

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111 [www.ribblevalley.gov.uk](http://www.ribblevalley.gov.uk) [planning@ribblevalley.gov.uk](mailto:planning@ribblevalley.gov.uk)

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Town and Country Planning Act 1990

**PLANNING PERMISSION**

**APPLICATION NO:** 3/2021/1057

**DECISION DATE:** 3 February 2022

**DATE RECEIVED:** 15/10/2021

**APPLICANT:**

Miss Emma Maher  
37 Entwistle Drive  
Blackburn  
BB2 7GQ

**AGENT:**

Mr Russell Adams  
Adams Planning and Development Ltd  
The Oaks  
Oaks Drive  
Crook Road  
Bowness-on-Windermere  
LA23 3JA

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**DEVELOPMENT PROPOSED:** Change of use of land including the extension of existing access track, installation of fencing, planting and shelter to provide dog day care area and halfway house for Golf Course with associated infrastructure with ancillary facilities.

**AT:** Land at Mytton Fold Golf Course Whalley Old Road Langho BB7 9JF

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

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

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

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

RA-2158-01

RA-2158-02

RA-2158-03

RA-2158-04

Reason: For the avoidance of doubt as the proposal was the subject of agreed design improvements and/or amendments and to clarify which plans are relevant to the consent hereby approved.

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3. The materials to be used on the external surfaces of the development as indicated within the approved details shall be implemented in accordance with the approved details.

Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the area.

4. Within a period of 3 months from the date of this permission the building hereby approved shall have been stained a dark brown colour to the satisfaction of the Local Planning Authority and thereafter retained as such

Reason: to ensure a satisfactory appearance in the interests of landscape character and general visual amenity.

5. The landscaping proposals hereby approved (Drawing: RA-2158-01) shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority.

This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

All trees/hedgerow shown as being retained within the approved details shall be retained as such in perpetuity.

Reason: To ensure the proposal is satisfactorily landscaped and trees/hedgerow of landscape/visual amenity value are retained as part of the development.

6. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on drawing number RA-2158-04 have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of highway safety.

7. Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 0.9 metres above the nearside carriageway level which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

Reason: To ensure adequate inter-visibility between highway users at the street junction or site access, in the interests of highway safety.

8. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary, nor shall any be erected within a distance of 5 metres of the highway boundary unless hung to open away from the highway.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway.

9. The number of dogs shall be limited to a maximum of 16 individual dogs per day and there shall be no more than 8 dogs per staff member present. A register of customers including names of dogs, dates and duration of stay and their owners' names and home addresses shall be available for inspection by the Local Planning Authority on request.

All dogs shall be collected and dropped off by the site operators and there shall be drop offs or pickups made by customers. The development hereby permitted shall provide a pickup and drop off service for all 16 dogs for the duration of the site's use.

Reason: To define the scope of the consent the interest of highway safety and residential amenity.

10. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with drawing number RA-2158-01. Thereafter the onsite parking provision shall be so maintained in perpetuity.

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

11. The vehicular access gate to the site shall remain closed and locked at all times when not in use.

Reason: To prevent unauthorised access to the site in the interests of highway safety and amenity.

12. The dog day care use hereby approved shall only be operated between the following hours:  
09:00 to 17.00 Monday to Friday  
There shall be no business associated with the dog day care operated from the premises or site outside the stated operating hours including Sundays or Bank Holidays.

Reason: To comply with the terms of the application and in the interests of protecting the residential amenities of nearby residents.

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13. The use / development hereby approved shall be operated in strict accordance with the noise report and management plan ref 2021-36b. Records shall be kept and maintained at the premises to demonstrate that the different elements to the plan are being adhered to. Such records shall be available at the premises for inspection by the Local Planning Authority.

Reason: To prevent nuisance arising in the interests of residential amenity.

### **Note(s)**

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.

The Local Planning Authority has endeavoured to work proactively and positively to resolve issues and considered the imposition of appropriate conditions and amendments to the application to deliver a sustainable form of development.

3. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. The applicant should be advised to contact Lancashire County Council's Public Rights of Way section by email on PROW@lancashire.gov.uk, quoting the location, district and planning application number, to discuss their proposal before any development works begin.
4. The applicant is advised that they will need to apply to the authority for a Dog Day Care Licence under the The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

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*John Machole*

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DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

### **Notes**

#### **Right of Appeal**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

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- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
  - If this is a decision to refuse planning permission, or approve with conditions, a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
  - If this is a decision to refuse planning permission, or approve with conditions, a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

#### **Purchase Notices**

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