

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: 3/2023/0775

DECISION DATE: 12 March 2024

DATE RECEIVED: 07/11/2023

APPLICANT:

Bowland Forest Farm Ltd
C/o Agent

AGENT:

Mr Alan Kinder
A V Town Planning Ltd
Unit 3
31-33 Kenyon Road
Lomeshaye
Nelson
BB9 5SP

DEVELOPMENT PROPOSED: Proposed redevelopment of part of the site to extend the existing cafe, create farm shop together with a single storey extension to incorporate food prep area, storeroom and plant room. Creation of car parking, new access, landscaping and associated works.

AT: Bowland Forest Farm Settle Road Bolton By Bowland BD23 4SN

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. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out and retained thereafter in complete accordance with the proposals as detailed on drawings:
 - Location Plan Drawing No: COA/01 - Dwg 30
 - (Amended) Bowland Forest Farm Masterplan Drawing No: COA/01 - Dwg 20D (received 22.01.2024)
 - (Amended) Plans and Elevations - Restaurant Drawing No: COA/01 - Dwg 10C (received 18.01.2024)

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.

2. The materials to be used on the external elevations of the development hereby approved shall be implemented in accordance with the proposals as detailed on the Application Form and (Amended) Plans and Elevations - Restaurant Drawing No: COA/01 - Dwg 10C (received 18.01.2024).

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

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended or re-enacted) the development hereby approved shall only be used for the purposes of a restaurant/café and retail shop falling within Class E (a) and (b) Commercial, Business and Service Use and for no other purpose, including any other purpose within Use Class E.

In respect of the Class E(a) use, the floor space shall be restricted to the area indicated as 'Farm Shop' on the approved floor plan (namely (Amended) Plans and Elevations - Restaurant Drawing No: COA/01 - Dwg 10C (received 18.01.2024)) and shall be limited to the retail sale of food and drink, plants and garden sundries, and giftware only.

Reason: To define the scope of the permission hereby approved and to ensure that the development remains compatible with the application site and character of the area.

4. The use hereby approved shall only be open for business between the following hours:

09:00 to 17:00 Monday to Saturday
10:00 to 16:00 Sunday

There shall be no business operated from the premises or site outside the stated opening hours.

Reason: To comply with the terms of the application and in the interests of protecting the amenities of the surrounding area.

5. No external lighting shall be installed on the development 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 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 external lighting shall be installed in accordance with the approved details.

Reason: To enable the Local Planning Authority to exercise control over development which could prove materially harmful the character and visual amenities of the immediate area and to minimise/mitigate the potential impacts upon protected species resultant from the development

6. Notwithstanding the details shown on the approved plans and the requirements of Condition 2 of this permission, within three months of the date of this permission, a landscaping scheme for the site (including elements of both 'hard' and 'soft' landscaping) shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the proposed surface treatment of all hard surfaced areas and the type, species, siting, planting distances and programme of planting of any trees and shrubs.

The duly approved landscaping scheme shall be carried out within 12 months of the approval of the landscaping scheme and shall be retained and maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority.

Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 10 years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: In order to achieve a satisfactory level of landscaping in the interests of visual amenity.

7. Refuse storage and collection within the site shall be provided in accordance with the details as shown on (Amended) Bowland Forest Farm Masterplan Drawing No: COA/01 - Dwg 20D (received 22.01.2024) for the lifetime of the development.

Reason: To ensure the provision of satisfactory facilities for the storage and collection of refuse and recycling.

8. Within three months of the date of this permission, the footway and verge shall be reinstated to full kerb height where any vehicle crossovers are redundant, in accordance with the approved plans and the Lancashire County Council Specification for Construction of Estate Roads and shall be retained in that form thereafter for the lifetime of the development.

Reason: To maintain the proper construction of the highway and in the interest of pedestrian safety.

9. Within three months of the date of this permission, vehicular visibility splays of 2.4m x 108m to the left and 2.4m x 141m to the right of the access shall be provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 1 metre above the level of the adjacent footway/verge/highway.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.

10. 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 10 metres of the highway boundary, nor shall any be erected within a distance of 10 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.

11. Within three months of the date of this permission, the parking and turning facilities shall be implemented in accordance with (Amended) Bowland Forest Farm Masterplan Drawing No: COA/01 - Dwg 20D (received 22.01.2024). 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.

12. Within three months of the date of this permission, the access drive (and any turning space) shall be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 10 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway in the interests of highway safety

13. The site shall be drained via separate systems for the disposal of foul and surface water.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment.

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. This Decision Notice should be read in conjunction with the officer's report which is available to view on the website.

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.