

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

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Town and Country Planning Act 1990

**PLANNING PERMISSION**

**APPLICATION NO:** 3/2024/0927

**DECISION DATE:** 15 January 2025

**DATE RECEIVED:** 19/11/2024

**APPLICANT:**

Mrs Helen Eastham  
Tree Tops  
Springfield Close  
Whalley  
Clitheroe  
BB7 9AF

**AGENT:**

Mr Ian Banks  
Atoll Ltd  
73 Manchester Road  
Knutsford  
WA16 0LX

**DEVELOPMENT PROPOSED:** Variation of conditions 2 (approved plans), 5 (window details and obscure glazing) and condition 6 (parking and turning facilities) of planning permission 3/2021/0998 for proposed new sustainable detached house on an existing development strip of land adjacent to Treetops.

**AT:** Tree Tops Springfield Close Whalley BB7 9AF

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 permission shall relate to the development as shown on Plan References  
Site Plan 354-PL01  
Proposed Site Plan 354-PL04E  
Proposed Elevation Plans 354-PL06C and 354-PI07C  
Proposed Floor Plan 354-PL05D  
Unilateral Undertaking dated 21/02/22  
Proposed Tree Tops Elevations 354-PL08B  
Land Registry Site Subdivision 538-BR323C

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

2. All tree works/tree protection shall be carried out in strict accordance with the submitted Arboricultural Assessment dated September 2021 as approved under application 3/2021/0998. The specified tree protection measures identified in the management recommendations for Trees identified as T1/2/3/3/7/H2/H3 shall be implemented prior to commencement of development hereby granted and remain in place throughout the construction phase of the development.

Reason: In the interest of visual amenity and biodiversity protection.

3. The fenestration alterations shown on drawing No 354-PL08B shall be implemented prior to the occupation of the new dwelling.

The window in the North elevation of the dwelling closest to the neighbouring boundary (as shown on drawing No 354-PL08B) shall be fitted with obscure glazing (which shall have an obscurity rating of not less than 4 on the Pilkington glass obscurity rating or equivalent scale) and shall be non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

The windows shall remain in that manner in perpetuity at all times.

Reason: In the interest of safeguarding residential amenity.

4. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with drawing number 354-PL04E. 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.

5. Prior to occupation of the dwelling provision shall be made for an Electric Vehicle charging point of a type to be agreed with the LPA and there after retained to a similar specification in perpetuity.

Reason: In the interest of sustainability.

6. The high-level bedroom window on the south eastern elevation of the new dwelling shall be obscure glazed to the satisfaction of the Local Planning Authority and remain in that manner in perpetuity.

Reason: In order to protect nearby residential amenity.

#### **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.