

Land North of Chapel Hill Longridge

Application for a Certificate of Lawfulness of Existing Use/Development in Relation to Lawful Commencement of Development

SUPPORTING STATEMENT
SEPTEMBER 2025

REPORT CONTROL

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Project	Land North of Chapel Hill, Longridge
Client	William Pye Ltd
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CONTENTS

1	INTRODUCTION
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2	BACKGROUND
---	------------

3	RELEVANT LEGISLATION
---	----------------------

4	PLANNING CONSIDERATIONS AND CONCLUSIONS
---	---

Appendices

Appendix A – Decision Notice reference 3/2021/1262

Appendix B – Decision Notice reference 3/2024/0983

Appendix C – Current images of site taken 22/09/2025

/1 INTRODUCTION

- 1.1. PWA Planning is retained by William Pye Ltd ('the applicant') to progress an application for a Certificate of Lawfulness of Existing use ('CLEUD') in relation to the lawful commencement of development subject to planning permission ref. 3/2024/0983, at the north of the Chapel Hill, Longridge ('the site').
- 1.2. The application seeks confirmation that the works undertaken constitute a lawful commencement of development prior to the expiration of the extant planning permission. In this instance the planning permission referred to is as follows:

3/2024/0983: Variation of condition 17 (SW drainage) on permission 3/2021/1262 for the erection of 4no. commercial units (Use Class E) to allow the verification report to be provided after the commencement of works.
- 1.3. This statement consists of Section 2 'Background', Section 3 'Relevant Legislation' and Section 4 'Planning Considerations and Conclusions'. It should be read in conjunction with all the documents submitted as part of the application.

/2 BACKGROUND

- 2.1. Full planning permission was granted for the site on the 10th October 2022, by Ribble Valley Borough Council under application reference 3/2021/1262 for the following description of development:

Full application for the erection of 4no. commercial units (Use Class E).

- 2.2. The decision notice for this consent is contained in full in Appendix A. The consent was subject to conditions, including those which required detail to be approved prior to the commencement of development.
- 2.3. An application to discharge conditions 8 (tree and hedgerow protection), 9 (construction traffic management plan), 14 (surface water drainage strategy), 15 (construction SW management plan), 16 (SW drainage operation and maintenance manual), 17 (SW verification report) and 20 (Phase 2 land contamination report) was submitted in May 2025 (LPA Ref. 3/2024/0389) which was later approved on the 9th October 2024, confirming that the abovementioned conditions were successfully discharged.
- 2.4. A subsequent Section 73 application (Ref. 3/2024/0983) sought to vary condition 17 (surface water drainage). This application was approved on the 12th March 2025 and now forms the operative consent. Accordingly, the conditions attached to this consent were updated to reflect the conditions which have been satisfied by application ref. 3/2024/0389, converting these conditions to compliance only.
- 2.5. Condition 1 states that development must begin by the 10th October 2025, which marks 3 years from the grant of approval for planning application Ref. 3/2021/1262.
- 2.6. With all pre-commencement conditions formally discharged, the applicant was clear to lawfully implement the permission. This has now occurred through the construction of permanent access road, groundworks and preparation as well as the installation of services, as further discussed below.

13 RELEVANT LEGISLATION

3.1. The Town and Country Planning Act (TCPA) 1990 as amended by The Planning and Compensation Act 1991 under Section 191(1)(b) states a certificate of lawfulness of existing use or development is relevant if a person wishes to attain whether any operations which have been carried out on land are lawful. Section 191(4) states that if the local planning authority are provided with information satisfying them of the lawfulness at the time of the application of the use, operations or other matter described in the application they shall issue a certificate to that effect.

3.2. The relevant section of TCPA 1990 in relation to the general condition limiting duration of a planning permission is Section 91. In this circumstance the relevant section is 91(1):

Subject to the provisions of this section, every planning permission granted or deemed to be granted shall be granted or, as the case may be, be deemed to be granted, subject to the condition that the development to which it relates must be begun not later than the expiration of—

a) the applicable period, beginning with the date on which the permission is granted or, as the case may be, deemed to be granted; or

b) such other period (whether longer or shorter) beginning with that date as the authority concerned with the terms of planning permission may direct.

3.3. The TCPA 1990 Section 56 is concerned with the time when development begun. Section 56(1)(a) states the development of land shall be taken as initiated if the development consists of the carrying out of operations, at the time when those operations begun. Section 56(2) clarifies this further, with development being taken to be begun on the earliest date on which any material operation comprised in the development begins to be carried out. Of relevance here, Section 56(4) states a “material operation” as noted in Section 56(2) means:

(a) any work of construction in the course of the erection of a building;

(b) the digging of a trench which is to contain foundations, or part of the foundations, of a building;

(c) the laying of any underground main or pipe to the foundations, or part of the foundations, of a building or to any such trench as is mentioned in paragraph (b);

(d) any operation in the course of laying out or constructing a road or part of a road;

- 3.4. Consideration of whether the proposed works represent lawful commencement of development are discussed within the following chapter.

/4 PLANNING CONSIDERATIONS AND CONCLUSIONS

- 4.1. The initial planning application (Ref. 3/2021/1262) for planning permission for the erection of 4no. commercial units was approved on the 10th October 2022. Condition 1 of that permission stated that the development must be started no later than the expiration date of 3 years from the date of that consent.
- 4.2. All conditions requiring further information to be approved prior to the commencement of development have been satisfied, and any material operations since carried out on site will have therefore implemented the planning permission.
- 4.3. Site preparations have been underway for some time, and operations officially commenced on 1st September 2025. The works, which constitute 'material operations' as defined by Section 56(4) of the Town and Country Planning Act 1990, include:
 - **The laying out and construction of a road (S56(4)(d)):**
 - o A substantial section of the new access road has been constructed which involved significant groundworks, including the consolidation of levels and the preparation of the sub-surface.
 - o The road's sub-base has been laid with aggregate and compacted, before being finished with a tarmac surface. Approximately 40 tonnes of tarmac was used, with an estimated material value of £5,000.
 - **Works of construction and groundworks (S56(4)(a) & (b)):**
 - o In addition to the road, wider areas of the site have been dressed and levelled off, creating surfaced ready for the next phases of construction.
 - o Photographs appended show stockpiles of materials (for example stone and aggregate) on site, which have been brought in for the foundations of the buildings.
 - **The laying of underground mains or pipes (S56(4)(c)):**
 - o The initial installation of services has commenced, with some connections being laid.

- 4.4. The applicant has suitably demonstrated compliance with parts a, b, c and d of Section 56(4) of the Town and Country Planning Act.
- 4.5. A collection of photographs taken on the 22nd September 2025 is appended to this statement which clearly show that the operations are underway and can be easily inspected from public vantage points. The assigned planning officer is welcomed to visit the application site to see these works in context.
- 4.6. As evidenced in the previous section of this statement, it is undisputed that the extent and nature of works commenced represent “material operation” as defined by the 1990 TCPA. Consequently, it is asserted the works represent a valid implementation of aforementioned planning permission.

Conclusion

- 4.7. The information provided in this submission gives clear evidence of planning permission 3/2021/1262 being implemented lawfully prior to its expiration. It is considered that the evidence provided is sufficiently precise and unambiguous to justify the grant of a certificate. Accordingly, it is clear that the applicant would be entitled to a certificate to this effect.

Appendix A – Decision Notice reference 3/2021/1262

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: 3/2021/1262

DECISION DATE: 10 October 2022

DATE RECEIVED: 13/01/2022

APPLICANT:

Williams Pye Limited
c/o Agent

AGENT:

Mr Graeme Thorpe
PWA Planning
2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

DEVELOPMENT Full application for the erection of 4no. commercial units (Use Class E).

PROPOSED:

AT: Land at the North of the Chapel Hill site Longridge

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 development 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: 4021

Landscape Proposals: 6962.01 Revision: A

Plans and Elevations as Proposed: 4021/3 Revision: G

Site Sections as Proposed: 4021/4

Acoustic Survey (October 2021)

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, details or specifications of all materials to be used on the external surfaces of the development hereby approved shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.

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

4. The use of the buildings hereby permitted shall be used for uses falling within Use Class E - sub activities/uses (c), (d) and (g) of the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision, including permitted changes, equivalent to that Class in any statutory instrument revoking and re-enacting that Order) and for no other purposes or sub-activities/uses within use Class E.

Reason: To clarify the nature of the consent hereby approved, to protect against unacceptable impact on neighbour amenity and to ensure uses are not undertaken on site that may undermine the viability or vitality of the Main Town Centre of the settlement of Longridge.

5. Notwithstanding the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015 and Town and Country Planning (Use Classes) Order 1987 (or as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (or in any provision equivalent to that class in any statutory instrument amending or replacing that Order) the floorspace(s) of the use hereby approved (Class E - sub activities/uses (c), (d) and (g)) shall not exceed the following:

Use Class E(c) - 196 sqm
Use Class E (d) - 288 sqm

Reason: To clarify the nature of the consent hereby approved and to ensure the operations associated with the proposed uses/activities do not increase to a degree that would undermine the vitality or viability of the Main Town Centre of Longridge.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any subsequent enactment or re-enactment thereto, no enlargements or other alterations (including the insertion of a mezzanine floor) shall be undertaken to or within the buildings hereby approved.

Reason: To ensure a balance is maintained between commercial floor space and car parking and to ensure the operations associated with the proposed uses/activities hereby approved do not increase to a degree that would undermine the vitality or viability of the Main Town Centre of Longridge.

P.T.O.

7. The landscaping proposals hereby approved (Drawing: Landscape Proposals 6962.01 Revision: A) shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority.

This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted. All trees/hedgerow shown as being retained within the approved details shall be retained as such in perpetuity.

Reason: To ensure the proposal is satisfactorily landscaped and trees/hedgerow of landscape/visual amenity value are retained as part of the development.

8. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site unless and until a scheme for protective fencing for trees and hedgerow within and adjacent to the site, has been submitted to and approved in writing by the Local Planning Authority.

The submitted details shall be in accordance with BS5837 (2012): 'Trees in Relation to Construction'. The agreed fencing/protection shall be erected in its entirety prior to any other operations taking place on the site and shall not be breached nor removed during development.

Furthermore within the areas so fenced the existing ground level shall be neither raised nor lowered and there shall be no development or development-related activity of any description including the deposit of spoil or the storage of materials unless expressly agreed by the Local Planning Authority.

Reason: To ensure the proposal is satisfactorily landscaped and trees/hedgerow of landscape/visual amenity value are retained as part of the development.

9. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority.

The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

P.T.O.

10. No building hereby permitted shall be occupied or brought into use until details for the provisions of Electric Vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved provision shall be installed and made available prior to the first use of any of the buildings hereby approved and thereafter retained.

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

11. No building hereby permitted shall be occupied or brought into use until a delivery and servicing plan has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved delivery and servicing plan for the lifetime of the development.

For the avoidance of doubt the delivery and servicing plan/details shall include:

"The contact details of a suitably qualified co-ordinator;

"How vehicle arrivals, departures, parking, stopping and waiting will be controlled to minimise any impact on the adopted highway;

"Details of any freight consolidation operation, centre and the delivery and servicing booking and management systems.

Reason: In the interests of highway safety and to minimise the impact of vehicles servicing the development upon congestion.

12. The development hereby approved shall not be occupied or brought into use until such time as the parking and turning facilities have been implemented in accordance with the approved details. 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.

13. The development hereby approved shall not be occupied or brought into use until details relating to cycle storage for the approved development has been submitted to and approved in writing by the Local Planning Authority.

These approved cycle storage facilities shall be provided and made available for use prior to the development hereby approved being brought into use. The approved details shall thereafter be retained and kept free of obstruction and be available for the parking of bicycles only.

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.

P.T.O.

14. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the indicative surface water sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

P) Sustainable drainage calculations for peak flow control and volume control for the:

- P. 100% (1 in 1-year) annual exceedance probability event;
- ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
- iii. 1% (1 in 100-year) annual exceedance probability event + 40% climate change allowance. Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.

b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

- P. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
- ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
- iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
- iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
- v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
- vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
- vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;

c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates and groundwater levels in accordance with BRE 365.

d) Evidence of an assessment of the existing on-site surface water sewer to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.

e) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

15. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include for each phase, as a minimum:

a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.

b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework.

16. No development shall be commenced until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of SuDS components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly;
- and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.

17. No development shall be commenced until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.

P.T.O.

18. Noise emitted from the site associated with the uses hereby approved shall not exceed the following noise levels measured on the northern and eastern boundaries of the site.

"38 dB LAeq (1 hour) from 0700 hours to 1900 hours

"33 dB LAeq (1 hour) from 1900 hours to 2300 hours and

"27 dB LAeq (15min) from 2300 hours to 0700 hours on any day

For the avoidance of doubt all measurements, unless otherwise stated, shall refer to free field conditions measured at a height of 1.2 (alternative 4) metres above ground level and wind speeds of 3m/sec or below. The sound level meter response time to be set to fast.

Reason: To protect the residential amenities of nearby neighbouring residential occupiers from undue noise disturbance.

19. Prior to their installation details of a scheme for any external building or ground mounted lighting/illumination, shall have been submitted to and approved in writing by the local planning authority. For the avoidance of doubt the submitted details shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution.

The lighting schemes(s) be implemented in accordance with the approved details.

Reason: To protect the residential amenities of nearby neighbouring residential occupiers and the visual amenities of the area from undue light pollution.

20. Based on the findings of the Preliminary Risk Assessment, a number of potential risks associated with potential contamination and ground gas have been identified. Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Where site remediation is recommended in the Phase II Intrusive Site Investigation Report, further groundworks shall not commence until a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Remediation of the site shall thereafter be carried out and completed in accordance with the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days.

Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation Summary Report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any other development.

Reason: To ensure the safe occupation of the site in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

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.

P.T.O.

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.

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/planning-inspectorate>. 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.

Appendix B – Decision Notice reference 3/2024/0983

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: 3/2024/0983

DECISION DATE: 12 March 2025

DATE RECEIVED: 29/11/2024

APPLICANT:

Ms Alex Pye
William Pye Limited
C/o Agent

AGENT:

Mr Robert Palmer
PWA Planning
2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

DEVELOPMENT PROPOSED: Variation of condition 17 (SW drainage) on permission 3/2021/1262 for the erection of 4no. commercial units (Use Class E) to allow the verification report to be provided after the commencement of works.

AT: Land at the north of the Chapel Hill site Longridge

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 development must be begun not later than the 10th October 2025.

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: 4021

Landscape Proposals: 6962.01 Revision: A

Plans and Elevations as Proposed: 4021/3 Revision: G

Site Sections as Proposed: 4021/4

Acoustic Survey (October 2021)

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

3. Notwithstanding the submitted details, details or specifications of all materials to be used on the external surfaces of the development hereby approved shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.

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

4. The use of the buildings hereby permitted shall be used for uses falling within Use Class E - sub activities/uses (c), (d) and (g) of the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision, including permitted changes, equivalent to that Class in any statutory instrument revoking and re-enacting that Order) and for no other purposes or sub-activities/uses within use Class E.

Reason: To clarify the nature of the consent hereby approved, to protect against unacceptable impact on neighbour amenity and to ensure uses are not undertaken on site that may undermine the viability or vitality of the Main Town Centre of the settlement of Longridge.

5. Notwithstanding the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015 and Town and Country Planning (Use Classes) Order 1987 (or as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (or in any provision equivalent to that class in any statutory instrument amending or replacing that Order) the floorspace(s) of the use hereby approved (Class E - sub activities/uses (c), (d) and (g)) shall not exceed the following:

Use Class E(c) - 196 sqm
Use Class E (d) - 288 sqm

Reason: To clarify the nature of the consent hereby approved and to ensure the operations associated with the proposed uses/activities do not increase to a degree that would undermine the vitality or viability of the Main Town Centre of Longridge.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any subsequent enactment or re-enactment thereto, no enlargements or other alterations (including the insertion of a mezzanine floor) shall be undertaken to or within the buildings hereby approved.

Reason: To ensure a balance is maintained between commercial floor space and car parking and to ensure the operations associated with the proposed uses/activities hereby approved do not increase to a degree that would undermine the vitality or viability of the Main Town Centre of Longridge.

7. The landscaping proposals hereby approved (Drawing: Landscape Proposals 6962.01 Revision: A) shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority.

This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted. All trees/hedgerow shown as being retained within the approved details shall be retained as such in perpetuity.

Reason: To ensure the proposal is satisfactorily landscaped and trees/hedgerow of landscape/visual amenity value are retained as part of the development.

8. The development shall be implemented in accordance with the approved Tree Protection Scheme (February 2024) as partially discharged under planning ref: 3/2024/0389.

The agreed fencing/protection shall be erected in its entirety prior to any other operations taking place on the site and shall not be breached nor removed during development.

Furthermore within the areas so fenced the existing ground level shall be neither raised nor lowered and there shall be no development or development-related activity of any description including the deposit of spoil or the storage of materials unless expressly agreed by the Local Planning Authority.

Reason: To ensure the proposal is satisfactorily landscaped and trees/hedgerow of landscape/visual amenity value are retained as part of the development.

9. The development shall be implemented in accordance with the approved Construction Traffic Management Plan as partially discharged under planning ref: 3/2024/0389.

The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

10. No building hereby permitted shall be occupied or brought into use until details for the provisions of Electric Vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved provision shall be installed and made available prior to the first use of any of the buildings hereby approved and thereafter retained.

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

11. No building hereby permitted shall be occupied or brought into use until a delivery and servicing plan has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved delivery and servicing plan for the lifetime of the development.

For the avoidance of doubt the delivery and servicing plan/details shall include:

"The contact details of a suitably qualified co-ordinator;

"How vehicle arrivals, departures, parking, stopping and waiting will be controlled to minimise any impact on the adopted highway;

"Details of any freight consolidation operation, centre and the delivery and servicing booking and management systems.

Reason: In the interests of highway safety and to minimise the impact of vehicles servicing the development upon congestion.

12. The development hereby approved shall not be occupied or brought into use until such time as the parking and turning facilities have been implemented in accordance with the approved details. 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.

13. The development hereby approved shall not be occupied or brought into use until details relating to cycle storage for the approved development has been submitted to and approved in writing by the Local Planning Authority.

These approved cycle storage facilities shall be provided and made available for use prior to the development hereby approved being brought into use. The approved details shall thereafter be retained and kept free of obstruction and be available for the parking of bicycles only.

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.

14. The Surface Water Drainage Strategy shall be implemented in accordance with the approved details as partially discharged under planning ref: 3/2024/0389 namely:

Surface Water Sustainable Drainage Strategy

Supporting letter (received 24.6.24)

Surface Water Drainage Layout (Received 12.9.24)

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 172 and 182 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

15. The development shall be implemented in accordance with the approved Construction Surface Water Management Plan and Construction Traffic Management Plan as partially discharged under planning ref: 3/2024/0389.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 172 of the National Planning Policy Framework.

16. The development shall be implemented in accordance with the approved details as partially discharged under planning ref: 3/2024/0389 namely:

Surface Water Sustainable Drainage Strategy
Supporting letter (received 24.6.24)
Surface Water Drainage Layout (Received 12.9.24)

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 182 of the National Planning Policy Framework.

17. Prior to first use of the development, a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, shall be submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 172 and 182 of the National Planning Policy Framework.

18. Noise emitted from the site associated with the uses hereby approved shall not exceed the following noise levels measured on the northern and eastern boundaries of the site.

"38 dB LAeq (1 hour) from 0700 hours to 1900 hours

"33 dB LAeq (1 hour) from 1900 hours to 2300 hours and

"27 dB LAeq (15min) from 2300 hours to 0700 hours on any day

For the avoidance of doubt all measurements, unless otherwise stated, shall refer to free field conditions measured at a height of 1.2 (alternative 4) metres above ground level and wind speeds of 3m/sec or below. The sound level meter response time to be set to fast.

Reason: To protect the residential amenities of nearby neighbouring residential occupiers from undue noise disturbance.

19. Prior to their installation details of a scheme for any external building or ground mounted lighting/illumination, shall have been submitted to and approved in writing by the local planning authority. For the avoidance of doubt the submitted details shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution.

The lighting schemes(s) be implemented in accordance with the approved details.

Reason: To protect the residential amenities of nearby neighbouring residential occupiers and the visual amenities of the area from undue light pollution.

20. The development shall be implemented in accordance with the approved Site Investigation and Ground Assessment (April 2024) as partially discharged under planning ref: 3/2024/0389.

Following completion of all necessary mitigation and monitoring measures identified in the approved documentation, a Validation Report shall be submitted to and in writing by the Local Planning Authority prior to first use of the development.

Reason: To ensure the safe occupation of the site in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

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.

Appendix C – Current images of site taken 22/09/2025

















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