

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)

---

Town and Country Planning Act 1990

**PLANNING PERMISSION**

**APPLICATION NO:** 3/2024/0343

**DECISION DATE:** 02 May 2025

**DATE RECEIVED:** 19/06/2024

**APPLICANT:**

Mr W Farnworth  
129 Wheatley Lane Road  
Barrowford  
BB9 6QW

**AGENT:**

Mr R Maudsley  
Sunderland Peacock and Assoc  
Hazelmere  
Pimlico Road  
Clitheroe  
BB7 2AG

**DEVELOPMENT PROPOSED:** Change of use to restaurant (Use Class E(b) and drinking establishment (Sui Generis).  
insert external extraction vent and external refrigeration unit.

**AT:** 41 Castle Street Clitheroe BB7 2BT

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 in complete accordance with the proposals as detailed on drawings:

1:1250 Location Plan 6976-E00

1:100 Proposed Plan 6976-P03F

1:50 Proposed Details 6976-P04B

Reason: For the avoidance of doubt as the proposal was the subject of amendments and to clarify which plans are relevant to the consent.

2. The use of the premises in accordance with this permission shall be restricted to the hours between 0900 to 2400 on weekdays and 0900 to 0100 on Saturdays and 0900 and 2400 on Sundays and bank holidays.

The permitted use of the premises does not include the use of any external areas for eating or drinking unless express planning permission is obtained permitting outside use.

Reason: The use of the premises outside these hours could prove injurious to the character of the area and in order to safeguard residential amenities.

3. The development hereby permitted shall be used for mixed use Restaurant/Drinking Establishment (Sui Generis) and for no other purpose/use, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (As Amended).

Reason: The permission granted is for a specific use and the use of the premises for any other purpose would require further consideration by the Local Planning Authority.

4. The premises must be designed so as to ensure that music and associated noise is controlled, so as to be inaudible inside any residential premises within the vicinity.

Inaudibility shall be defined by the Institute of Acoustics' Good Practice Guide on the Control of Noise from Pubs and Clubs 2003 (or any subsequent replacement guidance):

Entertainment Noise Level, LAeq (1 minute) should not exceed Representative Background Noise Level, LA90

Entertainment Noise Level, L10 (5 minutes) should not exceed Representative Background Noise Level, LA90, in any 1/3 octave band from 40Hz to 160Hz.

Reason: In the interests of the general amenity of the area and to safeguard nearby residential amenity from noise pollution.

### **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.