

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: 3/2024/0999

DECISION DATE: 19 March 2025

DATE RECEIVED: 09/12/2024

APPLICANT:

Mr Curtis Johnstone
CJP Northwest Ltd
Wade Platt Farm
Longsight Road
Langho
Blackburn
BB7 2DL

AGENT:

Mrs Judith Douglas
Judith Douglas Town Planning Ltd
8 Southfield Drive
West Bradford
Clitheroe
BB7 4TU

DEVELOPMENT PROPOSED: Proposed change of use from nursery to eight flats (C3) comprising three two-bedroom units and five one-bedroom units. Amendments to details approved under 3/2023/0827.

AT: Rossendale House, York Street, Clitheroe, BB7 2DL.

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:
 - Site Location Plan Drawing No: 10
 - (Amended) Proposed Site Plan Drawing No: 80 Revision F (received 20.02.2025)
 - Proposed Site levels Flat 2 and 3 Drawing No: 260 C (received 20.02.2025)
 - (Amended) Proposed General Arrangement Plans Drawing No: 200 Revision G (received 18.03.2025)
 - (Amended) Proposed General Arrangement Plans Drawing No: 201 Revision G (received 12.03.2025)
 - Existing and Proposed Elevations – Replacement windows (received 17.03.2025)
 - Replacement windows Drawing No: 222 Revision A (received 18.03.2025)
 - Replacement windows Drawing No: 221 Revision A (received 18.03.2025)
 - S278 Footway details Drawing No: 75 Revision D

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 areas of the buildings marked for demolition denoted in red as shown on As Existing and Demolition Drawing No: 100 Revision C and As Existing and Demolition Drawing No: 101 Revision C shall be entirely demolished, the existing hardstanding and surfaces made good and any leftover materials removed from the site prior to first occupation of the dwellings hereby approved.

Reason: In the interests of visual amenity to ensure the scheme is implemented as proposed.

3. The development shall be carried out in accordance with the approved land levels indicated on (Amended) Proposed Site Plan Drawing No: 80 Revision F (received 20.02.2025) and Proposed Site Levels Flat 2 and 3 Drawing No: 260 C (received 20.02.2025).

No other change in land levels shall be undertaken unless precise land level details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure the proposed development responds positively to characteristics of the area.

4. The materials to be used on the external surfaces of the development shall be implemented as indicated on the following approved plans:

- Existing and Proposed Elevations – Replacement windows (received 17.03.2025)
- Replacement windows Drawing No: 222 Revision A (received 18.03.2025)
- Replacement windows Drawing No: 221 Revision A (received 18.03.2025)
- Retaining wall stonework detail (received 20.02.2025)

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

5. All door and window openings shall be installed in accordance with the approved window details as shown on the following drawings:

- Replacement windows Drawing No: 222 Revision A (received 18.03.2025)
- Replacement windows Drawing No: 221 Revision A (received 18.03.2025)

Reason: To ensure a satisfactory standard of appearance in the interests of visual amenity and to preserve the character and appearance of the Conservation Area.

6. The roof lights as shown on Existing and Proposed Elevations – Replacement windows (received 17.03.2025) shall be of the Conservation Type, recessed with a flush fitting, of which the elevational and section details shall have been submitted and approved in writing by the Local Planning Authority prior to their installation. The roof lights shall be implemented in complete accordance with the approved details and retained as such thereafter.

Reason: To ensure a satisfactory standard of appearance in the interests of visual amenity and to preserve the character and appearance of the Conservation Area.

7. The double gates forming the new pedestrian access shall be installed in accordance with the submitted details (new entrance gates 1:20) as indicated on (Amended) Proposed Site Plan Drawing No: 80 Revision F (received 20.02.2025).

The approved gates shall be installed as per the approved details prior to first occupation of any dwelling hereby approved.

Reason: To ensure a satisfactory standard of appearance in the interests of visual amenity and to preserve the character and appearance of the Conservation Area.

8. Details of the alignment, height, appearance and materiality of the safety railings to enclose the outdoor area of flat 3 as indicated on (Amended) Proposed Site Plan Drawing No: 80 Revision F (received 20.02.2025) and Proposed Site levels Flat 2 and 3 Drawing No: 260 C (received 20.02.2025) shall have been submitted to and approved in writing by the Local Planning Authority prior to their installation.

The approved safety railings shall be installed as per the approved details prior to first occupation of flat 3 hereby approved.

Reason: To ensure a satisfactory standard of appearance in the interests of visual amenity and to preserve the character and appearance of the Conservation Area.

9. Notwithstanding the designated bin storage area shown on the approved site plan, prior to the first occupation of any dwelling, details of bin storage areas for each unit (including shared/communal areas where possible), shall be submitted to and approved in writing by the Local Planning Authority together with details of the construction and design of any proposed refuse storage enclosures. The duly approved facilities shall be made available for use before the development hereby approved is first occupied and retained thereafter.

Reason: In the interests of visual amenity and to preserve the character and appearance of the Conservation Area. The size and siting of the bin storage area shown on the approved plan is not considered to represent good design nor be sympathetic to the Conservation Area.

10. 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 areas within the application property marked as flat 1, flat 2, flat 3, flat 4, flat 5, flat 6, flat 7 and flat 8 as indicated on (Amended) Proposed General Arrangement Plans Drawing No: 200 Revision G (received 18.03.2025) and (Amended) Proposed General Arrangement Plans Drawing No: 201 Revision G (received 12.03.2025) shall only be used as dwellings (Use Class C3) and for no other purpose.

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

11. Construction deliveries to and from the site and construction works, shall be restricted to between 0800 and 1800hrs Monday to Friday, 0800 to 1200hrs on Saturdays, and shall not take place on Sundays and Bank Holidays, unless otherwise agreed in writing with the local planning authority prior to any change. All works will be undertaken in accordance with BS5228:2009.

Reason: To safeguard the living conditions of residents particularly with regard to the effects of noise.

12. The Site Construction Traffic Management Plan Drawing No: 60 shall be adhered to throughout the construction phase of the development hereby approved.

Reason: In the interests of highway safety.

13. The scheme for the site access and off-site highway works as shown on S278 Footway details Drawing No: 75 Revision D shall be completed prior to the first occupation of the development hereby permitted.

Reason: In the interests of highway safety.

14. No building or use hereby permitted shall be occupied or use commenced until the footway has been 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, to 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.

15. The proposed pedestrian/cycle access at the site shall be constructed to a minimum width of 3 metres as indicated on the approved plan.

Reason: To enable pedestrians and cyclists to enter and leave the premises in a safe manner.

16. No building or use hereby permitted shall be occupied or the use commenced until the shared cycle storage plan providing 10 cycle stands for the residential units has been installed in accordance with the cycle storage details as shown on (Amended) Proposed Site Plan Drawing No: 80 Revision F (received 20.02.2025). These cycle facilities shall thereafter be kept free of obstruction and available for the parking of bicycles only at all times.

Reason: To allow for the effective use of the parking areas and to promote sustainable transport as a travel option, encourage healthy communities and reduce carbon emissions.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, no external lighting or building mounted lighting shall be erected or placed anywhere within the site to which this consent relates without express planning permission first being obtained.

Reason: To enable the Local Planning Authority to exercise control over development which could prove materially harmful to the character and visual amenities of the immediate area.

18. Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall be carried out in complete accordance with the mitigation measures detailed/recommended within the sections titled: "Proposed Biodiversity Net Gain" and "Accidental exposure of bats - emergency advice" of the submitted Ecological Appraisal titled "Preliminary Bat Roost Assessment Report 16.11.23" and carried out by Dave Anderson Batworker.com.

Reason: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and reduce the impact of development.

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.