAD

Address 3: WHALLEY

Town: CLITHEROE

County: LANCs

Postcode (optional): BB7 9AQ

Description of location or a grid reference.
(must be completed if postcode is not known):

Easting: Northing:

Description:

5. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently).

Please tick if the full contact details are not known, and then complete as much as possible: ☐

Officer name: GRAEME THORPE

Reference: RV/2011/ENQ/00313

Date (DD/MM/YYYY): 27072011
(must be pre-application submission)

Details of pre-application advice received?

LETTER DATED 21092011 -
RVBC - FAVOURABLE

6. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway? ☐ Yes ☒ No ☐ Unknown

Is a new or altered pedestrian access proposed to or from the public highway? ☐ Yes ☒ No ☐ Unknown

Are there any new public roads to be provided within the site? ☐ Yes ☒ No ☐ Unknown

Are there any new public rights of way to be provided within or adjacent to the site? ☐ Yes ☒ No ☐ Unknown

Do the proposals require any diversions /extinguishments and/or creation of rights of way? ☐ Yes ☒ No ☐ Unknown

If you answered Yes to any of the above questions, please show details on your plans/drawings and state the reference of the plan (s)/drawings(s)

7. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? ☐ Yes ☒ No ☐ Unknown

If Yes, please provide details:

SUBJECT TO MORE
DETAILED PLANNING

Have arrangements been made for the separate storage and collection of recyclable waste? ☐ Yes ☒ No ☐ Unknown

If Yes, please provide details:

SUBJECT TO MORE
DETAILED PLANNING

8. Neighbour and Community Consultation

Have you consulted your neighbours or the local community about the proposal? ☒ Yes ☐ No

If Yes, please provide details:

PAST CUSTOMERS OF WHALLEY
NURSERIES AND NEIGHBOURS

9. Council Employee / Member

Is the applicant or agent related to any member of staff or elected member of the council? ☐ Yes ☒ No

If Yes, please provide details:

Materials

If applicable, please state what materials are to be used externally. Include type, colour and name for each material:

	Existing (where applicable)	Proposed	Not applicable	Don't Know	Drawing references if applicable
Walls		SUBJECT TO MORE DETAILED PLANNING	☐	☐	
Roof			☐	☐	
Windows			☐	☐	
Doors			☐	☐	
Boundary treatments (e.g. fences, walls)		- do -	☐	☐	
Vehicle access and hard-standing			☐	☐	
Lighting			☐	☐	
Others (please specify)			☐	☐	

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement?

☐ Yes

☒ No

If Yes, please state references for the plan(s)/drawing(s)/design and access statement:

NOT ON THIS APPLICATION -
SUBJECT TO MORE DETAILED PLANNING

11. Vehicle Parking

Please provide information on the existing and proposed number of on-site parking spaces:

Type of Vehicle	Total Existing	Total proposed (including spaces retained)	Unknown total proposed (including spaces retained)	Difference in spaces
Cars	50	NONE RETAINED 1-2 PER UNIT	☒ SUBJECT TO MORE DETAILED PLANNING	
Light goods vehicles/ public carrier vehicles			☐	
Motorcycles			☐	
Disability spaces			☐	
Cycle spaces			☐	
Other (e.g. Bus)			☐	
Other (e.g. Bus)			☐	

12. Foul Sewage

Please state how foul sewage is to be disposed of:

- | | |
|--|-----------------------------------|
| ☒ Mains sewer | ☐ Cess pit |
| ☐ Septic tank | ☐ Other |
| ☐ Package treatment plant | ☐ Unknown |

Are you proposing to connect to the existing drainage system? ☐ Unknown ☒ Yes ☐ No

If Yes, please include the details of the existing system on the application drawings and state references for the plan(s)/drawing(s):

SUBJECT TO MORE
DETAILED PLANNING

13. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary)

☐ Yes ☒ No

If Yes, you will need to submit a Flood Risk Assessment to consider the risk to the proposed site

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)? ☐ Yes ☒ No

Will the proposal increase the flood risk elsewhere? ☐ Yes ☒ No ☐ Unknown

How will surface water be disposed of?

- | | |
|---|---|
| ☐ Sustainable drainage system | ☐ Existing watercourse |
| ☒ Soakaway / SUBJECT TO MORE DETAILED PLANNING. | ☐ Pond/lake |
| ☐ Main sewer | ☐ Unknown |

14. Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

a) Protected and priority species:

- ☐ Yes, on the development site
- ☐ Yes, on land adjacent to or near the proposed development
- ☒ No **N E**

b) Designated sites, important habitats or other biodiversity features:

- ☐ Yes, on the development site
- ☐ Yes, on land adjacent to or near the proposed development
- ☒ No **N E**

c) Features of geological conservation importance:

- ☐ Yes, on the development site
- ☐ Yes, on land adjacent to or near the proposed development
- ☒ No **N E**

15. Existing Use

Please describe the current use of the site:

Is the site currently vacant? ☒ Yes ☐ No

If Yes, please describe the last use of the site:

HORTICULTURE / NURSERY

When did this use end (if known)?
(DD/MM/YYYY)
(date where known may be approximate)

-- 07/2011

Does the proposal involve any of the following:

Land which is known to be contaminated? ☐ Yes ☒ No

Land where contamination is suspected for all or part of the site? ☐ Yes ☒ No

A proposed use that would be particularly vulnerable to the presence of contamination? ☐ Yes ☒ No

If you have answered Yes to any of the above, you will need to submit an appropriate contamination assessment.

16. Trees and Hedges

Are there trees or hedges on the proposed development site? ☐ Yes ☒ No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character? ☐ Yes ☒ No

If Yes to either or both of the above, you will need to provide a full Tree Survey, with accompanying plan before your application can be determined. Your Local Planning Authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to construction - Recommendations'

17. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or waste? ☐ Yes ☒ No

If Yes, please describe the nature, volume and means of disposal of trade effluents or waste

Residential Units (Including Conversion)

Does your proposal include the gain, loss or change of use of residential units?
If Yes, please complete details of the changes in the tables below:

☒ Yes☐ No**Proposed Housing**

Market Housing	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐	2			4		6
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a + b + c + d + e + f + g) =							

Social Rented	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a + b + c + d + e + f + g) =							

Intermediate	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a + b + c + d + e + f + g) =							

Key worker	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a + b + c + d + e + f + g) =							

Total proposed residential units (A + B + C + D) = 6

Existing Housing

Market Housing	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						0
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a + b + c + d + e + f + g) =							

Social Rented	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a + b + c + d + e + f + g) =							

Intermediate	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a + b + c + d + e + f + g) =							

Key worker	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a + b + c + d + e + f + g) =							

Total existing residential units (E + F + G + H) = 0

TOTAL NET GAIN or LOSS of RESIDENTIAL UNITS (Proposed Housing Grand Total - Existing Housing Grand Total): 6 GAIN

19. All Types of Development: Non-residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace? ☐ Yes ☒ No ☐ Unknown

If you have answered Yes to the question above please add details in the following table:

Use class/type of use	Not applicable	Existing gross internal floorspace (square metres)	Gross internal floorspace to be lost by change of use or demolition (square metres)	Unknown	Total gross internal floorspace proposed (including change of use) (square metres)	Unknown	Net additional gross internal floorspace following development (square metres)
A1 Shops	☐			☐		☐	
Net tradable area:	☐			☐		☐	
A2 Financial and professional services	☐			☐		☐	
A3 Restaurants and cafes	☐			☐		☐	
A4 Drinking establishments	☐			☐		☐	
A5 Hot food takeaways	☐			☐		☐	
B1 (a) Office (other than A2)	☐			☐		☐	
B1 (b) Research and development	☐			☐		☐	
B1 (c) Light industrial	☐			☐		☐	
B2 General industrial	☐			☐		☐	
B8 Storage or distribution	☐			☐		☐	
C1 Hotels and halls of residence	☐			☐		☐	
C2 Residential institutions	☐			☐		☐	
D1 Non-residential institutions	☐			☐		☐	
D2 Assembly and leisure	☐			☐		☐	
OTHER Please specify	☐			☐		☐	
	☐			☐		☐	
Total							

In addition, for hotels, residential institutions and hostels, please additionally indicate the loss or gain of rooms

Use class	Type of use	Not applicable	Existing rooms to be lost by change of use or demolition	Unknown	Total rooms proposed (including changes of use)	Unknown	Net additional rooms
C1	Hotels	☐		☐		☐	
C2	Residential Institutions	☐		☐		☐	
Other	Hostels	☐		☐		☐	

20. Employment

Please complete the following information regarding employees:

	Full-time	Part-time	Total full-time equivalent	Not known
Existing employees	0	0		
Proposed employees	0	0		

21. Hours of Opening

Please state the hours of opening for each non-residential use proposed:

Use	Monday to Friday	Saturday	Sunday and Bank Holidays	Not known
N/A				

22. Site Area

Please state the site area in hectares (ha)

0.5

23. Industrial or Commercial Processes and Machinery

Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

N/A

Is the proposal a waste management development? ☐ Yes ☒ No ☐ Unknown

If the answer is Yes, please complete the following table:

	Not applicable	The total capacity of the void in cubic metres, including engineering surcharge and making no allowance for cover or restoration material (or tonnes if solid waste or litres if liquid waste)	Unknown	Maximum annual operational throughput put in tonnes (or litres if liquid waste)	Unknown
Inert landfill	☐		☐		☐
Non-hazardous landfill	☐		☐		☐
Hazardous landfill	☐		☐		☐
Energy from waste incineration	☐		☐		☐
Other incineration	☐		☐		☐
Landfill gas generation plant	☐		☐		☐
Pyrolysis/gasification	☐		☐		☐
Metal recycling site	☐		☐		☐
Transfer stations	☐		☐		☐
Material recovery/recycling facilities (MRFs)	☐		☐		☐
Household civic amenity sites	☐		☐		☐
Open windrow composting	☐		☐		☐
In-vessel composting	☐		☐		☐
Anaerobic digestion	☐		☐		☐
Any combined mechanical, biological and/or thermal treatment (MBT)	☐		☐		☐
Sewage treatment works	☐		☐		☐
Other treatment	☐		☐		☐
Recycling facilities construction, demolition and excavation waste	☐		☐		☐
Storage of waste	☐		☐		☐
Other waste management	☐		☐		☐
Other developments	☐		☐		☐

Please provide the maximum annual operational throughput of the following waste streams:

Municipal	
Construction, demolition and excavation	
Commercial and industrial	
Hazardous	

If this is a landfill application you will need to provide further information before your application can be determined. Your waste planning authority should make clear what information it requires on its website.

24. Hazardous Substances

Does the proposal involve the use or storage of any of the following materials in the quantities stated below? ☐ Yes ☒ No ☐ Not applicable

If Yes, please provide the amount of each substance that is involved:

Acrylonitrile (tonnes)		Ethylene oxide (tonnes)		Phosgene (tonnes)	
Ammonia (tonnes)		Hydrogen cyanide (tonnes)		Sulphur dioxide (tonnes)	
Bromine (tonnes)		Liquid oxygen (tonnes)		Flour (tonnes)	
Chlorine (tonnes)		Liquid petroleum gas (tonnes)		Refined white sugar (tonnes)	

Other:

Other:

Amount (tonnes):

Amount (tonnes):

25. Certificates

One Certificate A, B, C, or D, must be completed, together with the Agricultural Holdings Certificate with this application form

CERTIFICATE OF OWNERSHIP - CERTIFICATE A

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/ The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land or building to which the application relates.

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

26.09.2011

CERTIFICATE OF OWNERSHIP - CERTIFICATE B

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/ The applicant certifies that I have/ the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land or building to which this application relates.

Name of Owner	Address	Date Notice Served

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

CERTIFICATE OF OWNERSHIP - CERTIFICATE C

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/ The applicant certifies that:

§ Neither Certificate A or B can be issued for this application

§ All reasonable steps have been taken to find out the names and addresses of the other owners (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of the land or building or of a part of it, but I have/ the applicant has been unable to do so

The steps taken were:

--

Name of Owner	Address	Date Notice Served

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

5. Certificates (continued)

CERTIFICATE OF OWNERSHIP - CERTIFICATE D

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/ The applicant certifies that:

§ Certificate A cannot be issued for this application

§ All reasonable steps have been taken to find out the names and addresses of everyone else who, before the date of this application, was the owner (owner is a person with a freehold interest or leasehold interest with at least 1 year left to run) of any part of the land to which this application relates, but I have/ the applicant has been unable to do so

The steps taken were:

--

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

--

On the following date (which must not be earlier than 21 days before the date of the application):

--

Signed - Applicant:

--

Or signed - Agent:

--

Date (DD/MM/YYYY):

--

AGRICULTURAL HOLDINGS CERTIFICATE

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is, or is part of, an agricultural holding.

Signed - Applicant:

--

Or signed - Agent:

--

Date (DD/MM/YYYY):

26.09.2011

B) I have/ The applicant has given the requisite notice to every person other than myself/ the applicant who, on the day 21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below:

Name of Tenant	Address	Date Notice Served

Signed - Applicant:

--

Or signed - Agent:

--

Date (DD/MM/YYYY):

--

26. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

A completed and dated application form with 3 copies:



The correct fee:



3 copies of the plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North:



3 copies of a design and access statement:



3 copies of the completed, dated Article 7 Certificate (Agricultural Holdings):



3 copies of other plans and drawings or information necessary to describe the subject of the application:



3 copies of the completed, dated Ownership Certificate (A, B, C, or D - as applicable):



27. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information.

Signed - Applicant:

--

Or signed - Agent:

--

Date (DD/MM/YYYY):

26.09.2011

(date cannot be pre-application)

28. Applicant Contact Details

Telephone numbers

Country code: [redacted] National number: [redacted] Extension number: [redacted]

Country code: [redacted] Mobile number (optional): [redacted]

Country code: [redacted] Fax number (optional): [redacted]

Email address (optional): [redacted]

29. Agent Contact Details

Telephone numbers

Country code: [redacted] National number: [redacted] Extension number: [redacted]

Country code: [redacted] Mobile number (optional): [redacted]

Country code: [redacted] Fax number (optional): [redacted]

Email address (optional): [redacted]

30. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes

☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

☐ Agent

☒ Applicant

☐ Other (if different from the agent/applicant's details)

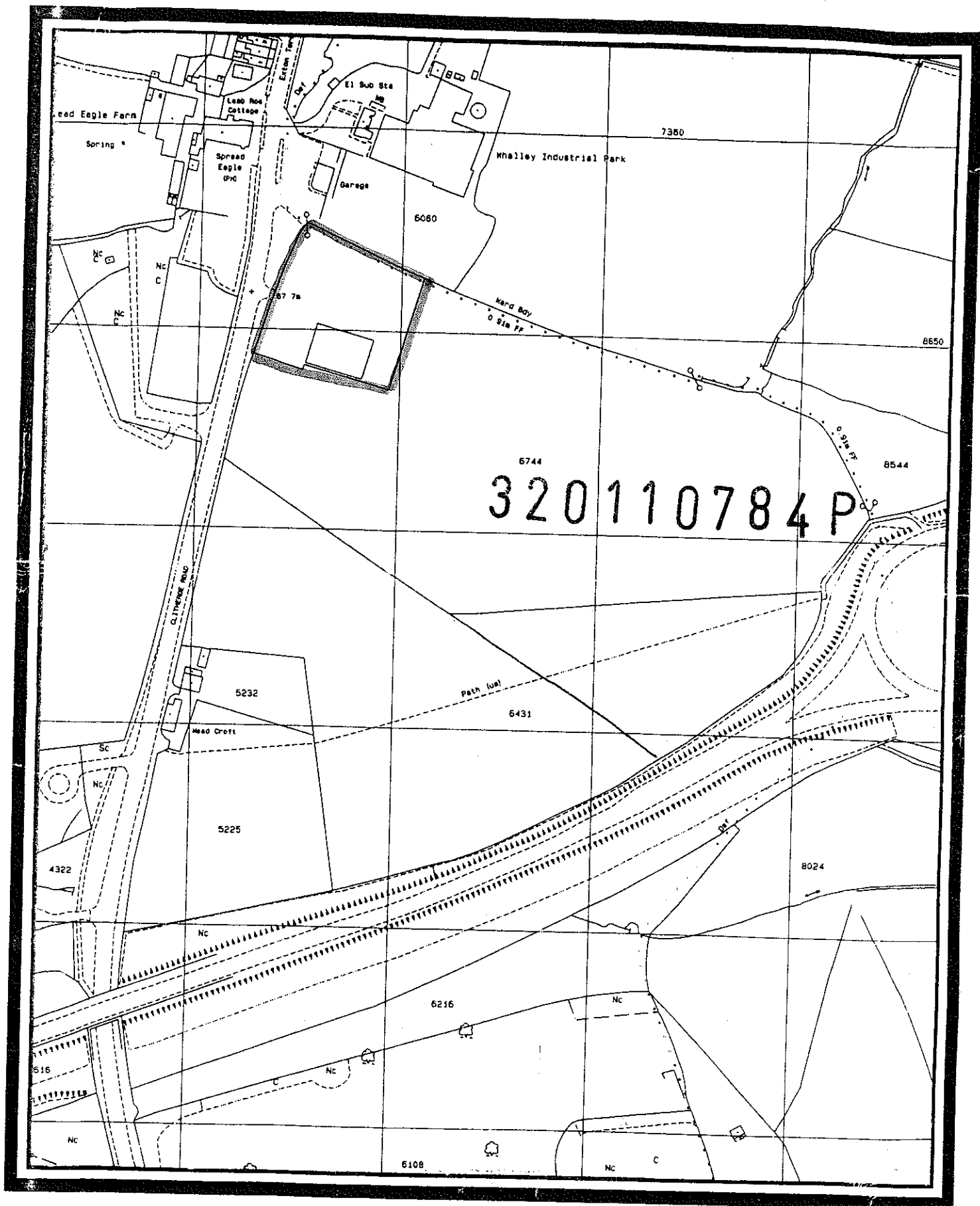
If Other has been selected, please provide:

Contact name:

Telephone number:

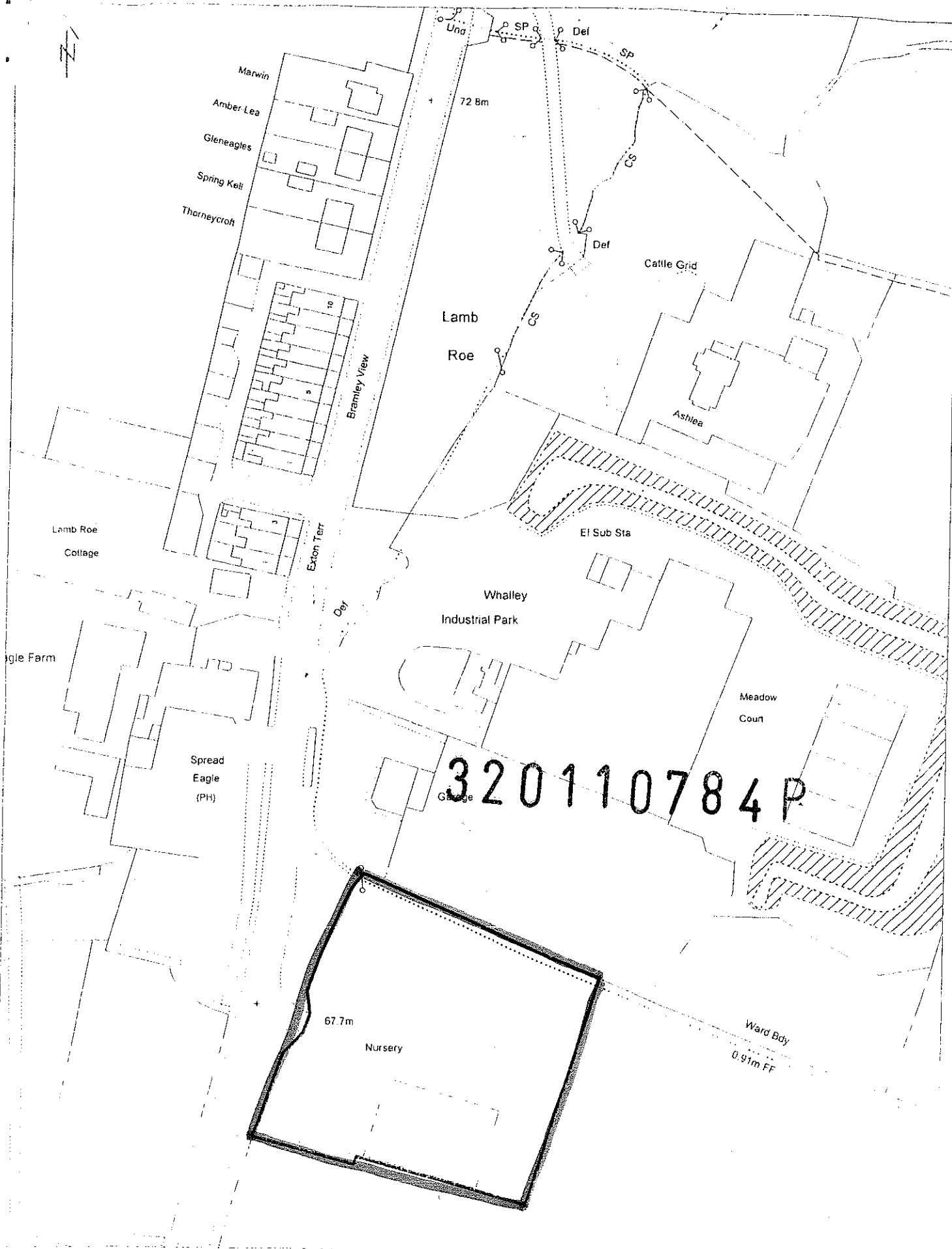
Email address:

[redacted]



SCALE: 1/2500.

GRID REF
73573750



Site 239 Garden Centre, Clitheroe Road, Barrow

Scale 1:1250 SD7337NE Do not scale from this plan © Crown Copyright All rights reserved Licence No 100018641 March 2009

EXISTING

GRID REF
72072750

3.11.2011

TO RIBBLE VALLEY BOROUGH COUNCIL

OUTLINE PLANNING APPLICATION DATED 26.09.2011.
OLD WHALLEY NURSERIES, LAMB ROE, WHALLEY, BB7 9AQ.

TREE SURVEY

THE SITE HAS HEDGEROWS TO THE NORTH AND WEST BOUNDARIES. THERE ARE SEVERAL MATURE TREES IN OR JUST BEYOND THE HEDGEROW TO THE NORTH.

THE HEDGEROWS CONSIST MAINLY OF HAWTHORN WHICH ARE CUT EVERY AUTUMN.

DEVELOPMENT WILL BE A SAFE DISTANCE AWAY SO AS NOT TO CAUSE ANY DAMAGE TO TREES OR HEDGEROWS ON THE NORTH AND WEST BOUNDARIES.

THERE ARE NO TREE PRESERVATION ORDERS ON THE SITE.

320110784P

B. HINDLE

3.11.2011

TO RIBBLE VALLEY BOROUGH COUNCIL

OUTLINE PLANNING APPLICATION DATED 26.09.2011.
OLD WHALLEY NURSERIES, LAMB ROE, WHALLEY, BB7 9AQ.

JUSTIFICATION STATEMENT - POLICY EMP11

OVER THE LAST FEW YEARS, WE HAVE TRIED TO DISPOSE OF THE SITE THROUGH G. F. SINGLETON, BLACKBURN WHO DISPLAYED LARGE FOR SALE SIGNS ON THE A59 AND IN FRONT OF THE NURSERY ON CLITHEROE ROAD. WE ALSO PAID FOR ADVERTISING. OVER THE LAST TWO YEARS, ATHERTON ESTATE AGENCY HAVE KNOWN OUR SITE IS AVAILABLE FOR SALE TO ANYONE INTERESTED. THERE HAS ALSO BEEN A LARGE ADVERTISING BOARD IN FRONT OF THE NURSERY OVER THE PAST YEAR. THE ONLY INTEREST HAS BEEN FROM POTENTIAL HOUSEBUILDERS.

WE HAVE OPERATED OUR NURSERY FOR 38 YEARS AS HUSBAND AND WIFE PARTNERSHIP WITHOUT ANY EMPLOYEES.

EVEN THOUGH BEING IN OUR LATE 60'S AND HAVING WORKED CONTINUOUSLY FOR 53 YRS, WE WOULD STILL BE EAGER TO CARRY ON, BUT THE OPENING OF BOOTH'S, TESCO AND SAINSBURY'S SUPERMARKETS AND NOW HOMEBASE, BETWEEN THESE ONE-STOP SHOPPING OUTLETS, NOT ONLY HAVE THEY DESTROYED OUR BUSINESS BUT CONTRIBUTED TO THE CLOSURE OF AN ENTIRE MASSIVE WHOLESALE MARKET IN THE CENTRE OF PRESTON.

OUR SITE IS NOT LARGE ENOUGH TO CREATE A MASSIVE ONE-STOP SHOPPING OUTLET TO ALLOW FOR EXTRA CARS AND RETAIL SPACE.

320110784P

B. HINDLE



Ribble Valley Borough Council

DESIGN AND ACCESS STATEMENT PRO-FORMA

From the 10 August 2006, planning applications relating to certain types of developments are required to be submitted with a design and access statement. When submitting an application, failure to provide a design and access statement of sufficient standard may result in a delayed registration of the application.

What Applications Need to be Accompanied by a Design and Access Statement?

Most planning applications have to be accompanied by a design and access statement, the exceptions being:

- material change in the use of land or buildings, unless it also involves operational development;
- engineering or mining operations;
- development of an existing dwellinghouse, or development within the curtilage or a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, where no part of that dwellinghouse or curtilage is within a designated area or is a listed building. 'Designated Areas' include: • Conservation Areas; • Sites of Special Scientific Interest (SSSI); and • Areas of Outstanding Natural Beauty (AONB)

Process

What factors have you considered when deciding upon the use, design, scale, layout and materials used in the proposed development? EXISTING USE AS HORTICULTURE/NURSERY NO LONGER NEEDED DUE TO LARGER SCALE RETAIL DEVELOPMENT IN THE AREA BUT A RESIDENTIAL NEED IS FAR GREATER. SCALE OF DEVELOPMENT MATCHES FOOTPRINT OF 0.5 ha SITE. BUILDING MATERIALS USED SHOULD BE SOURCED AS LOCALLY AS POSSIBLE, PROVIDE EXCEPTIONALLY GOOD INSULATION PROPERTIES AND BE SYMPATHETIC WITH COUNTRYSIDE ENVIRONMENT ALLOWING ENOUGH GARDEN AREA TO GIVE A MORE OPEN APPEARANCE.

Use

What will the extension/development be used for and justify why this is necessary?

RESIDENTIAL USE BY FAMILIES AND OVER 55'S, AS THERE IS DEMAND IN THIS AREA. SITE IS SUITABLE BECAUSE IT IS WITHIN SAFE WALKING / CYCLING DISTANCE OF ALL AMENITIES WITH GOOD BUS AND OTHER TRANSPORT SERVICES ADJACENT. TWO BUS STOPS ADJACENT TO SITE. THIS DEVELOPMENT WILL HELP TO ADDRESS THE SHORTAGE OF THIS TYPE OF PROPERTY IN THE RIBBLE VALLEY.

Amount

What is the proposed size of the extension/development and why is this necessary and appropriate for the setting of the development?

PROPOSED SIZE - 0.5 ha. WHICH IS THE SIZE OF OLD WHALEY NURSERY WHICH INCLUDED CAR PARKING FOR 50 CARS, ANCILLARY BUILDINGS AND GLASSHOUSES.

Layout

Why have you chosen the layout specified in the planning application and how did you eliminate alternative options? THE SURROUNDING AREA IS OF LOW DENSITY HOUSING AND THE GARDENS SURROUNDING EACH PROPOSED PROPERTY WILL COMPLEMENT THE EXISTING PROPERTIES IN THE LOCALITY. TO INCREASE THE NUMBERS TO A HIGH DENSITY WOULD BE MORE APPROPRIATE TO CITY CENTRES

Scale

Is the scale of the extension/development in keeping with the context of the site and in what way?

THE SIZE OF THE PROPERTIES ON THE SITE ARE IN KEEPING WITH OTHER SMALL DEVELOPMENTS IN THE AREA AND FIT IN WELL ON THIS RELATIVELY SMALL SITE.

Landscaping

If appropriate, specify the boundary treatments and any landscaping included in the development. You may need to justify why certain materials or planting have been used?

EXISTING NORTH AND WEST BOUNDARY MIXED/HAWTHORN HEDGES TO BE RETAINED. SOUTH AND EAST BOUNDARIES TO BE POST AND RAIL STOCK-PROOF FENCING. THIS FITS IN WITH FENCING MATERIALS USED LOCALLY AND TO BE SOURCED LOCALLY. AREA TO THE SOUTH OF SITE ENTRANCE TO BE GRASSED WITH LOW LEVEL MIXED SHRUBBERY.

Appearance

Specify how the extension/development fits in terms of its appearance and include details of materials to be used

PROPERTIES WILL BE RUSTIC BRICK ELEVATIONS; PITCH ROOF OF SLATE / SLATE COLOUR TILES; TIMBER WINDOWS, DOORS, FASCIAS. FOUR DETACHED PROPERTIES TO HAVE SIZE RANGE OF 2,000/3,000 SQ. FT. HEIGHT - 25' TO 30' WIDTH 38' TO 40' DEPTH 30' TO 35' INCLUDING INTEGRAL GARAGES. TWO BUNGALOWS TO HAVE 800/1,000 SQ. FT. HEIGHT - 18' TO 22' WIDTH - 30' TO 35' DEPTH - 25' TO 30' WITH CAR PARKING SPACES.

Access

Explain how the extension/development will be accessed by vehicles and people. You should consider the need for access by all members of society and emergency vehicles

EXISTING ACCESS FROM CLITHEROE ROAD WAS DESIGNED AND APPROVED BY L.C.C. HIGHWAYS IN 1991 FOR GARDEN CENTRE USE. THIS EXISTING ACCESS IS SUITABLE FOR ALL MEMBERS OF SOCIETY AND EMERGENCY VEHICLES.

DATED

2011

320110784P

RIBBLE VALLEY BOROUGH COUNCIL

- AND -

B. + E. A. HINDLE

AGREEMENT

Under Section 106 Town and Country Planning Act 1990

relating to property known as

OLD WHALLEY NURSERIES
LAMB ROE CLITHEROE ROAD
WHALLEY

DIANE RICE

Legal Services Manager
Ribble Valley Borough Council

CLITHEROE

THIS AGREEMENT is made the _____ day of _____ Two thousand and eleven BETWEEN RIBBLE VALLEY BOROUGH COUNCIL of Council Offices Church Walk Clitheroe Lancashire BB7 2RA (hereinafter called "the Council") of the one part and BERNARD HINDLE AND ELIZABETH ANNE HINDLE OF THE LODGE CLITHEROE ROAD WHALLEY CLITHEROE LANCASHIRE BB7 9AD (hereinafter called "the Owners") of the second part

WHEREAS

320110784P

- 1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1990 (as amended) for the area within which certain land and property known as OLD WHALLEY NURSERIES CLITHEROE ROAD WHALLEY BB7 9AQ (hereinafter called "the Property") shown edged red on the plan attached hereto is situated_____
- 2) The Owners are the owners of the freehold estate of the Property which is registered at HM Land Registry with Absolute Title
- 3) The Owners have by written application dated the 26TH SEPTEMBER 2011 applied to the Council for permission to develop the Property as detailed in the plans and particulars deposited with the Council under reference 3/2011/0784
- 4) The Council is satisfied that the development disclosed by the said particulars is such as may be approved by the Council under the said Act_____

NOW THIS DEED WITNESSETH as follows:

1. **THIS** Agreement is made as a Deed in pursuance of Section 106 of the Town and Country Planning Act 1990 (as amended) and is a planning obligation for the purposes of that Section enforceable by the Council with the intent to bind the property and bind the Owners to observe and perform the covenants restrictions and obligations set out in the Schedule hereto_____
2. **THE** expressions "the Council" and "the Owners" shall include their respective successors in title and assigns PROVIDED THAT no such person (including the

parties hereto) shall be liable for any breaches occurring after they have disposed of their interest in the property or the relevant part of parts thereof_____

- 3 THE Owners hereby covenant with the Council to pay on demand the Council's reasonable costs of and incidental to the preparation and completion of this Agreement_____

- 4 This Agreement is made as a Deed and is a Local Land Charge.

IN WITNESS whereof the Council has caused its Common Seal to be hereunto affixed and executed as a Deed and the Owners have executed as a Deed the day and year first before written_____

THE SCHEDULE

320110784 P

- 1 The Owners hereby covenant with the Council that the said Property shall be permanently subject to the restrictions regulating the development thereof as hereafter contained and the purport and intent of such covenants shall be registered upon the Title of the Owners at HM Land Registry by way of an appropriate entry on the Charges Register
- 2 The Owners hereby agrees to provide to the Council within 3 months of the date hereof an Official Copy of the Register as evidence that such registration has been completed.
- 3 The said covenants referred to in the preceding clause are as follows:
- 3.1 that two of the SIX houses to be built, shall not be sold by the Owners other than to an Approved Person as defined at Clause 5 below and the sale price shall be at a discount to the Open Market Value
- 3.2 that the Owners do not themselves occupy the house.
- 3.3 that in respect of the sale of the house that on each and every disposal that the sale price of the house shall be not less than 40% below the Open Market Value at the time of completion of construction of the house in the first instance and at the time of sale in other cases and details of the Open Market Value and the proposed

sale price shall be submitted to the Council for approval prior to any sale taking place and such approval shall not be unreasonably withheld or delayed.

4. "Open market value" in clause 3 above shall mean the best price at which the interest in the house might reasonably be expected to be sold by private treaty at the date of valuation assuming the willing seller and a reasonable period within which to negotiate the sale and should be established by a qualified independent chartered surveyor not acting for either party in the transaction.

5 In selecting an Approved Person the Council and the Owners shall have regard to the following in order of priority:-

5.1 Firstly buyers who **ARE OVER 55 YEARS OF AGE**
who are in order of priority either

5.3.5 currently living in the Parish of **WHALLEY** for more than 10 years or

5.3.6 currently living in the Parish of **WHALLEY** and have done so continually for between 5 to 10 years

5.3.7 currently living in the Parish of **WHALLEY** and have done so continually for a minimum of 12 months

5.3.8 currently permanently employed in the Parish of **WHALLEY** for a minimum of 12 months and are employed for a minimum of 18 hours per week paid or unpaid or

5.3.9 Persons who at least one of the adult applicants have next of kin who have lived in the Parish of **WHALLEY** continually for a minimum of five years. Next of kin for the purposes of this clause shall be defined as mother, father, brother, sister or adult dependant children.

5.3.10 Persons who are former residents of the Parish of **WHALLEY** who have been forced to move from the Parish because of a lack of affordable housing in the Parish

5.4 Secondly buyers who can demonstrate a housing need requirement for the type of House who are either

320110784P

5.2.1 currently living in the Parishes of Read & Simonstone or Wiswell and Pendleton or ~~SABDEN~~ or Mearley for more than 10 years or

5.2.2 currently living in the Parishes of Read & Simonstone or Wiswell and Pendleton or ~~SABDEN~~ or Mearley and have done so continually for between 5 to 10 years or

5.2.3 currently living in the Parishes of Read & Simonstone or Wiswell and Pendleton or ~~SABDEN~~ or Mearley and have done so continually for a minimum of 12 months

5.2.4 currently permanently employed in the Parishes of Read & Simonstone or Wiswell and Pendleton or ~~SABDEN~~ or Mearley for a minimum of 12 months and work for a minimum of 18 hours per week paid or unpaid or

5.2.5 Persons who at least one of the adult applicants have next of kin who have lived in the Parishes of Read & Simonstone or Wiswell and Pendleton or ~~SABDEN~~ or Mearley continually for a minimum of five years. Next of kin for the purposes of this clause shall be defined as mother, father, brother, sister or adult dependant children.

5.2.6 Persons who are former residents of the Parishes of Read & Simonstone or Wiswell and Pendleton or ~~SABDEN~~ or Mearley who have been forced to move from the Parish because of a lack of affordable housing in the Parish

5.3 Thirdly buyers who can demonstrate a housing need requirement for the type of House who are either

5.3.5 currently living in the Borough of Ribble Valley for more than 10 years or

5.3.6 currently living in the Borough of Ribble Valley and have done so continually for between 5 to 10 years or

5.3.3 currently living in the Borough of Ribble Valley and have done so continually for a minimum of 12 months or

5.3.4 currently permanently employed in the Borough of Ribble Valley for a minimum of 12 months and work for a minimum of 18 hours per week paid or unpaid or

5.3.5 Persons who at least one of the adult applicants have next of kin who have lived in the Borough of Ribble Valley continually for a minimum of five years. Next of kin for the purposes of this clause shall be defined as mother, father, brother, sister or adult dependant children.

320110784P

5.3.6 Persons who are former residents of the Borough of Ribble Valley who have been forced to move from the Borough because of a lack of affordable housing in the Borough

5.4 In the event that the Owners are unable to dispose of the House to an Approved Person because it is unable to find a person who meets the definition of Approved Person in this Agreement then the Owners shall use reasonable endeavours to market the House to a potential Approved Person for a period of at least three months. If at the end of the period of three months in which the House has been marketed and no Approved Person has been identified then the Owners may dispose of the House to a person who is not an Approved Person. The three month marketing period shall begin from the date that the Council is notified in writing that marketing is to commence.

5.5 The Council shall confirm its approval or otherwise to the proposed Approved Person within 5 working days from the Owners giving notice to the Council.

THE COMMON SEAL OF RIBBLE)

VALLEY BOROUGH COUNCIL was)

hereunto affixed to this Deed in the)

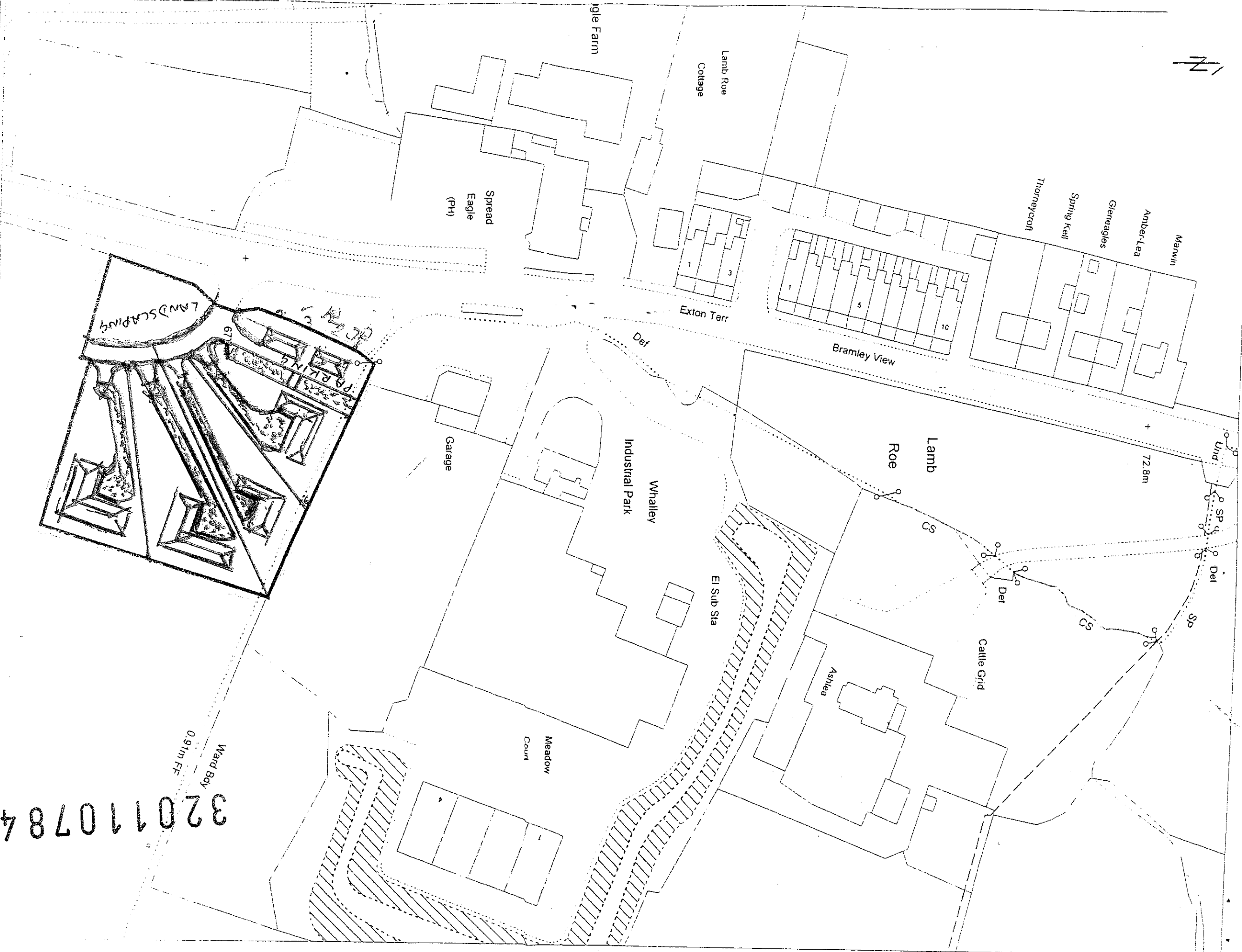
presence of:)

Mayor

Chief Executive

EXECUTED AND DELIVERED AS A DEED)

320110784P



Site 239 Garden Centre, Clitheroe Road, Barrow

Scale: 1:4250 SD7337NE Do not scale from this plan. © Crown Copyright. All rights reserved. Licence No. 100018641 March 2009

PROPOSED

GRID REF. 73573750

320110784