



Ribble Valley
Borough Council

www.ribblevalley.gov.uk

Ribble Valley Borough Council
Council offices
Church Walk
CLITHEROE
BB7 2RA

My reference: 3/2023/0407
Direct Dial: (01200) 425111
www.ribblevalley.gov.uk
Email: planning@ribblevalley.gov.uk
Date: 25 August 2023

Location: Glencroft Pendle Avenue Chatburn BB7 4AX
Proposal: Approval of details reserved by conditions 5 (Landscaping) and 8 (Construction Management Plan) of planning permission 3/2020/0112.

I write in response to your application to discharge the conditions pursuant to planning approval
For the avoidance of doubt the agreed details are as follows:

Proposed Site Plan 6686 - P01
Construction Management Plan Rev C

Condition 05 is partially discharged insofar that the submitted details in relation to the landscaping are considered appropriate and satisfy the requirements of the condition.

P.T.O.

The soft landscaping details hereby approved shall be implemented in the first planting season following occupation or use of the development, whether in whole or in 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. For the avoidance of doubt all trees/hedgerow shown as being retained within the approved details shall be retained as such in perpetuity.

Condition 8 (Construction Environment Management Plan) can be partially discharged in so far as the submitted Construction Environment Management Plan prepared by Delta-Simons (Issued June 2023) is acceptable. In order to satisfy the condition in full the construction phase of the development shall be carried out in full accordance with the approved details.

A number of letters of representation have been received in relation to the discharge of condition application. The council is aware of the ongoing legal issue surrounding right of access. The council, in issuing this consent, does not give the applicant the automatic right to implement the proposed development without the relevant rights of access.

Nicola Hopkins

NICOLA HOPKINS
DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

Mr and Mrs Baldwin
C/o Agent

Agent
Sunderland Peacock & Associates
Hazelmere
Pimlico Road
Clitheroe
BB7 2AG

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.

APPLICATION NO. 3/2023/0407

DECISION DATE: 25 August 2023

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.

