

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)

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Town and Country Planning Act 1990

**PLANNING PERMISSION**

**APPLICATION NO:** 3/2024/0484

**DECISION DATE:** 25 February 2025

**DATE RECEIVED:** 30/08/2024

**APPLICANT:**

Salim Musa  
RGB Property Management Ltd  
125 Bradshawgate  
Bolton  
BL2 1B

**AGENT:**

Mr Iain Scales  
Scales Architecture  
5 Kings Drive  
Fulwood  
Preston  
PR2 1HN

**DEVELOPMENT PROPOSED:** Proposed demolition of existing warehouse structure and erection of two separate blocks of industrial units (use class B2/B8) comprising one block of five units, each with a mezzanine floor and one block of two units each with a mezzanine floor, including associated car parking and service yard.

**AT:** Ramsgreave Bakery Pleckgate Road Ramsgreave BB1 8QW

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 beginning with the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out, except were modified by any other condition attached to this permission, in accordance with the following plans:

1:500 Location Plan 187-01 Rev B  
1:100/1:200 General Arrangement Unit 1 187-03 Rev C  
1:100/1:200 General Arrangement Unit 2 187-04 Rev D  
1:500 Demolition Drawing 187-05 Rev A  
1:200 Proposed Site Plan and Landscaping 187-06 Rev D  
1:500 Site Access Route 187-07 Rev B  
1:200 Proposed Site Plan 187 - 08 Rev B  
1:175 SP001 Swept Path

Reason: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. The external surfaces of the development shall be constructed in accordance with the submitted palette of materials shown on the approved plans (namely General Arrangement Unit 1 187-03 Rev C and General Arrangement Unit 2 187-04 Rev D).

Reason: To ensure that the materials to be used are appropriate to the location.

4. The units hereby approved shall only be operated between the following hours:

07:00 to 18.00 Monday to Friday; and  
07.00 to 13.00 on Saturday

There shall be no business operated from the premises or site outside the approved operating hours including Sundays or Bank Holidays.

Reason: To ensure the proposed development is compatible with adjacent land users in this mixed-use area.

5. 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) and the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (as amended or re-enacted) the units hereby approved shall only be used for the purposes of General Industry (Use Class B2) comprising 497 sqm in total, or Storage and Distribution (Use Class B8) comprising 497.5 sqm in total, and for no other purpose, including any other permitted changes within that Use Class.

Reason: To define the scope of the permission hereby approved as the development has been assessed on that basis in terms of impacts and car parking provision as an existing employment site.

6. No goods, plant or materials associated with the B2/B8 uses hereby approved shall be deposited or stored externally on site or around/adjacent the buildings to which this permission relates.

Reason: To ensure a satisfactory appearance of the site in the interests of the character and visual amenities of the area.

7. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
- i) The parking of vehicles of site operatives and visitors
  - ii) The loading and unloading of plant and materials
  - iii) The storage of plant and materials used in constructing the development
  - iv) The erection and maintenance of security hoarding
  - v) Wheel washing facilities
  - vi) Measures to control the emission of dust and dirt during construction
  - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
  - viii) Details of working hours
  - ix) Routing of delivery vehicles to/from site

Reason: To mitigate the impact of the construction traffic on the highway network

8. The area shown on approved drawing 'SP001 Swept path for 12m rigid vehicle' shall be kept clear at all times of all physical obstructions and available for use at all times.

Reason: To ensure adequate turning space for large vehicles.

9. Prior to first occupation of any of the units hereby approved, the car and motorcycle parking shown on the approved Proposed Site Plan 187 - 08 Rev B shall be provided, maintained and thereafter made available for the purposes of parking by staff, customers and visitors of the site.

Reason: To provide adequate car parking on site.

10. Prior to first occupation of any of the units hereby approved a secure covered cycle store for at least 2 bicycles shall be provided, maintained and retained within the site for that purpose.

Reason: To support sustainable travel.

11. The development shall be carried out in strict accordance with the mitigation measures as set out in Section 6 Predictions/Assumptions of the Noise Assessment by Martec Environmental Consultants dated 8th May, 2024, with the exception of the measures involving closing of roller shutter doors and window openings during operation.

These mitigation measures shall have been fully implemented prior to occupation of the first industrial unit hereby approved and shall thereafter be maintained and retained as such.

This includes the requirement that any cooling or ventilation equipment shall achieve 10dBA below the reported background level.

Reason: In order to protect the adjacent properties from any undue impacts and to mitigate the potential impact of the proposed development.

12. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);

(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;

(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

(v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to the first occupation the drainage schemes shall have been completed in strict accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: To ensure that appropriate foul and surface drainage is provided on the site to prevent flooding within and adjacent to the site.

13. During the construction period, all trees and hedgerows to be retained within and adjacent to the site shall be protected in strict accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standard.

The exclusion zones will remain in place throughout the demolition and construction phases and fully accord with the methodology set out in BS 5837:2012 during all site preparation/construction works.

No materials, soil, spoil or other substance shall be stored within the protective areas at any time and no changes in land levels shall occur within these areas. Any no dig, hand digging and protective membranes shall only occur with the prior written approval of the Local Planning Authority.

Reason: To ensure that there are no adverse effects on the existing trees and shrubs to be retained on or adjacent to the site and to limit the potential impact of the development.

14. Details of any artificial lighting to be erected within the site shall have been submitted to and approved in writing by the Local Planning Authority prior to installation.

The details shall include the location, intensity of lighting, type of application and direction.

The details shall include the light mitigation measures designed to reduce the impact of artificial lighting on protected species/species of conservation concern identified and/or other named species.

Reason: In order to reduce any potential impact on the natural foraging/roosting/nesting behaviour of a protected/species of conservation concern and in the interests of amenity.

15. Notwithstanding the submitted plans no development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include but not limited to the following: areas of soft landscaping, retention of trees, hedgerows and other planting, hard surfaced areas and materials, planting plans with full specifications and schedules including plant size, species and number/ densities, existing landscaping to be retained.

The landscaping works shall be carried out in accordance with the approved details prior to first occupation of the any dwelling in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 15 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure a satisfactory form of development and provide sufficient screening for the development in an appropriate manner.

16. The development shall be carried out in strict accordance with the mitigation measures as set out in Part 4 Recommendations/Mitigation of the Bat Activity Survey by Pennine Ecological dated August 2023.

No ground clearance shall be undertaken outside of the bird breeding season (March - August inclusive) unless a pre-work nesting bird survey of the site has been undertaken by licenced ecologist and written confirmation of this has been submitted to the Local Planning Authority prior to the event.

The mitigation measures shall have been fully implemented prior to occupation of the first industrial unit hereby approved and shall thereafter be maintained and retained as such.

Reason: In order to protect the bat and bird population from any damaging activities and mitigate the impact of development and ensure that there are no adverse effects on favourable conservation species from the proposed development.

17. The Biodiversity Gain Plan (as required by the 'Statutory Biodiversity Condition' - see further details below) shall be prepared in accordance with the Biodiversity Net Gain Baseline and Feasibility report (Ark Ecology) submitted with the planning application.

Reason: This is not a statutory requirement but unless imposed there is no requirement that the Biodiversity Gain Plan submitted for approval shall be in accordance with the biodiversity and ecology information submitted with the planning application.

### **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.
5. BNG Note:

#### Statutory Biodiversity Condition

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the planning authority has approved the plan.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed in the legislation are considered to apply.

The biodiversity gain plan must include:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development; and
- (f) such other matters as the Secretary of State may by regulations specify.

When calculating the post-development biodiversity value of a habitat, the planning authority can only take into account an increase in biodiversity value post-development where it is satisfied that the habitat creation or enhancements delivering the increase will be maintained for at least 30 years after the development is completed.

*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.