

Planning Department  
Ribble Valley Borough Council  
Council Offices  
Church Walk  
Clitheroe  
BB7 2RA

Date 15<sup>th</sup> July 2024

Ref 2370.corr.RVBC.240715

Dear Sir/Madam,

### **2370 Brockhall Barn**

Stanton Andrews is retained by The Project Delivery Guys Ltd ('the applicant') to progress with a variation of a condition application to amend condition no.20 pursuant to planning application ref. 3/2021/0311.

Further to application ref. 3/2024/0322 to address the pre-commencement conditions for the above approval, condition no.20 is the only outstanding pre-commencement condition still to be addressed.

Following informal email correspondence with Stephen Kilmartin, we have agreed the following approach:

#### **Condition no.1**

Condition no.1 pursuant to application ref. 3/2021/0311 states that the development must be begun not later than the expiration of three years beginning with the date of the permission (27<sup>th</sup> August 2021). We have agreed in principle that a service run be dug away from the existing buildings as a material operation to secure this consent.

However, if works were to commence this would be in breach of the requirements of condition no.20. Our client has engaged the ongoing services of an ecologist to address the endangered species conditions. The conditions at the site remain unchanged since the bat surveys were carried out in 2019. However, we understand that these surveys are now out of date and new surveys need to be undertaken to collate the relevant information for a European Protected Species Licence (EPSL). These surveys can only be carried out at specific times of the year and have been programmed in. Once the data has been collated, a license application will be made to Natural England. However, due to time constraints, this application will have to be after 27<sup>th</sup> August 2024.

P.T.O.

## **Condition no.20**

We are looking to proceed with a variation of condition application to amend the wording of condition no.20 to enable works that will not directly affect the buildings/known bat roosts to commence in advance of the EPSL from Natural England.

Wording of condition agreed to be varied as follows: -

*Notwithstanding the submitted details, no works other than associated service runs away from the existing buildings shall be commenced on site until a European Protected Species Mitigation Licence has been submitted to and obtained from Natural England. A copy of the licence obtained shall then be submitted to and agreed in writing by the local planning authority in consultation with Natural England. The actions, methods & timings included in the mitigation measures identified and the conditions of the Natural England Licence shall be fully implemented and adhered to throughout the lifetime of the development.*

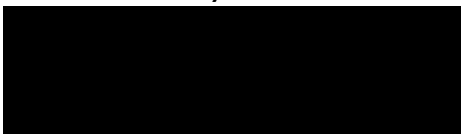
*REASON: To ensure the protection of species/habitat protected by the Wildlife and Countryside Act 1981 (as Amended) and in the interests of biodiversity and to enhance habitat opportunities for species of conservation concern/protected species and to minimise/mitigate the potential impacts upon protected species resultant from the development.*

## **Condition no.22**

Again, due to time constraints, the material operation must be undertaken within the nesting bird season. To satisfy condition no.22, a licenced ecologist shall undertake a pre-commencement check to confirm the absence of nesting birds in the area of material operation.

We trust the information submitted is to your satisfaction and look forward to receiving confirmation of the application's registration. We hope for a timely validation and determination of this application to allow for a material operation to be undertaken within the time constraints discussed.

Yours faithfully



Henry Cahill  
for and on behalf of Stanton Andrews Ltd