

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

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

Telephone: 01200 425111 www.ribblevalley.gov.uk planning@ribblevalley.gov.uk

Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2022/1165

DECISION DATE: 22 September 2023

DATE RECEIVED: 10/01/2023

APPLICANT:

The Woodfold Estate Partnership

C/o Agent

AGENT:

Mr R Maudsley

Sunderland Peacock Architects

Hazelmere

Pimlico Road

Clitheroe

BB7 2AG

DEVELOPMENT Application for Planning Permission for proposed refurbishment of existing farm

PROPOSED: house, conversion of existing attached and detached barns to create three new dwellings, conversion of outbuildings for associated residential use and external works. Resubmission of 3/2022/0727.

AT: Lower Reaps Farm Whinney Lane Mellor BB2 7EL

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 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase 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 in the following plans and documents:

1:2500 Location Plan Rev A
6590-P01E Proposed Site Plan
6590-P02C Proposed Ground Floor Site Plan
6590-P03B Proposed Farmhouse Floor Plans and Elevations
6590-P04C Proposed Barn Floor Plans and Elevations
6590-P05A Proposed Outbuilding Floor Plans and Elevations
6590-P06 Proposed Access Track
6590-P07A Boundary Treatment Drawing
6590-P08A Curtilage Drawing
VN232589-D100 Visibility Splay

Structural Engineer's Report 16th June 2022
Bar Survey Report and Method Statement (Bats) 19.09.2022

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.

3. Notwithstanding the submitted plans, the following details, including samples. shall be submitted to and approved in writing by the Local Planning Authority before their use in the proposed development:

- Details of windows door and opening to in-filled including reveals;
- Details of windows, door and openings to be created;
- Details of walling (stone and mortar) and roofing materials;
- Details of external and internal floor surfaces (including colour and texture); and
- Details of rainwater goods (cast iron or aluminium heritage style in black).

The approved details shall be implemented within the development in strict accordance with the approved details.

Reason: In order that the Local Planning Authority may ensure that the detailed design of the proposal safeguards the special architectural and historic interest of the listed buildings, the character and appearance of the area and that the detailed design of the proposal is appropriate to the locality area.

4. All new and replacement windows and doors shall be constructed in timber, of which precise specifications of proposed windows and doors including elevations cross - sections, glazing type, opening mechanism and surface finish shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development.

The approved windows and doors shall be implemented within the development in strict accordance with the approved details and shall thereafter be retained in perpetuity.

Reason: In order that the Local Planning Authority may ensure that the detailed design of the proposal safeguards the special architectural and historic interest of the listed buildings, the character and appearance of the area and that the detailed design of the proposal is appropriate to the locality area.

5. Notwithstanding the details shown upon the approved plans, the proposed roof lights shall be of the Conservation Type, recessed with a flush fitting, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall be carried out in strict accordance with the approved details.

Reason: In order that the Local Planning Authority may ensure that the detailed design of the proposal safeguards the special architectural and historic interest of the listed buildings, the character and appearance of the area and that the detailed design of the proposal is appropriate to the locality area.

6. (a) Notwithstanding the provisions of Classes A to H of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, the dwellings hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage unless planning permission has first been granted by the Local Planning Authority.

(b) Notwithstanding the provisions of Classes A-I of Schedule 2 Part 14 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, no renewable energy sources shall be attached to the dwelling, or placed within the residential curtilage, unless planning permission has first been granted by the Local Planning Authority.

Reason: In order that the Local Planning Authority may retain effective control over the development given its heritage status and Green Belt location.

7. No development, site clearance/preparation, or demolitions shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

The programme of works should comprise the creation of a record of the house to Level 3 as set out in 'Understanding Historic Buildings' (Historic England 2016), and the farm buildings to level 2/3 (to include cross sections) as set out in Understanding Historic Buildings. It should include full descriptions of the building, inside and out, a drawn plan, elevations and at least one section (which may be derived from checked and corrected architect's drawings), and a full photographic coverage, inside and out. The record should also include a rapid desk-based assessment, putting the building and its features into context.

This work should be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists (www.archaeologists.net). A digital copy of the report and the photographs shall be placed in the Lancashire Historic Environment Record prior to the dwelling consented being first occupied.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.

8. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 there shall not at any time in connection with the development hereby permitted, be erected or planted, or allowed to remain upon the land hereinafter defined, any building, wall, fence, hedge, tree, shrub or other device higher than 1m above the level of adjacent footway/verge/highway.

The visibility splay shall be that land in front of a line drawn from a point 2.4m measured along the centre line of Whinney Lane from the continuation of the nearer edge of the carriageway, 60m in each direction along the nearer edge of the carriageway of Whinney Lane from the centre line of the access, and shall be constructed and maintained at footway/verge level in accordance with the scheme shown on plan VN232589-D100.

Reason: To ensure adequate visibility at the street junction.

9. No new dwelling shall be occupied until the site access track and highway works have been constructed in accordance with the scheme set out on approved plan 6590-P06, including the proposed passing place indicated which shall measure 2m wide by 5.5m in length. The highway works shall therefore be retained thereafter.

Reason: To enable traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

10. The access, sightlines and parking arrangements shown on approved plan 6590-P01E shall be provided prior to any occupation of the dwellinghouses and thereafter retained.

Reason: In the interests of highway safety and to ensure adequate parking provision within the site.

11. Prior to the first occupation of each dwelling hereby approved details of the provision of 1no. electric vehicle charging point for each dwelling, in the locations as set out on proposed site plan 6590-P01E, shall have been submitted to and approved in writing by the local planning authority. These charging points shall have been made available for use prior to the first occupation of each dwelling and thereafter retained as such.

Reason: To contribute towards sustainable transport objectives and the reduction of harmful vehicle emissions.

12. No dwellinghouse hereby approved shall be occupied until the cycle facilities shown on approved plan 6590-P01E have been provided in accordance with the submitted details and these shall thereafter be retained at all times.

Reason: To ensure adequate provision is made for the storage of cycles and to promote sustainable transport.

13. The development hereby permitted shall not be commenced until details of the landscaping of the site, including the retention of existing trees, have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening.

The approved landscaping scheme 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 5 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.

Reason: To ensure a satisfactory appearance to this scheme within open countryside and provide an appropriate setting for these heritage assets.

14. Prior to commencement of any site works including delivery of building materials and excavations, all trees on site shall be protected in accordance with the BS5837 2012 [Trees in Relation to Demolition, Design & Construction]

The root protection/exclusion zone shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble. During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection/exclusion zone, in addition no impermeable surfacing shall be constructed within the protection zone.

Reason: In order to ensure that any trees affected by development considered to be of visual, historic or botanical value are afforded maximum physical protection from the potential adverse effects of development.

15. No demolition, ground works, site / vegetation clearance or construction shall commence until the Local Planning Authority has been provided in writing with either:

- a licence issued by Natural England pursuant to Regulation 39 of the Conservation of Habitats and Species Regulations 2010 in respect of the likely harm to bats as a result of the development authorising the specified activity / development go ahead; or
- a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

The development shall be carried out in strict accordance with the reasonable avoidance measures and enhancements set out in the bat survey report submitted with the application dated 19.09.2022 and with any other mitigation measures identified in the license.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and Section 15 of the National Planning Policy Framework.

16. No external lighting shall be installed on the dwellings hereby approved, or elsewhere within the site until details of a scheme for any external building or ground mounted lighting/illumination have been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the submitted details shall include the location, design, surface finish, luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated.

The development shall be carried out strictly in accordance with the approved details.

Reason: In order that the Local Planning Authority may ensure that the detailed design of the proposal safeguards the special architectural and historic interest of the listed building and to reduce the harmful impact of artificial lighting on the natural foraging/roosting/nesting behaviour of a protected/species of conservation concern.

17. Prior to the commencement of development, a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in the National Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015), or any subsequent replacement national guidance / standards, with evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates to be submitted. For the avoidance of doubt, surface water must drain separate from the foul and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

No dwelling shall be occupied or brought into first use until the drainage works associated with that dwelling have been completed in accordance with the approved scheme. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health and to prevent an undue increase in surface water run-off to reduce the risk of flooding.

18. The outbuilding hereby approved to be used in association with units 1 and 3 shall only be used for purposes incidental to the enjoyment of the dwelling and shall not be used as permanent or ancillary accommodation without express planning permission first being obtained.

Reason: In order to protect the amenity of the proposed residential units in a location where additional residential accommodation would not usually be permitted.

19. The residential curtilage for each unit hereby approved shall solely relate to the area indicated on approved plan 6590-P08A. No extension of the residential curtilage shall be undertaken without separate planning consent having first been granted by the Local Planning Authority.

The approved boundary treatments as indicated on approved plan 6590-P07A Boundary Treatment Drawing shall be erected and maintained as such within 2 months of first occupation of the dwellings hereby approved.

Reason: To define the scope of the consent hereby approved, to protect against encroachment of residential curtilage into the Green Belt and in the interests of the visual amenities of the area.

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.
3. 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.

4.	<p>1 Site contractors & site project managers shall be made aware of the legal protection afforded all species of bats in the UK.</p> <p>The building contractors shall take made aware that solitary roosting bats can be disturbed or exposed beneath roof materials such as roofing slates, timber battens and roofing membranes.</p> <p>Building contractors shall take additional care when removing fascia boards, verge tiles, ridge tiles, lead flashing and roofing felt..</p> <p>Timing of works</p> <p>Avoid removing roofing materials between May & August, remove lower roof tiles, battens & under felt carefully by hand.</p> <p>Transitional roosts - April -September/October Feeding roosts - May - November Maternity roosts - May - August Satellite roosts - May - August Mating roosts - September -November Night roosts - March - November Day roosts - March - November Hibernation roosts - October - March Mating/swarming roosts - August - November</p>
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	In the event that any bats are found or disturbed during any part of the development/roofing work, all work shall cease until further advice has been sought from a licensed ecologist.
2	Note: Relevant archaeological standards and lists of potential contractors can be found on the CfA web pages: http://www.archaeologists.net and the BAJR Directory: http://www.bajr.org/whoseWho/ . 'Understanding Historic Buildings' can be accessed online at https://historicengland.org.uk/imagesbooks/publications/understanding-historic-buildings/ .

Nicola Hopkins

NICOLA HOPKINS
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.

- 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/appeal-planning-decision> . If it is a householder appeal it can be made online at: <https://www.gov.uk/appeal-householder-planning-decision> . 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.