



FOR THE ATTENTION OF

15 MAR 2012

For office use only
 Application No: 320120241P
 Date received
 Fee paid £ Receipt No:

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

Application for Planning Permission.
 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: DAVID
 Last name: BROOKES
 Company (optional):
 Unit: House number: 13 House suffix:
 House name:
 Address 1: BRIDGE ROAD
 Address 2: CHATBURN
 Address 3:
 Town: CLITHEREO
 County:
 Country:
 Postcode: BB7 4AA

2. Agent Name and Address

Title: MR First name: STEPHEN
 Last name: BIALECKI
 Company (optional): S.S. BIALECKI LIMITED
 Unit: House number: House suffix:
 House name: ROSEDALE
 Address 1: BACK LANE
 Address 2: GRINDLETON
 Address 3:
 Town: CLITHEREO
 County:
 Country:
 Postcode: BB7 4RZ

3. Description of the Proposal

Please describe the proposed development, including any change of use:

'CHANGE OF USE' OF LAND AND
 CONSTRUCTION OF 4/3 STOREY HOUSES
 (RESUBMISSION) 8/03/12 APP NO A2K/3/2011/0306

Has the building, work or change of use already started? Yes No
 If Yes, please state the date when building, work or use were started (DD/MM/YYYY): (date must be pre-application submission)
 Has the building, work or change of use been completed? Yes No
 If Yes, please state the date when the building, work or change of use was 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: **CHATBURN VILLAGE MOTOR CO**

Address 1: **SAKILEY ROAD.**

Address 2: **CHATBURN.**

Address 3:

Town:

County: **CLITHEROE**

Postcode (optional): **BB7 4AS.**

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: **MR. C. SHARP.**

Reference: **C.S. (EL) ENQ. 2010/00456**

Date (DD/MM/YYYY):

(must be pre-application submission)

Details of pre-application advice received?

SEE ATTACHED LETTER TO PLANNERS & RESPONSE

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

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

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

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

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

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)

DRAWING NOS 7001, 2b, 3g, 4a, 5 & 6

7. Waste Storage and Collection

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

If Yes, please provide details:

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

If Yes, please provide details:

8. Neighbour and Community Consultation

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

If Yes, please provide details:

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:

320120241P

F.A.O. LESLEY (LTD).
slb

10. 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 |
|---|--------------------------------|---------------------------------|-------------------------------------|--------------------------|----------------------------------|
| | HIGHBORNE HERRAL | | | | |
| Walls | STONE | STONE (REINFOR) | <input type="checkbox"/> | <input type="checkbox"/> | |
| Roof | Blue Slate | Blue Slate | <input type="checkbox"/> | <input type="checkbox"/> | |
| Windows | PLASTIC | PLASTIC | <input type="checkbox"/> | <input type="checkbox"/> | |
| Doors | PLASTIC | PLASTIC | <input type="checkbox"/> | <input type="checkbox"/> | |
| Boundary treatments (e.g fences, walls) | --- | STONE FACE TO POSTING BLOCKS | <input type="checkbox"/> | <input type="checkbox"/> | |
| Vehicle access and hard-standing | --- | TARMACADAM. | <input type="checkbox"/> | <input type="checkbox"/> | |
| Lighting | --- | --- | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Others (please specify) | | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |

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:

DESIGN AND ACCESS STATEMENT
BAT SURVEY (ECOLOGY REPORT)
CONTAMINATION (DESK STUDY)

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) | Difference in spaces |
|--|----------------|--|----------------------|
| Cars | 20 | 5 | 15 |
| 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

Are you proposing to connect to the existing drainage system? 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):

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

How will surface water be disposed of?

- Sustainable drainage system Existing watercourse
 Soakaway Pond/lake
 Main sewer

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

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

c) Features of geological conservation importance:

- Yes, on the development site
 Yes, on land adjacent to or near the proposed development
 No

15. Existing Use

Please describe the current use of the site:

CAR - WASH - VALETING
FOR CARS.

Is the site currently vacant? Yes No

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

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

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

18. Residential Units (Including Conversion)

Does your proposal include the gain, loss or change of use of residential units? Yes No
 If Yes, please complete details of the changes in the tables below:

Proposed Housing

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

Existing Housing

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

Social Rented

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

Social Rented

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

Intermediate

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

Intermediate

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

Key worker

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

Key worker

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

Total proposed residential units (A+B+C+D) = 4

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

TOTAL NET GAIN or LOSS of RESIDENTIAL UNITS (Proposed Housing Grand Total - Existing Housing Grand Total): 4

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

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) | Total gross internal floorspace proposed (including change of use)(square metres) | Net additional gross internal floorspace following development (square metres) |
|-----------------------|-------------------------------------|--|---|---|--|
| A1 | Shops | <input type="checkbox"/> | | | |
| | Net tradable area: | <input type="checkbox"/> | | | |
| A2 | Financial and professional services | <input type="checkbox"/> | | | |
| A3 | Restaurants and cafes | <input type="checkbox"/> | | | |
| A4 | Drinking establishments | <input type="checkbox"/> | | | |
| A5 | Hot food takeaways | <input type="checkbox"/> | | | |
| B1 (a) | Office (other than A2) | <input type="checkbox"/> | | | |
| B1 (b) | Research and development | <input type="checkbox"/> | | | |
| B1 (c) | Light industrial | <input type="checkbox"/> | | | |
| B2 | General industrial | <input type="checkbox"/> | | | |
| B8 | Storage or distribution | <input type="checkbox"/> | | | |
| C1 | Hotels and halls of residence | <input type="checkbox"/> | | | |
| C2 | Residential institutions | <input type="checkbox"/> | | | |
| D1 | Non-residential institutions | <input type="checkbox"/> | | | |
| D2 | Assembly and leisure | <input type="checkbox"/> | | | |
| OTHER | Please specify | <input type="checkbox"/> | | | |
| | COMMERCIAL (AM) | <input type="checkbox"/> | 7000 m ² | | |
| | Total | | 7000 m ² | | |

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 | Total rooms proposed (including changes of use) | Net additional rooms |
|-----------|--------------------------|--------------------------|--|---|----------------------|
| C1 | Hotels | <input type="checkbox"/> | | | |
| C2 | Residential Institutions | <input type="checkbox"/> | | | |
| Other | Hostels | <input type="checkbox"/> | | | |

20. Employment

Please complete the following information regarding employees:

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

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 |
|-----|------------------|----------|--------------------------|-----------|
| | | | | |
| | | | | |
| | | | | |

22. Site Area

Please state the site area in hectares (ha) 7000 m² (0.07) ha

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:

Is the proposal a waste management development? Yes No

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) | Maximum annual operational throughput in tonnes (or litres if liquid waste) |
|--|--------------------------|--|---|
| Inert landfill | <input type="checkbox"/> | | |
| Non-hazardous landfill | <input type="checkbox"/> | | |
| Hazardous landfill | <input type="checkbox"/> | | |
| Energy from waste incineration | <input type="checkbox"/> | | |
| Other incineration | <input type="checkbox"/> | | |
| Landfill gas generation plant | <input type="checkbox"/> | | |
| Pyrolysis/gasification | <input type="checkbox"/> | | |
| Metal recycling site | <input type="checkbox"/> | | |
| Transfer stations | <input type="checkbox"/> | | |
| Material recovery/recycling facilities (MRFs) | <input type="checkbox"/> | | |
| Household civic amenity sites | <input type="checkbox"/> | | |
| Open windrow composting | <input type="checkbox"/> | | |
| In-vessel composting | <input type="checkbox"/> | | |
| Anaerobic digestion | <input type="checkbox"/> | | |
| Any combined mechanical, biological and/or thermal treatment (MBT) | <input type="checkbox"/> | | |
| Sewage treatment works | <input type="checkbox"/> | | |
| Other treatment | <input type="checkbox"/> | | |
| Recycling facilities construction, demolition and excavation waste | <input type="checkbox"/> | | |
| Storage of waste | <input type="checkbox"/> | | |
| Other waste management | <input type="checkbox"/> | | |
| Other developments | <input type="checkbox"/> | | |

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) <input type="text"/> | Ethylene oxide (tonnes) <input type="text"/> | Phosgene (tonnes) <input type="text"/> |
| Ammonia (tonnes) <input type="text"/> | Hydrogen cyanide (tonnes) <input type="text"/> | Sulphur dioxide (tonnes) <input type="text"/> |
| Bromine (tonnes) <input type="text"/> | Liquid oxygen (tonnes) <input type="text"/> | Flour (tonnes) <input type="text"/> |
| Chlorine (tonnes) <input type="text"/> | Liquid petroleum gas (tonnes) <input type="text"/> | Refined white sugar (tonnes) <input type="text"/> |

Other:

Other:

Amount (tonnes):

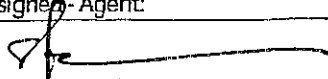
Amount (tonnes):

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): |
| |  | 08/02/12 |

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): |
| | | |

25. 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, 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 to which this application relates, but I have/ the applicant has been unable to do so

The steps taken were:

[Empty box for steps taken]

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

[Empty box for newspaper name]

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

[Empty box for date]

Signed - Applicant:

[Empty box for applicant signature]

Or signed - Agent:

[Empty box for agent signature]

Date (DD/MM/YYYY):

[Empty box for date]

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:

[Empty box for applicant signature]

Or signed - Agent:

[Signature]

Date (DD/MM/YYYY):

08/03/12

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:

[Empty box for applicant signature]

Or signed - Agent:

[Empty box for agent signature]

Date (DD/MM/YYYY):

[Empty box for date]

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.

- 3 copies of a completed and dated application form: The correct fee: 4/335 = 1340
- 3 copies of a design and access statement:
- 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 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:

[Empty box for applicant signature]

Or signed - Agent:

[Signature]

Date (DD/MM/YYYY):

08/03/12

(date cannot be pre-application)

28. Applicant Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

29. Agent Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

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:

PROPOSED
RESIDENTIAL DEVELOPMENT
AT
CHATBURN VILLAGE MOTOR COMPANY
SAWLEY ROAD
CHATBURN
DESIGN AND ACCESS STATEMENT

320120241P

JB 28/03/11

ASSESSMENT

PRESENT USE

The site has presently a commercial use, for car sales, valeting and 2 car washers.

SITE DESCRIPTION

The usable site area is irregular in shape and comprises approximately 700m² (0.07) hec

Site access is from Sawley Road along the north west boundary. There is an optional vehicle access from Sawley Road via a site track north east of the site presently not in use

A masonry retaining wall approximately 2.50m high separates the usable site from neighbouring land along the south east and partial north east boundaries.

The south west boundary has a concrete block wall separating the hard standing to 8 Sawley Road which is the end of a terrace of 4 with commercial use.

There is a raised landscaped area with mature tree at the south west entrance of the site.

There is another mature tree on the raised isolated piece of land on the north east boundary.

Against the south east boundary wall is a single storey building with pitched roof used for ancillary storage to the business.

Central to the site is a single storey building purpose built as an office with toilet facilities

The remainder open spaces are used for car sales valeting visitor car parking etc.,

SITE LOCATION

The site is within the settlement boundary of Chatburn as defined by Policy G4 of the Ribble Valley District Wide Local Plan.

There is a public car park and Chatburn Church of England School directly opposite the application site on the north west side of Sawley Road,

320120241P

21/03/11
8/13

There is a commercial building with for-court north east of the application site separated by an un-adopted track. The commercial building is currently used for the renovation of classic cars.

On the south east side of the application site, which is the raised area, there are some lock up garages with access from the side track as previously mentioned.

POLICY DEMANDS

In all essence the application site is surrounded by development and is not designated as an essential open space, there fore the site can be considered "Infill" on which development would be acceptable in principle under the terms of Policy G4

Under the circumstances we propose a development to reflect the character of the village in terms of scale , design and density and not to have any detrimental visual impact on the locality

PRE-APPLICATION ADVISE

This application follows pre-application advise in the form of a written statement signed 20th September 2009 and a response from the Planning Department dated 13th December 2010, both of which form part of this application

Advise was sought for a 2 storey residential – commercial building , with an encouraging response subject to compliance with relevant policy demands.

Relating to the commercial aspect of enquiries, current and future circumstances are not encouraging to pursue this avenue of development , therefore we are taking the route of a 4 house residential development

We are further advised the site is outside but immediately adjoins the Chatburn Conservation area, as such any development will have an effect upon the appearance and character of the Conservation area. We have therefore taken great care the design of the building and external materials complement the existing neighbouring buildings. In this sense the use of natural materials (this subject is covered in the design section of this statement)

320120241P

4/10
28/02/10

ENVIRONMENTAL ISSUES

With reference to the amenities of any nearby residents, effectively there are no immediate nearby residents, the nearest being 6 Sawley Road which is next door but one to the site because 8 Sawley Road has commercial status. Under the circumstances designed window positions will have no detrimental effect upon the amenities of any nearby residents

TREES

There are two mature trees within the application site curtilage, the attached Arboricultural Consultant report gives support to the development the stability and long term health of the trees remain intact.

DESIGN AND MATERIALS

The principle design issue is to provide three bedroom dwellings to suit the needs of young families (it is a proven fact 2 beds become unsuitable with more than one child families) Therefore car parking becomes an issue having to provide 2 spaces per 3 bedroom dwellings.

In this instance each dwelling shall have an integral garage with car space to the frontage providing 2 spaces per dwelling.

Under the circumstances the properties shall be three storey by keeping ceilings to a minimum. The proposed gutter heights shall still be lower than those of the immediate terrace block 2-8 Sawley Road.

FLOOR LAYOUTS

- Ground floor :- garage with entrance hall with cloaks and combined kitchen-dining room
- First floor :- lounge, bathroom and bedroom with landing area
- Second floor :- two bedrooms with landing area

320120241P

Handwritten signature

Front elevation roof lines shall be broken with gablets serving second floor bedrooms.
Conservation type velux lights to rear sloping roof serving second floor bedrooms

Front and side elevation walls out of Ashlar sandstone (not a pronounced pitch faced) with sandstone quoins to all vertical corners. Masonry openings to have dressed sand stone (with tool finish) heads and cills. . Rear elevation to have a rough cast finish using Granolithic sand. Roof cover out of new blue slates using (500 x 250 spanish)

ACCESS AND SITE LAYOUT

The dwelling layouts are staggered to suit the shape of cutilage available providing gardens to the rear and sides. Car spaces footpaths and side gardens to the front of each property.

The existing Sawley Road vehicular access shall be widened to allow a turning head and all cars leaving the site in first gear . Kerbs and footpath shall be dropped to L.C.C. standards.

The north east access via the side track shall be permanently blanked off

Car spaces, access apron and turning head shall have a tar macadam surface finish.

The existing concrete block retaining walls shall be lined with rubble sand stone and capped with dressed sand stone copings.

320120241P

Handwritten signature
28/02/11

PROPOSED
RESIDENTIAL DEVELOPMENT
AT
CHATBURN VILLAGE MOTOR COMPANY
SAWLEY ROAD
CHATBURN

320120241P

ADDENDUM DESIGN AND ACCESS STATEMENT

JS 07/03/12

320120241P

This statement is in support of the represented Design and Access Statement
Dated 28/03/11

Circumstances relating to the applicants business use dictated the application was withdrawn at the time and now represented within the extant period.

In the meanwhile of the invalid period we have re-addressed the site and now present an amended scheme which is not significantly different to the withdrawn scheme that should raise concern.

The principle alteration is separating units 2 & 3 by 1.0m creating two pairs of semi-detached houses from a quasi group foot print sizes remain the same.

BOUNDARY WALL

The first boundary wall retaining the higher neighbouring track which varies in height from 2.20m to 0.6, south west and is noted on Drawing No 7002/9 as the primary wall with an inner secondary wall. In all probability the secondary wall was built in support to a suspect primary wall. Hence a section of the primary wall requires partial rebuilding which will allow part of the secondary wall not to be rebuilt, thus providing a wider site.

The wider site allows separating dwelling 2 & 3 with no shift north-south (back to front)

HIGHWAYS

The site entrance detail and general layout remains the same. The common area as shown on the site plan is extended within the garden area of Plot 1, allowing two additional car spaces for that unit using the car space in front of the house as a turning head and visa-versa.

The car space to unit 4 is now to the left of the plot which is an improvement to the first scheme when the car space was to the right against the wall and a little tight.

sf/s 07/03/12

FLOOR LAYOUTS

UNIT 1

A lounge shall now replace the previous garage because of the two car spaces.

Units 2-3 & 4 now show ground floor bedrooms with kitchen at first floor in unison with the dining and lounge areas.

Front elevation (north) first floor windows show french doors in lieu of one of the windows with Romeo and Juliet balcony rail. The rail will project 200mm with no floor area extension.

Amenity space of neighbouring properties will not be compromised by this alteration.

320120241P

8/3 07/03/12

CHATBURN VILLAGE MOTOR COMPANY

SUPPORTING STATEMENT

PRESENT SITE USE

The site has presently a commercial use, for car sales, valeting and 2 car washers.

SITE DESCRIPTION

The usable site area is approximately 700m² (0.07) hectare.

Site access is from Sawley Road along the north west boundary. The principle access being south of Sawley Road with an optional access north via a side track/

A masonry retaining wall, approximately 2.50m high separates the usable site from neighbouring land along the south east and partial north east boundaries

There is a raised landscape area with mature tree at the south west entrance of the site.

Against the south east boundary wall is a single storey building with pitched roof used for ancillary storage to the business.

Central to the site is a single storey building purposed built as an office with toilet facilities.

The remainder open spaces are used for car sales, valeting, visitor parking etc.,

ASSESSMENT

In view of the recent and current recession the normal trend on car sales is being over shadowed by continued servicing in lieu of exchange.

This has a knock of effect to our clients business with car sales averaging one per month, in fact to date his last sale was 6 weeks ago.

The business principally relies on the car wash and incidental valeting.

As a direct consequence the business is presently not financially viable, and has been for sale for 6 months without sound interest with no future encouragement.

320120241P

AB 20/09/10

CHAIBURN VILLAGE MOTOR COMPANY

SUPPORTING STATEMENT

PRESENT SITE USE

The site has presently a commercial use, for car sales, valeting and 2 car washers.

SITE DESCRIPTION

The usable site area is approximately 700m² (0.07) hectare.

Site access is from Sawley Road along the north west boundary. The principle access being south of Sawley Road with an optional access north via a side track/

A masonry retaining wall, approximately 2.50m high separates the usable site from neighbouring land along the south east and partial north east boundaries.

There is a raised landscape area with mature tree at the south west entrance of the site.

Against the south east boundary wall is a single storey building with pitched roof used for ancillary storage to the business.

Central to the site is a single storey building purposed built as an office with toilet facilities.

The remainder open spaces are used for car sales, valeting, visitor parking etc.,

ASSESSMENT

In view of the recent and current recession the normal trend on car sales is being over shadowed by continued servicing in lieu of exchange.

This has a knock of effect to our clients business with car sales averaging one per month, in fact to date his last sale was 6 weeks ago.

The business principally relies on the car wash and incidental valeting.

As a direct consequence the business is presently not financially viable, and has been for sale for 6 months without sound interest with no future encouragement.

AB 20/09/10

PROPOSALS

It is proposed to redevelop the site providing personal residential accommodation coupled with the same commercial use.

This would be in the form of erecting a building providing 75 percent residential accommodation and the remainder commercial.

The building would be designed as such to allow conversion into four town houses.

The principle plan is to continue the business and ride through the recession leading onto long term conversion.

However if the business continues to struggle then the option of conversion would be brought forward to develop and raise income.

DESIGN

The building would be oblong in shape with 3 principle separating walls, forming 4 sections. At ground floor one of the separating walls will be omitted providing an open space for the business side in the form of small car show room - valeting - office - toilet.

The remainder ground floor and first floor will form the living quarters. In lieu of first floor ceiling joists a structural floor shall be built in to allow future conversion providing accommodation in the roof space. Velux lights will be built into the front roof slopes.

Having assessed the site and immediate location, space distances to neighbouring properties should not be an issue.

MATERIALS

External walls will be out of stone to front and gables, with block render to the rear under a natural slate roof

sfB 20/09/10

PROPOSALS

It is proposed to redevelop the site providing personal residential accommodation coupled with the same commercial use.

This would be in the form of erecting a building providing 75 percent residential accommodation and the remainder commercial.

The building would be designed as such to allow conversion into four town houses.

The principle plan is to continue the business and ride through the recession leading onto long term conversion.

However if the business continues to struggle then the option of conversion would be brought forward to develop and raise income.

DESIGN

The building would be oblong in shape with 3 principle separating walls, forming 4 sections. At ground floor one of the separating walls will be omitted providing an open space for the business side in the form of small car show room – valeting – office – toilet.

The remainder ground floor and first floor will form the living quarters. In lieu of first floor ceiling joists a structural floor shall be built in to allow future conversion providing accommodation in the roof space. Velux lights will be built into the front roof slopes.

Having assessed the site and immediate location, space distances to neighbouring properties should not be an issue.

MATERIALS

External walls will be out of stone to front and gables, with block render to the rear under a natural slate roof.

sfB 20/09/10

SUMMARY

We would be grateful for the Planning Department to advise that our proposals may comply in principle . We appreciate there would be many other issues to address if the scheme was for full domestic residence in the first instance which we would address at the time.

If we are encouraged to formally apply for Planning Permission, please advise on principle criteria to be presented to meet validation.

The attached draft plans No 6001-2 illustrate our proposals. We look forward to your comments and guidance in the near future.

FB 20/02/10

SUMMARY

We would be grateful for the Planning Department to advise that our proposals may comply in principle. We appreciate there would be many other issues to address if the scheme was for full domestic residence in the first instance which we would address at the time.

If we are encouraged to formally apply for Planning Permission, please advise on principle criteria to be presented to meet validation.

The attached draft plans No 6001-2 illustrate our proposals. We look forward to your comments and guidance in the near future.

FB 20/02/10



Andrew Piercy

Professional Tree Care

A. and S. Piercy
1 Eastmoor Drive
Clitheroe
Lancashire
BB7 1LG
Tel: 01200 429095

4pm 29th March 2011

ref:R/S Bialecki11

Page 1 of 2

Report on two trees near Chatburn Village Motor Co. Chatburn.

Remit

This report was commissioned for Stephen Bialecki to support an application for development on the site.

Weather

Overcast, cool.

320120241P

Site and situation.

There are two trees on the site tree T1 is at the front of the site near the road and footpath, it is in a large roughly triangular (13m x 14m x 9m) raised bed with grass and shrubs, the tree is 1m from the path side of the bed

Tree T2 is at the rear of the site less than 2m from a 2m retaining wall which forms part of a building, there are fences and gardens near the tree. The rest of the site is mostly hard surfaces.

Tree.

Tree T1 is a fully mature Sycamore (*Acer pseudoplatanus*) 14m tall and has a DBH (trunk diameter at breast height) of 0.67m and a fairly symmetrical crown with a branch spread of 5m, it has a significant covering of ivy which is beginning to compete with the tree, some branch tips reach to a neighbouring property, there is some dead wood hanging up in the crown, but it appears generally sound.

Tree T2 is a mature Sycamore (*Acer pseudoplatanus*) 12m tall and double stems with a DBH of 0.48m and 0.33m it has a branch spread of 5m. There is a slight imbalance in the crown and a few tight forks with a small amount of superficial decay but it seems generally sound it is the most vigorous of the trees on the site.

Comments and recommendations.

These trees are part of an important aesthetic feature of the area and are an asset to the site.

Tree T1 is suffering from competition with the ivy it also has a small quantity of deadwood which may be considered a hazard over the footpath, therefore the ivy should be severed but allowed to re grow and deadwood removed, branches interfering with neighbouring properties could be trimmed also.

Tree T2 could be lightly crown raised over the existing building to improve the balance of the crown.

The plan of the proposed development shows part of the retaining wall near tree T1 being moved, cutting into the raised bed approximately 1m, if this is done sensitively and soil levels are not altered this should not have significant detrimental effects on the stability or long term health of the tree. However it would be wise to protect this area from contractors etc by erecting a protective fence (see BS 5837 trees in relation to construction).

Tree T2 should not be adversely affected by the development.

For further details of care for trees on development sites please refer to BS 5837 trees in relation to construction.

Work should be carried out by a competent Arboriculturist to BS 3998.

N.B. All measurements and directions are approximate.

This Tree Report was prepared by A. Piercy (Qualified Arboriculturist)

320120241P

earthworks environmental design

9 Poorsland Barn, Slaidburn Clitheroe. Lancashire. BB7 3AE
01200 446859 / 07709 225783 / earthworksuk@yahoo.co.uk

Mr S.J. Bialecki

Rosedale
Back Lane
Grindleton
Clitheroe
Lancashire
BB7 4RZ

320120241P

9 March 2011

Ref: B919

Dear Mr Bialecki

Protected Species Survey (Bats) at: Chatburn Village Motor Company, Sawley Road, Chatburn. Clitheroe.

Introduction

You have requested an inspection of the above named property on behalf of your client Mr David Brocks, to carry out a protected species survey (bats) as a condition of an application to Ribble Valley Borough Council for development of the site requiring demolition of all existing buildings as shown in figures 1 to 6 of this report

The local authority requires an appraisal of the impact of the development on all protected species in accordance with PPS9. Additionally mitigation procedures are normally required to protect bats and their roosts and ensure there are *'no adverse effects on the favourable conservation status of a bat population'*.

A scoping survey and daylight inspection was undertaken on Friday 4 March 2011 between 10.15 and 10.45.

The weather at the time of the inspection was mild, dry and bright (max temperature: 10.5°C; cloud cover: 5/8, wind: light to moderate NW providing satisfactory conditions for a site survey.

The inspection has found no evidence of bat activity at the property and therefore it is highly unlikely that bats will be disturbed during the demolition and site clearance.

Survey methodology

The protected species survey (bats) provides a daylight (winter) assessment of the property.

The aim of a bat inspection is to make an assessment of the potential value of the site for European Protected Species (EPS) and to establish whether bats have ever been active within any part of the property that will be affected by the building operations.

The survey methodology follows the recommended monitoring guidelines published by the Bat Conservation Trust (*BCT – Bat Surveys, Good Practice Guidelines, 2007*), Natural England (*Survey Objectives, Methods and Standards as outlined in the Bat Mitigation Guidelines, 2004*) and Survey and Monitoring Methods, (*Bat Worker's Manual, JNCC, 2004*).

Non-intrusive survey methods were used to assess the use of the property by bats. The search was made using a high-powered lamp (Clu-lite 1,000,000 candle power), close-focussing binoculars (Leica Trinovid) and digital camera (Kodak MD41) to view all likely areas of the building for the presence of bats, ie. droppings and urine and grease staining, feeding remains such as discarded moth and butterfly wings and other insects fragments typically found in a feeding and resting area.

Personnel

The survey was carried out by David Fisher (Earthworks Environmental Design) - an experienced ecological consultant with more than 25 years experience of bat ecology and field survey work and a Natural England bat licence holder since 1990; current NE licence No: 20103384, (Conservation, Science and Education).

Data search

A local data search was carried to identify any relevant records of bat activity within 1km of the site. The following bat species are known to be present within the wider district - NBN 10km square SD74:

- Natterer's bat (*Myotis nattereri*)¹
- Whiskered bat / Brandt's bat (*M. mystacinus / M. brandtii*)
- Daubenton's bat (*M. daubentonii*)*
- Brown long-eared bat (*Plecotus auritus*)*
- Common pipistrelle (*Pipistrellus pipistrellus*)*
- Soprano pipistrelle (*P. pygmaeus*)¹
- Noctule bat (*Nyctalus noctula*)¹

*National Biodiversity Network (NBN) datasets, (terrestrial mammals) recorded in the 10km square SD74 ¹EED dataset (1997 - 2011)

The following websites and datasets were consulted during the preparation of this report:

1. National Biodiversity Network (NBN) database, (terrestrial mammals - chiroptera)
2. North Lancashire Bat Group
3. East Lancashire Bat Group
4. Lancashire Biodiversity Partnership
5. EED dataset (Lancashire bat records 2000 - 2011)
6. Magicmap interactive map
7. Natureonthemap (Natural England)
8. Multimap
9. MARIO - Maps and related information online (Lancashire County Council)
10. Bat Conservation Trust (BCT)

320120241P

There are no bat records at this particular property.

The nearest record of roosting bats is 100m of the site at NGR: SD 769442 (*non-breeding pipistrelle roost - 21.08.1998 EED/ BCT database*).

Constraints

The scoping survey was undertaken during early March and is outwith the optimum survey period for bat activity (1 May to 30 September).

Evening emergence and / or dawn re-entry surveys at this property have not been undertaken

The survey methodology is designed to determine the likely presence of bats within the building and does not necessarily prove absence.

Daylight assessments rely largely on 'non-intrusive' survey techniques (*Bat Surveys, BCT, 2007, 3.8.2*).

National Biodiversity Network (NBN Gateway) database records do not confirm presence or absence of a species or habitat.

Absence of records does not imply that a particular bat species is not present within the recording area.

Proposed development

Demolition of the existing buildings including a single storey office / reception area, 2 No. car-wash bays and a single storey rendered block-work building / workshop at rear of site.

Description of the property

The property is located within the village centre of Chatburn and comprises a motor sales area with forecourt and parking, single storey office / reception building (figures 1 to 4) with (11" cavity wall) pre-cast concrete block construction and shallow mono-pitch timber roof. The bitumen roof has a timber fascia soffit on three elevations with two large glazed windows to the front elevation and a small washroom and WC to the rear.

The car-wash facility has two operating bays; the steel frame construction supports a box-section fibre glass roof and the bays are fully open as shown (figure 5)

A single storey building at the rear of the property has rendered block-work construction and is adjacent to a high block-work retaining wall (figure 6). The pitched slate roof appears to have a PVC sarking membrane and the fascia soffit on the front elevation is well-sealed and secure. The building is fully sealed for security purposes and contains an air compressor and other machinery.

Existing property (images)

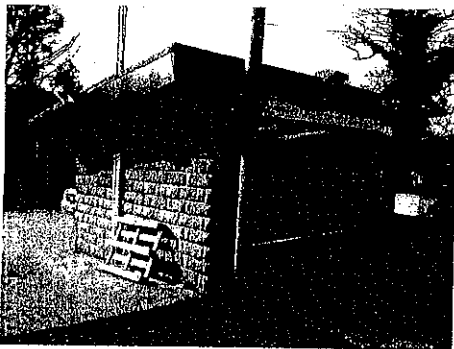


Fig 1:

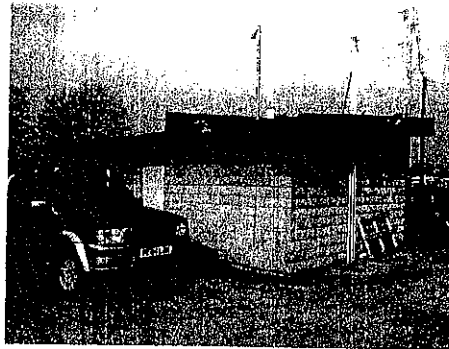


Fig 2:



Fig 3:

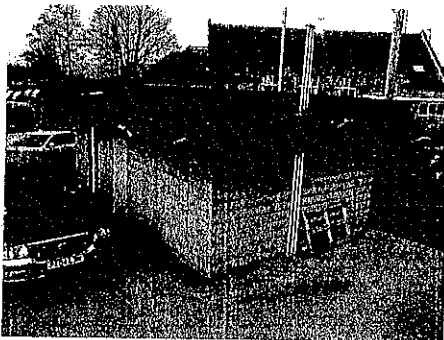


Fig 4:



Fig 5:



Fig 6:

Location of the property

The property is located within the built-up area of the village at NGR: SD 770443 at an elevation of 90m.

The site is not adjacent to open land or countryside and is very close to a road and other buildings; there is very poor connectivity to woodland and water courses

There are no designated nature conservation sites adjacent to the property – ie. Sites of Special Scientific Interest (SSSI), Biological Heritage Sites (BHS), National Nature Reserves (NNR's), Local Nature reserves (LNR's) or Regionally Important Geological and Geo-morphological Sites (RIGS)

The location of the property provides sub-optimal feeding, foraging and commuting habitat for bats and there is relatively poor connectivity to other habitats.

320120241P

Survey results

There is no evidence of bat activity at this property.

All buildings were inspected for evidence of bat roosting and feeding activity; none was found

All external features including walls, roofs, roof verges, valleys, lead flashings, gutters, fascia-soffits, window frames, doors and sills were inspected for evidence of bat activity; none was found.

The potential of these buildings to support roosting bats is negligible or low.

Evaluation of results

- The scale of impact of the proposed development at site level on local bat populations is likely to be negligible or low¹.
- The property is very well-sealed and secure therefore the potential of this building to support roosting, resting or perching bats is low.
- The potential of the building to support a maternity roost, hibernation roost or transitory / mating roost is also very low, consequently the overall conservation significance of the structure is low.²
- The surrounding land provides sub-optimal feeding, foraging and commuting habitat for bats.
- There are no records of roosting bats at this property (Data search). Bat feeding, foraging and commuting habitat within the locality is likely to be sub-optimal.
- The overall value of adjacent habitat features for feeding, foraging and commuting by bats is low.³
- The site is not adjacent to high-value or optimal feeding and foraging habitat, there are no extensive areas of woodland or standing water nearby and connectivity to other habitats is relatively poor.
- Using current good practice guidelines to assess the level of survey effort that is required at the property, it is recommended that further survey work is not required and building works should proceed with reasonable caution and vigilance for the unexpected presence of isolated roosting or resting bats* (refer to: mitigation notes below)

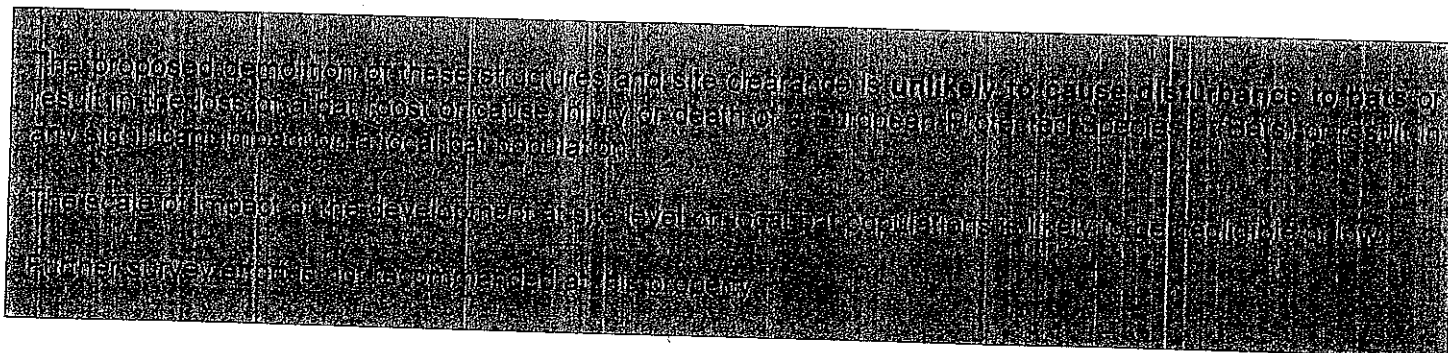
¹ The scale of main impacts at site level on bat populations – Table 6.1 p37 - (BMG, 2004)

² Guidelines for proportionate Mitigation, (Bat Mitigation Guidelines, 2004)

³ Guidance for assessing the value of habitat features – (BCT 2007, Bat Surveys, Good Practice Guidelines, p21)

* Flow chart depicting the process for deciding what level of survey is necessary, (BCT, Bat Surveys, 2007, p24)

Summary and recommendations



320120241P

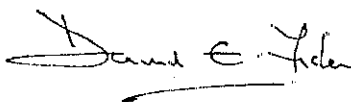
Impacts and Mitigation

| MITIGATION NOTES | |
|---|---|
| Mitigation refers to the practices adopted to reduce or remove the risk of disturbance, injury or death to protected species or damage to a protected site. Mitigation guidelines demonstrate how to manage the risks to bats from proposed development activities and should be followed throughout the development process. | |
| ACTION: | METHOD: |
| 1. Timing constraints | None |
| 2. Accidental exposure of bats | <p>In the unlikely event of bats being exposed or vulnerable to harm, all work in that area must stop immediately. Cover the exposed bats to reduce further risk of harm and seek further advice by calling the Bat Conservation Trust (BCT) helpline on 0845 1300 228</p> <p>Stop work immediately if bats are exposed or likely to be disturbed.</p> <p>All contractors should be aware of their responsibilities to protected species. If accumulations of droppings are found during the removal of the roofing materials, stop work and seek advice before continuing work in this area.</p> |
| 3. Avoid handling bats | Contractors should avoid handling bats but where there is no alternative, use gloves or a small container to move them to a dark and quiet area, preferably without causing them to fly in daylight. |
| 4. Legal protection | Site contractors and project managers should be fully aware of the legal protection afforded all species of bat in the UK and procedures should be in place to mitigate for the potential impact on bats - see notes on 'Bats and the Law' in this report. |
| 5. Further advice | If you require further advice on bats during the proposed building operations or if you find an injured or resting bat, call BCT immediately; they will normally contact a qualified bat worker in the local area who will visit the site and provide further advice free of charge. |
| 6. Post-development monitoring | None. |
| 7. Additional survey effort | Not required |

Please note:

I do not provide a copy of this report to the local planning authority, therefore it is your responsibility to forward the report to Ribble Valley Borough Council.

Yours sincerely



David Fisher

320120241P

Wildlife legislation – Bats and the law

All bat species in the UK receive full protection under the Wildlife and Countryside Act 1981 (amended by the Environment Protection Act 1990) The Countryside and Rights of Way Act 2000 amends the Wildlife and Countryside Act to also make it an offence to intentionally or recklessly damage, destroy or obstruct a place that bats use for shelter or protection. All species of bats are listed on Schedule 5 of the 1981 Act, which makes it an offence to:

- *intentionally kill, injure or take any wild bat.*
- *intentionally or recklessly damage, destroy or obstruct access to any place that a wild bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.*
- *intentionally or recklessly disturb any wild bat while it is occupying a structure or place which it uses for shelter or protection.*

The protected status afforded to bats means planning authorities may require extra information (in the form of surveys, impact assessments and mitigation proposals) before determining planning applications for sites used by bats. Planning authorities may refuse planning permission solely on grounds of the predicted impact on protected species such as bats. Recent case law has underlined the importance of obtaining survey information prior to the determination of planning consent¹.

*"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by a development proposal, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*²

All British bat species are included in Schedule 2 of the Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007, (also known as Habitats Regulations) which defines 'European Protected Species' (EPS)

¹ Bat Mitigation Guidelines, A.J Mitchell Jones, Joint Nature Conservation Committee, (2004) ISBN 1 86107 558 8

² Planning Policy Statement (PPS9) (2005), Biodiversity and Geological Conservation ODPM.

Protected species (Bats) and the planning process¹

For development proposals requiring planning permission, the presence of bats, and therefore the need for a bat survey, is an important 'material planning consideration'. Adequate surveys are therefore required to establish the presence or absence of bats, to enable a prediction of the likely impact of the proposed development on them and their breeding sites or resting places and, if necessary, to design mitigation and compensation. Similarly, adequate survey information must accompany an application for a Habitats Regulations licence (also known as a Mitigation Licence) required to ensure that a proposed development is able to proceed lawfully.

The term 'development' [used in these guidelines] includes all activities requiring consent under relevant planning legislation and / or demolition operations requiring building control approval under the Building Act 1984.

Natural England (Formerly English Nature) states that development in relation to bats "covers a wide range of operations that have the potential to impact negatively on bats and bat populations. Typical examples would be the construction, modification, restoration or conversion of buildings and structures, as well as infrastructure, landfill or mineral extraction projects and demolition operations".

(Mitchell-Jones, 2004)

¹ 2.2.3 - Planning for development, p10, Bat Surveys, Good Practice Guidelines, BCT (2007)

320120241P

Other references:

Bats, development and planning in England, (Specialist support series) - Bat Conservation Trust, 15 Cloisters House, 8 Battersea Park Road, London, SW8 4BG, 0845 1300 228

Clarification of the legal duty of Local planning Authorities' to European Protected species: High Court Judgment June 2009: (Wooley v Cheshire east Borough Council) - Bat Conservation Trust

Defra Circular 01/2005 (to accompany PPS 9) - Department for Environment, Food and Rural Affairs www.defra.gov.uk

Natural England, 1 East Parade Sheffield, S1 2ET, Enquiry Service: 0845 600 3078 enquiries@naturalengland.org.uk

Natural England, Cheshire to Lancashire Team, Electra Way, Crewe, Cheshire, CW1 6GJ Tel: 01270 754227