

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: 3/2025/0133

DECISION DATE: 25 July 2025

DATE RECEIVED: 20/03/2025

APPLICANT:

Mr P Towler
Loft Shay Farm
Clitheroe Road
Ribchester
Preston
PR3 2YQ

AGENT:

Mr Peter Hitchen
Peter Hitchen Architects
Marathon House
The Sidings Business Park
Whalley
Clitheroe
BB7 9SE

DEVELOPMENT PROPOSED: Regularisation of change of use of land to form extended residential curtilage and installation of Air Source Heat Pump with acoustic screen. Proposed detached garage to include solar panels and domestic storage above.

AT: Loft Shay Farm Clitheroe Road Ribchester PR3 2YQ

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 detached garage 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. 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:

Location Plan (scale 1:1250)

Amended Proposed Site Plan drawing ref: A1.2.1 Revision D (received 7 July 2025)

Amended Proposed Elevations drawing ref: A2.2 Revision D (received 7 July 2025)

Amended Proposed Floorplans drawing ref: A2.2.1 Revision D (received 7 July 2025)

Amended Proposed Elevations drawing ref: A2.2.2 Revision D (received 7 July 2025)

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent hereby approved.

P.T.O

3. Notwithstanding the submitted details/approved plans, prior to the commencement of development, details or specifications of all materials to be used on the external surfaces of the detached garage hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the area in accordance with Key Statement EN2 and Policies DMG1, DMG2 and DMG5 of the Ribble Valley Core Strategy.

4. Within one month of the date of this permission, the approved 'Jakoustic Absorptive Acoustic Fencing' shall be installed adjacent to the Air Source Heat Pump in accordance with drawing ref: 'A1.2.1 Revision D and A2.2 Revision D' and shall thereafter be retained in perpetuity for the lifetime of the development.

REASON: To ensure the noise levels resulting from the installed Air Source Heat Pump are satisfactory, in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

5. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority.

The approved plan / statement shall provide:

- 24 Hour emergency contact number.
- Details of the parking of vehicles of site operatives and visitors.
- Details of loading and unloading of plant and materials.
- Arrangements for turning of vehicles within the site.
- Measures to protect vulnerable road users (pedestrians and cyclists).
- Wheel washing facilities.
- Measures to deal with dirt, debris, mud, or loose material deposited on the highway because of construction.
- Measures to control the emission of dust and dirt during construction.
- Construction vehicle routing.
- Delivery, demolition, and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

REASON: In the interests of the safe operation of the adopted highway during the demolition and construction phases.

6. Notwithstanding the submitted details, prior to their installation, details of the proposed roof mounted Photovoltaic Panels, including section details showing their projection from the roofplane, shall 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: In order that the Local Planning Authority may ensure that the detailed design and external appearance of the proposal is appropriate to the locality and responds positively to the inherent character of the area and to preserve the landscape and character of the Forest of Bowland National Landscape.

7. The garage(s)/parking areas hereby approved shall be kept available for the parking of vehicles incidental to the enjoyment of the household(s) and the garage shall not be subject to any alterations that would preclude the ability of its use for the parking of private motor vehicles, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order.

REASON: To ensure that adequate parking provision is retained on site.

8. The detached building hereby approved shall not be occupied or used for any other purposes than those incidental to the residential use of the dwelling identified on the approved Site Location Plan as 'Loft Shay Farm'.

The building shall not be used as a separate unit of living accommodation (independent or ancillary) nor be divided by way of sale or sub-letting to form a unit or units of separate residential accommodation.

REASON: To define the scope of the permission and prevent the use of the building for purpose(s) other than those hereby approved.

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.

INFORMATIVES

1.The proposed fencing will obstruct footpath FP0335005, as shown on the attached overlay, requiring a Public Path Order under the provisions of the Town and Country Planning Act 1990 Section 257 (TCPA90 S257). TCPA90 S257 orders are administered by the authority that is considering, or has granted the planning permission, in this instance Ribble Valley Borough Council. Regarding the tests and criteria for a TCPA90 S257 Order, in addition to whether it is necessary to divert the public footpath, to enable the development to be carried out, Paragraph 7.15 of Defra Circular 1/09 (version 2 of October 2009) <https://www.gov.uk/government/publications/rights-of-way-circular-1-09> advises that 'in considering whether or not to confirm the Order, the disadvantages or loss likely to arise as a result of the stopping up of the ways to members of the public generally or to persons whose properties adjoin or are near the existing public right of way should be weighed against the advantages of the proposed Order.' The detail of the exact alignment of the new route, the construction specification and any association works would need to be agreed with the Public Rights of Way Team before the necessary TCPA90 S257 Order is made. I can advise that the new route must have a minimum width of 2 metres, have a firm constructed surface with no gates or stiles crossing the new route. If required for stock control the limitation of a kissing gate to BS 5709:2018 standards would be permitted. It is important for the developer to note that the Public Path Order must be made and confirmed before the development (in so far as it affects the public rights of way) is commenced. It should also be noted that the TCPA90 S257 procedure includes a statutory period for objections. If objections are received and not withdrawn, the Order would need to be referred to the Planning Inspectorate for decision so the timescales for commencement of the part of the development that affects the public footpath should take that into account. With regards to the timing of the development and the diversion of the public footpath, please note that the legal alignment of the right of way will not change until the appropriate legal Order has come into effect and it should be noted that there can be no guarantee of the success of any Public Path Order. Any obstruction of the existing public rights of way would be a criminal offence. It is for the Developer/Applicant to apply to the planning authority to make a Diversion or Stopping up Order.

2.The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. The applicant should be advised to contact Lancashire County Council's Public Rights of Way section by email on PROW@lancashire.gov.uk, quoting the location, district and planning application number, to discuss their proposal before any development works begin.

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.