

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: 3/2023/0263

DECISION DATE: 27 June 2023

DATE RECEIVED: 28/03/2023

APPLICANT:

Mr James Warburton
James Places
Eaves Hall
Moor Lane
West Bradford
Clitheroe
BB7 3JG

AGENT:

Mr Charles Stanton
Stanton Andrews
44 York Street
Clitheroe
BB7 2DL

DEVELOPMENT PROPOSED: Construction of 15 eco lodges and infrastructure to provide additional accommodation for Eaves Hall (pursuant to variation of conditions 2 (Plans), 3 (Materials), 4 (Landscaping), 5 (Refuse/Cycle Store), 7 (External Lighting), 12 (Landscaping Scheme), 14 (Drainage Scheme), 15 (Surface Water Pollution), 16 (Surface Water Ponds), 19 (Construction Method Statement) and 22 (Bird/Bat Boxes) of planning permission 3/2020/0544 to reflect updated layout and change of lodge type and additional technical details submitted).

AT: Eaves Hall Moor Lane West Bradford BB7 3JG

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 must be begun not later than the expiration of three years from the date of the original consent (3/2020/0544) dated 25 November 2020.

Reason: Required to be imposed 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 on drawing ref.

20 0544 Location Plan

(Amended) Proposed Site Plan Drawing No: PL.01 REV D Jun 23

(Amended) Proposed eco lodge 1 bed Drawing No: PL.02 REV B Jun 23

(Amended) Proposed eco lodge 2 bed Drawing No: PL.03 REV B Jun 23

(Amended) Refuse store and cycle storage Drawing No: PL.05 REV B Jun 23

(Amended) Site Entrance Drawing No: PL.10 REV B Jun 23

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

3. The materials to be used on the external surfaces of the eco lodges hereby approved shall be implemented in accordance with the following drawings / details:

(Amended) Proposed eco lodge 1 bed Drawing No: PL.02 REV B Jun 23

(Amended) Proposed eco lodge 2 bed Drawing No: PL.03 REV B Jun 23

Sample Material of cedar cladding (submitted 21.06.23)

Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

4. All landscaping within the application site shall be implemented in accordance with the landscaping scheme as indicated on (Amended) Proposed Site Plan Drawing No: PL.01 REV D Jun 23.

All trees and hedgerows identified to be retained within influencing distance of the development will be adequately protected during construction, in accordance with BS5837; 2012 'Trees in relation to design, demolition and construction' equivalent unless otherwise agreed.

The agreed protection measures shall be put in place and maintained during the construction period of the development. 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 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.

Reason: To ensure the proposal is satisfactorily landscaped and appropriate to the locality.

5. The refuse store and cycle storage within the application site shall be implemented in accordance with (Amended) refuse store and cycle storage Drawing No: PL.05 REV B Jun 23. The duly approved facilities shall be made available for use before the development hereby approved is first occupied and retained thereafter.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and in the interest of visual amenity.

6. The holiday lodges hereby approved shall be restricted to short-term holiday purposes only and shall not be used as a unit of permanent accommodation or any individual(s) sole place of residence. A register of all occupants of the accommodation hereby approved shall be maintained at all times and shall be made available for inspection by the Local Planning Authority on request. For the avoidance of doubt the register shall contain the name and address of the principal occupier together with dates of occupation.

Reason: For the avoidance of doubt and to ensure that the use remains compatible with the character of the area and the intensity, frequency and nature of the usage remains commensurate and relevant to the nature of the consent sought.

7. All external lighting within the application site shall be implemented in accordance with the following details:

(Amended) Proposed Site Plan Drawing No: PL.01 REV D Jun 23
Details of LED post pillar bollard (received 22.06.23)

Reason: In order to reduce the harmful impact of artificial lighting on the natural foraging/roosting/nesting behaviour of a protected/species of conservation concern and in the interests of the visual amenities of the area.

8. The car parking and manoeuvring scheme shall be marked out in accordance with the approved plan, before the use of the site hereby permitted becomes operative and permanently maintained thereafter.

Reason: To ensure adequate parking is available within the site.

9. Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the lodges hereby approved shall only be used as holiday accommodation and for no other purpose, including any other purpose within Use Class C3.

Reason: For the avoidance of doubt, and to avoid an over-intensive use and to ensure that the development remains compatible with the character of the area and the intensity and frequency of usage remains proportionate to the use hereby approved.

10. No building or use hereby permitted shall be occupied or use commenced until the site access has been constructed in accordance with the approved plan (PL.10 REV B Jun 23), to be retained in that form thereafter for the lifetime of the development.

Reason: In the interests of highway safety.

11. No building (or use hereby permitted) shall be occupied (or use commenced) until visibility splays 2.4 metres back from the centre line of the access and extending 43 metres on the nearside carriageway edge in both directions have be provided at all accesses/junctions, as shown on the approved plans. 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.

12. Landscaping and maintenance of the land within the approved visibility splays shall be implemented in accordance with the landscaping and maintenance scheme as indicated on (Amended) Site Entrance Drawing No: PL.10 REV B Jun 23.

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

13. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 6m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other hard material to be approved by the Local Planning Authority. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 no gates or other obstructions shall be constructed in that standing space unless planning permission is first obtained.

Reason: To prevent loose surface material from being carried on to the public highway, and to prevent obstructions being erected that would cause vehicles accessing the site to stop in the highway, thus causing a potential source of danger to other road users.

14. Surface water drainage within the application site shall be implemented, managed and maintained in accordance with the following details:

Surface Water Drainage Scheme 06.09.21

Swale Detail Drawing No: 103 A

Filter Drain Details Drawing No: 104 A

General arrangement of outfall details to brook Drawing No: 108 A

23 0263 Exceedance flow and areas 220623

Proposed Drainage Layout sheet 2 of 2 Drawing No: 102 A

The scheme shall be implemented in accordance with the approved details prior to first occupation or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reasons: To ensure that the proposed development can be adequately drained; to ensure that there is no flood risk on or off the site resulting from the proposed development; to ensure water quality is not detrimentally impacted by the development proposal; and to ensure appropriate maintenance mechanisms are put in place for the lifetime of the development.

15. Surface water and pollution prevention shall be managed during each construction phase of the development in accordance with the following details:

Surface Water Pollution Statement received 24/5/23 ref: 10855/sjr/01 23rd May 2023

(Amended) Construction Method Statement June 2023 received 16.06.23

Reasons: To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere; to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

16. Surface water attenuation ponds and all other water bodies on site shall be implemented in accordance with the following details:

(Amended) Proposed Site Plan Drawing No: PL.01 REV D Jun 23 (Proposed swale detail)

Surface Water Drainage Scheme 06.09.21

Swale Detail Drawing No: 103 A

The development shall be carried out in strict accordance with the approved details and the attenuation ponds and/ or other water bodies shall be constructed and operational prior to first use of the site.

Reason: To ensure a satisfactory form of development in the interests of visual amenity and to ensure the Local Planning Authority can make an accurate assessment of the details relating to matters of flood risk and sustainable drainage.

17. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

18. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

19. The construction phase(s) of the development hereby approved shall be carried out in accordance with the details as specified within the (Amended) Construction Method Statement received 16.06.23.

Reason: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway during the construction phase of the development.

20. The holiday lodges hereby approved shall be operated in strict accordance with the Site Management Plan (dated July 2018) at all times.

Reason: To ensure the satisfactory management of the site in the interests of general amenity of the area and to safeguard where appropriate neighbouring residential amenity.

21. Any removal of vegetation including trees and hedges shall be undertaken outside the nesting bird season [March - August inclusive]. Any removal of vegetation out with the nesting bird season shall be preceded by a pre-clearance check by a licensed ecologist on the day of removal.

Reason: To ensure that there are no adverse effects on the favourable conservation status of bird.

22. Provisions for species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites within the application site shall be carried out in accordance with the bird and bat box scheme as indicated on (Amended) Proposed Site Plan Drawing No: PL.01 REV D Jun 23. The artificial bird/bat boxes shall be provided before the development is first brought into use and retained as such thereafter.

Reason: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and protected species.

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. Any alterations to the access at the site will be subject to a Section 278 agreement. The section 278 agreement will also incorporate the vegetation clearing along Moor Lane to ensure that the access can achieve the approved visibility splays. The section 278 agreement should be secured before any works to the access occur and the Agent/ Developer should contact the LHAs team on developeras@lancashire.gov.uk.
5. The applicant is advised that the development will require a Site Licence from the Council. Please see the Council's website for more information and details of how to apply:- [Camping and Caravan Sites – Ribble Valley Borough Council](#)
6. Should the applicant intend to install any sustainable drainage systems under or within close proximity to a public road network (existing or proposed), then they would need to separately discuss the use and suitability of those systems with the relevant highway authority. The applicant is encouraged to discuss the suitability of any overland flow routes and/or flood water exceedance with the relevant highway authority should they have the potential to impact the public highway network and/or public highway drainage infrastructure (either existing or proposed).

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.