


**Report to be read in conjunction with the Decision Notice.**

<b>Signed:</b>	<b>Officer:</b>	<b>SK</b>	<b>Date:</b>	<b>28.7.25</b>	<b>Manager:</b>	<b>LH</b>	<b>Date:</b>	<b>29.7.25</b>
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Application Ref:	2025/0332			 <div>Ribble Valley Borough Council</div> <hr/> <div>www.ribblevalley.gov.uk</div>
Date Inspected:	18.06.25	Site Notice:	18.06.25	
Officer:	SK			
DELEGATED ITEM FILE REPORT:				
				REFUSAL

<b>Development Description:</b>	Proposed Change of Use of part of existing shop forming a hot food takeaway.
<b>Site Address/Location:</b>	Post Office 1-3 Bridge Road Chatburn IBB7 4AW

<b>CONSULTATIONS:</b>	<b>Parish/Town Council</b>
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**Chatburn Parish Council have objected to the proposal stating the following:**

As members of Chatburn Parish Council, we are writing to formally object to the above planning application. At a recent Parish Council meeting, councillors voted unanimously to oppose the proposed change of use from a post office to a fish and chip takeaway. Our objection is based on several grounds of serious concern:

- 1. Highways and Parking Safety The proposed site is located at the top of Ribble Lane, an area already recognised as a traffic congestion hotspot. The addition of a takeaway outlet will inevitably increase vehicle movements during peak evening hours, with no provision for safe or adequate parking in the immediate vicinity. This raises significant safety concerns for both pedestrians and other road users.*
- 2. Impact on Local Residents – Noise and Nuisance The application states proposed opening hours of 4:30pm to 10:30pm, considerably extending the operational hours compared to the existing post office, which currently closes at 8pm. This extended activity, particularly during evening hours, is likely to cause noise disturbance to nearby residents from both customer footfall and vehicle traffic.*
- 3. Odour and Noise from Equipment The operation of a hot food takeaway would likely introduce strong cooking odours and additional noise from necessary ventilation and extractor systems. This would further impact the quality of life for neighbouring properties and the general amenity of the area.*
- 4. Cumulative Impact in Light of the HARP Project Although the HARP (Haweswater Aqueduct Resilience Programme) construction work is not due to commence for another year, once it begins, it is expected to cause a significant increase in traffic and disruption within the village over a prolonged 9-month period. Introducing a takeaway business in this timeframe would compound these issues and further strain the already limited infrastructure.*

*In summary, the Parish Council strongly believes that this proposal is inappropriate for the location and is not in the best interest of local residents or the character of the village. We respectfully request that the planning authority refuse this application.*

<b>CONSULTATIONS:</b>	<b>Highways/Water Authority/Other Bodies</b>
<b>RVBC Environmental Health:</b>	

Ribble Valley Environmental Health Department have offered the following observations:

**Odour:**

*I have looked at the Miller Goodall odour report no: odour\_103338 dated 20<sup>th</sup> May 2025 the report recommends a high level of odour control the recommended high level mitigation measures on page 3 table 2 (column 2) rows 1 or 2 of the said report shall be incorporated into the design.*

**Noise from kitchen:**

*In addition to nuisance from cooking smells it is likely that prospective occupants of the flat above the premises would also suffer from noise and disturbance, possibly late at night.*

*General airborne noise can pass directly through the floor/ceiling to rooms above or enter the walls and be transmitted to the flats above (flanking transmission). Impact noise from work surfaces, walls or floors, equipment, banging pans in sinks, shutting doors etc can be transmitted via the walls to the flat above. Vibration can also be caused by equipment such as mixers and dough dividers. Noise associated directly with the cooking process, such as fan noise, could perhaps be controlled but other noise generated by the running of such a business, including the general comings and goings of customers and staff, would be likely to cause nuisance.*

*A scheme of sound insulation works shall be carried out to minimise noise transmission to the flats above, from customer noise, airborne noise within the kitchen and flanking transmission via the structure. The applicant should be required to carry out an acoustic study by a competent, qualified person and submit a report specifying sound reduction measures.*

*Although it has often been something of a tradition to utilise such accommodation this has generally been for the use of proprietors who would naturally be tolerant to any nuisance arising from their own business activities. Noise nuisance can also be possible from the normal activities of a commercial kitchen operating at night adjacent to residential premises and from any extract fans used.*

**Noise from extract:**

*The noise from the ventilation system should not be audible within any residential premises in the vicinity at any time. The applicant should be required to carry out an acoustic study and submit a report giving a guarantee that such a condition will be met.*

*I would, therefore, recommend that an independent consultant should specify a professionally designed extraction system with suitable expertise in noise and odour control. Noise shall be risk assessed using the methodology in the EMAQ control of noise and from commercial kitchen exhaust systems. The system shall incorporate mitigation measures from the associated risk assessment in the document. The equipment shall be specified to ensure that operation of the fan does not increase background noise levels measured at one metre from the façade of any adjacent windows (a maximum of 50 dB (A) at the outlet of the duct should be acceptable).*

*This type of business is usually open late at night and the noise of customers or their cars as they come and go and the noise of people waiting or hanging around outside is likely to cause a nuisance to the occupants of the flats above and the nearby houses. Such disturbance will be out of the control of the operator and is a common problem with takeaways.*

*Cafes, Restaurants and Takeaways I would recommend that the premises be closed between the hours of midnight and 08.00a.m, given that the character of locality is a rural village. The hours of opening shall be restricted to ensure that the last customer leaves the premises no later than midnight Monday to Saturday and 11pm on Sundays.*

**Summary:**

*If the development is permitted, then conditions should be imposed in order to reduce noise and odour nuisance.*

- A scheme of sound insulation works should be carried out to minimise noise transmission to the flats above, from customer noise, airborne noise within the restaurant and flanking via the structure. The applicant should be required to carry out an acoustic study by a competent, qualified person and submit a report specifying sound reduction measures.
- The extract ventilation from the restaurant shall terminate 1m above the ridge of the building and should be directed vertically upwards, with no cap or cowl on the stack, to ensure maximum dispersion and reduce the downwash effects of the building.
- The noise from the ventilation system should not be audible within any residential premises in the vicinity at any time. The applicant should be required to carry out an acoustic study and submit a report giving a guarantee that such a condition will be met.

#### LCC Highways:

The Local Highways Authority have raised no objection to the proposal subject to the imposition of a condition requiring the submission of a Construction Management Plan.

#### CONSULTATIONS:

#### Additional Representations.

37 letters of representation have been received objecting on the following grounds:

- Noise
- Odour
- Ant-social behaviour issues
- Traffic and Parking concerns
- Impacts upon property value
- Impact(s) upon the character of the area
- Detrimental impact(s) upon residential amenities

#### RELEVANT POLICIES AND SITE PLANNING HISTORY:

##### Ribble Valley Core Strategy:

##### Ribble Valley Core Strategy:

Key Statement DS1: Development Strategy  
 Key Statement DS2: Sustainable Development  
 Key Statement EN3: Sustainable Development and Climate Change  
 Key Statement EN5: Heritage Assets  
 Key Statement EC1: Business and Employment Development  
 Key Statement EC2: Development of Retail, Shops and Community Facilities  
 Key Statement DM12: Transport Considerations

Policy DMG1: General Considerations  
 Policy DMG2: Strategic Considerations  
 Policy DMG3: Transport & Mobility  
 Policy DME4: Protecting Heritage Assets  
 Policy DME5: Renewable Energy  
 Policy DME6: Water Management  
 Policy DMB1: Supporting Business Growth and the Local Economy

Planning (Listed Buildings and Conservation Areas) Act  
 National Planning Policy Framework (NPPF)

#### Relevant Planning History:

**2022/0465:**

Proposed first floor change of use to two self-contained 1 bed flats and ancillary domestic storage, access via external staircase. Ground floor conversion of store buildings 1 and 2 into a kitchen. (Approved)

**ASSESSMENT OF PROPOSED DEVELOPMENT:****Site Description and Surrounding Area:**

The application relates to the ground floor of the 'Chatburn Post Office' at 1-3 Bridge Road Chatburn. The application site falls within the designated Chatburn Conservation Area, with the area being mainly residential in character with a small number of commercial properties also being found to the east.

**Proposed Development for which consent is sought:**

The application seeks consent for a change of use of part of the ground floor of the existing retail premises to that of a Hot Food Takeaway (Sui generis). It is proposed that the takeaway area will be sectioned off from the main premises, with customer access being facilitated via an existing side door fronting Ribble Lane. No external alterations are proposed save that for the installation of an external extraction flue within an existing passage at the rear of the property.

**Impact upon Character/appearance of Conservations Area (Where Applicable):**

The application relates to an existing commercial premises located within the designated Chatburn Conservation Area. As such, in assessing the proposal, regard must be given to the statutory duties imposed on the authority in respect of the preservation and enhancement of such assets. In this respect, at a local level, Key Statement EN5 and Policy DME4 are primarily, but not solely, engaged for the purposes of assessing likely impacts upon designated heritage assets resultant from the proposed development.

**Key Statement EN5:**

In this respect Key Statement EN5 states that:

*There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.*

*This will be achieved through:*

- *Recognising that the best way of ensuring the long term protection of heritage assets is to ensure a viable use that optimises opportunities for sustaining and enhancing its significance.*
- *Keeping Conservation Area Appraisals under review to ensure that any development proposals respect and safeguard the character, appearance and significance of the area.*
- *Considering any development proposals which may impact on a heritage asset or their setting through seeking benefits that conserve and enhance their significance and avoids any substantial harm to the heritage asset.*
- *Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place.*
- *The consideration of Article 4 Directions to restrict permitted development rights where the exercise of such rights would harm the historic environment.*

#### **Policy DME4:**

With Policy DME4 stating, in respect of development within conservation areas or those affecting the listed buildings or their setting, that development will be assessed on the following basis:

##### **1: CONSERVATION AREAS**

*Proposals within, or affecting views into and out of, or affecting the setting of a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves and enhances the special architectural and historic character of the area as set out in the relevant conservation area appraisal. development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported.*

*In the conservation areas there will be a presumption in favour of the conservation and enhancement of elements that make a positive contribution to the character or appearance of the conservation area.*

##### **2: LISTED BUILDINGS AND OTHER BUILDINGS OF SIGNIFICANT HERITAGE INTEREST**

*Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported. Any proposals involving the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist.*

#### **Policy DMG1:**

Policy DMG1 is also engaged in concert with Key Statement EN5 and Policy DME4 insofar that the policy sets out general Development Management considerations, with the policy having a number of inherent criterion that are relevant to the assessment of the current proposal, which state:

*In determining planning applications, all development must:*

##### **DESIGN**

- 1. Be of a high standard of building design which considers the 8 building in context principles (from the CABE/English Heritage building on context toolkit.*
- 2. Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.*
- 3. Consider the density, layout and relationship between buildings, which is of major importance. particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.*

##### **AMENITY**

- 1. Not adversely affect the amenities of the surrounding area.*

##### **ENVIRONMENT**

- 3. All development must protect and enhance heritage assets and their settings.*

#### **National Planning Policy Framework (December 2024):**

The National planning Policy Framework (NPPF) sets out further duties in respect of determining proposals that affect heritage assets stating that *'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'*.

The Framework sets out further duties in respect of considering potential impacts upon designated heritage assets with Paragraphs 212 – 220 reading as follows:

**Considering Potential Impacts:**

212:

*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

213:

*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214:

*Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

215:

*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

216:

*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-*

*designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

**217:**

*Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.*

**218:**

*Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.*

**219:**

*Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*

**220:**

*Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 207 or less than substantial harm under paragraph 208, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.*

### **Assessment of Impacts:**

The submitted details do not propose any external alterations to the building save that for the installation of an externally mounted extraction flue. It is proposed that the flue will be sited within a 'shared passage' that is access via a 'coach door' opening. In this respect the flue will run horizontally west to east within the passage, before adopting a vertical configuration – with the uppermost extents of the flue terminating above eaves level.

In respect of the above and taking account of the limited nature of the external alterations to the building, particularly in that the proposed externally mounted extraction flue will be largely hidden from view and not visible from the immediate or wider public realm. It is not considered that the proposed external flue will result in any adverse impacts upon the character or visual amenities of Chatburn Conservation Area.

In addition to the above, whilst it is recognised that impacts upon designated Conservation Areas can be resultant not only from physical change, but also from development proposals that would fundamentally alter the character of the area by virtue of the nature or level of activities associated with development proposals. However, in this case, given the limited commercial footprint associated with the proposed Sui generis use, whilst taking account of the presence of nearby commercial uses. It is not considered that the development proposal would result in a quantum of change that would likely result in measurable or quantifiable harm to the character of the designated Chatburn Conservation Area.

As such, taking account of the above matters, it is not considered that the proposed development raises any significant direct conflict(s) with Key Statement EN5 or Policies DMG1 and DME4 of the Ribble Valley Core Strategy, nor any significant measurable conflicts with the aims, objectives and requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 or National Planning Policy Framework (December 2020/2024). Particularly in relation to measurable adverse impacts upon the designated Chatburn Conservation Area.

**Impact Upon Residential Amenity:**

The proposed use is located within close proximity to and bounded by a number of existing residential receptors. In this respect, consideration must be given in relation to the potential for the proposal to result in undue impacts upon the residential amenities of existing nearby residential occupiers.

The application has been accompanied by both a Commercial Kitchen Odour Risk Assessment and Noise Impact Assessment.

**Noise Assessment:**

In respect of the submitted Noise Impact Assessment, the report concludes the following:

**Discussion:**

*The noise impact of the extract system will depend on the distance between the ductwork termination and nearest NSR window.*

*As an example: Where the ductwork termination is 2 metres from the nearest receptor window, a sound pressure of 51dB at 1m from the ductwork would be reduced to 45dB at the NSR. It is advisable that the noise output from the extract flue termination should not exceed 51dB when measured at 1m. This assumes the system will not operate beyond 11pm at night.*

*The real-world noise impact will depend on multiple factors including the system components and location of the system.*

**Conclusion:**

*A Noise Impact Assessment has been undertaken at 1-3 Bridge Road, Chatburn in relation to the proposed installation of a kitchen extract system.*

*Measurements of the background noise climate have been undertaken 29<sup>th</sup>-30<sup>th</sup> May 2025 at a position deemed representative of the identified Noise sensitive Receptors (NSRs). The nearest or most-affected Noise Sensitive Receptors were identified as 1st floor flats above the site. Details of the system to be installed on site have not yet been finalised and so noise rating level limits have been determined from the measured background noise levels. Likely rating penalties have also been discussed in relation to the specific noise level.*

**Uncertainty:**

*The background monitoring equipment is subject to a 1dB error margin, however, calibration before and after measurements allows the drift within the margin to be monitored and thus demonstrates that minimal drift occurred throughout the measurements.*

*Uncertainty can arise in the prediction of noise propagation from and around flat reflective surfaces, such as the surrounding structures present on site. This has been reduced to a minimum by utilising an acoustic modelling software that uses the validated method, ISO-9613-2, as described in BS4142. Uncertainty in the calculated specific sound levels is further reduced by utilising manufacturer-given sound power levels.*

In respect of the above, the report identifies clear uncertainty in respect of the system to be installed and its likely impacts upon nearby residential receptors. Furthermore, the report fails to address or assess potential noise transference from the premises to nearby residential receptors – in particular the residential receptor located directly above the premises. In this respect no mitigation measures have been suggested nor provided.

As such, in respect of the submitted information relating to potential noise impacts, the applicant has failed to adequately demonstrate that the proposed use will not result in significant adverse impacts



upon the residential amenities of the occupiers of nearby affected residential dwellings by virtue of noise and disturbance.

**Commercial Kitchen Odour Risk Assessment:**

In respect of the submitted Commercial Kitchen Odour Risk Assessment, the report concludes the following:

***7 Summary of Impacts and Conclusion:***

***7.1:***

*The commercial kitchen odour risk assessment indicates that a high level of odour control is required within the development. This is to be provided by a combination of flue dispersion and abatement in the form of fine filtration or ESP with carbon filters.*

***7.2:***

*Recommendations have been provided in relation to the design and maintenance of the kitchen exhaust system and provided these are followed there should be no risk to the amenity of adjacent sensitive receptors.*

***7.3:***

*With the implementation of the mitigation, there is no reason for this application to be refused on the grounds of odour*

In respect of the above, the report identifies 'that a high level of odour control is required within the development'. However, details of the odour control system to be installed have not been provided. As such the authority cannot be assured that odours emanating from the cooking activities associated with proposed use will not result in significant undue impacts upon nearby residential amenities.

As such, in respect of the submitted information relating to impacts from odours, the applicant has failed to adequately demonstrate that the proposed use will not result in significant adverse impacts upon the residential amenities of the occupiers of nearby affected residential dwellings by virtue excessive odour.

**Proposed Use and Activities:**

The proposed use is likely to generate increased pedestrian foot traffic and vehicular movements in the area, within close proximity to existing residential receptors that would be uncharacteristic of the level of activities currently experienced by existing residential occupiers, with late night opening hours also being proposed (23:00hrs).

In this respect it is considered that the activities associated with the proposed use and activities associated with visiting customers, within close proximity to existing residential receptors, is likely to result in significant harm to the residential amenities of affected nearby residential occupiers. Being in direct conflict with Policy DMG1 of the Ribble Valley Core strategy which seeks to ensure of adequate standards of residential amenity and protect against development(s) that would result in measurable detrimental impact(s) upon nearby affected existing residential amenities.

**Conclusion:**

Taking account of the above matters, it considered that the applicant has failed to demonstrate that the proposed use will not result in significant adverse impacts upon the residential amenities of the occupiers of nearby affected residential dwellings. Particularly insofar that the Commercial Kitchen Odour Risk Assessment and Noise Impact Assessment fail to provide adequate mitigation measures to mitigate any likely negative adverse impacts resultant from the proposed use.

As such the proposal is considered to be in significant direct conflict with Policy DMG1 of the Ribble Valley Core strategy which seeks to ensure of adequate standards of residential amenity and protect against development(s) that would result in measurable detrimental impact(s) upon nearby affected existing residential amenities.

#### **Visual Amenity/External Appearance:**

The submitted details do not propose any external alterations to the building save that for the installation of an externally mounted extraction flue. It is proposed that the flue will be sited within a 'shared passage' that is access via a 'coach door' opening. In this respect the flue will run horizontally west to east within the passage, before adopting a vertical configuration – with the uppermost extents of the flue terminating above eaves level.

In respect of the above and taking account of the limited nature of the external alterations to the building, particularly in that the proposed externally mounted extraction flue will be largely hidden from view and not visible from the immediate or wider public realm. It is not considered that the proposed flue will result in any adverse impacts upon the character or visual amenities of the area.

As such and taking account of the above, it is not considered that the proposal will result in any direct conflict with the aims and objectives of Policy DMG1 which seeks to protect against development which would be of detriment to the character or visual amenities of the area.

#### **Highways and Parking:**

The Local Highways Authority have raised no objection to the proposal stating the following:

*Lancashire County Council acting as the Local Highway Authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety or capacity in the immediate vicinity of the site subject to the following condition being stated on any approval.*

*The Local Highway Authority (LHA) are in receipt of an application for the proposed change of use of part of existing shop forming a hot food takeaway at Post Office 1-3 Bridge Road Chatburn.*

*The development will convert an area of the existing retail space into a hot food takeaway. Whilst the site lacks off-street parking provisions, it is located within close proximity to other local amenities. On-street parking is available in the surrounding area which could be utilised by customers and deliveries, as is the case with the other local amenities. The site is also located in close proximity to bus stops, which serve services to Clitheroe and Nelson.*

*The National Planning Policy Framework (NPPF) states that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios." (Paragraph 116). The Local Highway Authorities' detailed examination of this application, which included accident analysis and parking, concludes there are no highway grounds to support an objection as set out by NPPF.*

If the Planning Authority is minded to approve this application Lancashire County Council Highways requests the following condition is appended to the decision notice:

*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:*

1. 24 Hour emergency contact number;
2. Details of the parking of vehicles of site operatives and visitors;
3. Details of loading and unloading of plant and materials; • Measures to protect vulnerable road users (pedestrians and cyclists);
4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
5. Measures to control the emission of dust and dirt during construction;
6. Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
7. 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.*

As such, taking account of the above matters, it is not considered that the proposal will result in any measurable conflict(s) with Key Statement DMI2 or Policy DMG3 which seek to ensure the continued safe operation of the highways network and to ensure adequate pedestrian infrastructure and vehicular parking provision is brought forward to accommodate development.

#### **Landscape/Ecology:**

The proposal relates to a change of use of existing commercial floorspace to accommodate a proposed hot food takeaway (Sui generis) with no works being proposed within the existing roof void or any external physical alterations directly affected existing tress or hedgerow. As such it is not considered that the application will result in any adverse impacts upon habitats or species of conservation concern that would necessitate the need for compensatory mitigation.

As such and taking account of the above, the proposal does not raise any significant measurable conflict(s) with Policies DME1, DME2 nor DME3 of the Ribble Valley Core Strategy which seek to protect against adverse impacts upon habitat, biodiversity, ecology or protected species and species of conservation concern.

The application is exempt from the mandatory biodiversity net gain requirement, falling within the de-minimis exception.

#### **Observations/Consideration of Matters Raised/Conclusion:**

As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for refusal.

#### **RECOMMENDATION:**

That planning consent be refused for the following reason(s).

**01:** The applicant has failed to demonstrate that the proposed use will not result in significant adverse impacts upon the residential amenities of the occupiers of nearby affected residential dwellings. Particularly insofar that the Commercial Kitchen Odour Risk Assessment and Noise Impact Assessment fail to provide adequate mitigation measures to mitigate any likely negative adverse impacts resultant from the proposed use.

As such the proposal is considered to be in significant direct conflict with Policy DMG1 of the Ribble Valley Core strategy which seeks to ensure of adequate standards of residential amenity

	and protect against development(s) that would result in measurable detrimental impact(s) upon nearby affected existing residential amenities.
<b>02:</b>	It is considered that the activities associated with the proposed use and activities associated with visiting customers, within close proximity to existing residential receptors, is likely to result in significant harm to the residential amenities of affected nearby residential occupiers. Being in direct conflict with Policy DMG1 of the Ribble Valley Core strategy which seeks to ensure of adequate standards of residential amenity and protect against development(s) that would result in measurable detrimental impact(s) upon nearby affected existing residential amenities.