

70 Green Bank Park, Old Clitheroe Road, Longridge PR3 2XY

Application for a Certificate of Lawfulness for the existing use of Lodge number 70 , at Green Bank Park, as a residential lodge in permanent residential occupation under Use Class C3

SUPPORTING STATEMENT

November 2025



REPORT CONTROL

Document type	Supporting Statement
Project	Green Bank Park lodge 70
Client	Stan Ainsworth
Job Number	23-1634

Document Checking

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Reviewer	Josh Hellowell

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/1 INTRODUCTION

- 1.1. PWA Planning is retained by Stan Ainsworth ('the applicant') to progress an application for a Certificate of Lawfulness (LDC) to confirm the existing development and use of Lodge number 70 as a residential lodge at Green Bank Park, Old Clitheroe Road, Longridge, PR3 2XY.
- 1.2. The site has previously obtained planning permission for 45no. holiday lodges, all of which have been built out in accordance with the plans. However, since their construction they have been utilised solely for residential purposes. The applicant is now seeking formal confirmation that the continued use of Lodge number 70 for residential purposes is lawful, despite the conflict with the S106 Agreement (included at Appendix B) associated with the original consent. The foundation for the argument being that the original permission was never lawfully implemented.
- 1.3. The statement consists of Section 2 – Planning History, Section 3 – Relevant Legislation, Section 4 – Establishing Existing Use/Development, and Section – 5 Planning Comment and Section 6 – Conclusion. It should be read in conjunction with all the documents submitted as part of the lawful development certificate application. These comprise:
 - Completed Application Form;
 - Location Plan;
 - Existing Site Plan;
 - Supporting Statement (this document) including;
 - Appendix A – Relevant Planning Decision (3/1995/0080)
 - Appendix B – Section 106 Agreement (3/1995/0080)
 - Appendix C – Sworn Statement from Mr. Stan Ainsworth
 - Appendix D – Information and Evidence relating to each of the relevant units.



/2 PLANNING HISTORY

- 2.1. The application site and its immediate surroundings have been subject to a planning history search on Ribble Valley Borough Council's planning register.
- 2.2. The following applications are considered relevant to the proposal:
- Application 3/1995/0080 – Outline Application For Development Of 30 No. Holiday Chalets With Reception/Restaurant Building – approved 19/05/1998
 - Application 3/2000/0208 – Renewal Of Outline Permission For Development Of 20 No. Holiday Chalets With Reception And Restaurant – approved 18/05/2000
 - Application 3/2001/0485 - Reserved Matters Application For 30 Holiday Chalets – Approved 10/11/2004
 - Application 3/2005/0503 - Construction of three additional timber chalets – approved 28/07/2005
 - Application 3/2005/0922 - Substitute Balcony to cabins. – approved 16/12/2005
 - Application 3/2006/0138 - Two additional stone chalets on tourism development. – refused 03/04/2006
 - Application 3/2006/0400 - Erection of one holiday chalet. Proposed construction of 40m length of random stone wall 1.5m high along Clitheroe Road. – approved 21/06/2006
 - Application 3/2006/0673 - Alteration to approved site road and layout (part) and additional 4 chalets; associated engineering works – Approved 15/09/2006
 - Application 3/2006/1002 - Five additional stone Chalets on south west side of site, and amendments to siting of car park to avoid public footpath. – Approved 19/01/2007
 - Application 3/2007/0176 - Six additional stone chalets on southern side of site. – refused/withdrawn 23/05/2007
 - Application 3/2007/0576 - Two additional stone chalets. – Approved 20/07/2007
 - Application 3/2007/0839 - Two additional stone chalets on southern side of lake. – Refused 01/10/2007
 - Application 3/2008/0615 - One additional stone chalet on eastern side of lake. – Refused 11/09/2008 – Appeal Dismissed 21/01/2009



2.3. The most pertinent applications to this certificate of lawfulness application are the original outline approval 3/1995/0080 and subsequent reserved matters application 3/2001/0485 which sought approval for the 30no. lodges. The application was subject to a S106 Agreement which restricted the occupation of the lodges for holiday accommodation, the relevant clause stated:

b) Not to allow the holiday chalets the subject of development:

i) to be occupied as permanent residential dwellings or to be occupied or let other than as holiday accommodation nor;

ii) to be occupied for a continuous period of more than six weeks in any one year by any one person or any one group of persons.

2.4. The lodges were built out in accordance with the approved plans as per the reserved matters approval (3/2001/0485), however the use of all 30no. lodges, including Lodge number 70, was not commenced as short-term accommodation and has always been used for residential purposes. It is therefore considered that as the use secured by the S106 Agreement was never lawfully implemented, then the original permission was not lawfully implemented but has become lawful by the virtue of the passage of time (over 4 years).

2.5. Further to the above it is considered that a number of the consented units, including Lodge number 70, are not bound by the aforementioned S106 agreement. The layout consented as part of the relevant outline and reserved matters consent was subject to alteration and expansion via another application (app ref 3/2006/0673). This was not submitted as a variation to the original consent, but rather as a new full application. The application was consented without a legal agreement but with a condition limiting use. However evidence is provided in relation to all units across the site for completeness. This matter is discussed further in section 4 of this statement.



/3 RELEVANT LEGISLATION

3.1. Section 191 of the Town and Country Planning Act 1990 states that: -

(1) If any person wishes to ascertain whether—

- (a) any existing use of buildings or other land is lawful;*
- (b) any operations which have been carried out in, on, over or under land are lawful;*
or
- (c) any other matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted is lawful,*

he may make an application for the purpose to the local planning authority specifying the land and describing the use, operations or other matter.

(2) For the purposes of this Act uses and operations are lawful at any time if—

- (a) no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and*
- (b) they do not constitute a contravention of any of the requirements of any enforcement notice then in force.*

(3) For the purposes of this Act any matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted is lawful at any time if—

- (a) the time for taking enforcement action in respect of the failure has then expired; and*
- (b) it does not constitute a contravention of any of the requirements of any enforcement notice or breach of condition notice then in force.*

(3A) In determining for the purposes of this section whether the time for taking enforcement action in respect of a matter has expired, that time is to be taken not to have expired if—

- (a) the time for applying for an order under section 171BA(1) (a "planning enforcement order") in relation to the matter has not expired,*



- (b) an application has been made for a planning enforcement order in relation to the matter and the application has neither been decided nor been withdrawn, or*
- (c) a planning enforcement order has been made in relation to the matter, the order has not been rescinded and the enforcement year for the order (whether or not it has begun) has not expired.*
- (4) If, on an application under this section, 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, or that description as modified by the local planning authority or a description substituted by them, they shall issue a certificate to that effect; and in any other case they shall refuse the application.*
- (5) A certificate under this section shall—*
 - (a) specify the land to which it relates;*
 - (b) describe the use, operations or other matter in question (in the case of any use falling within one of the classes specified in an order under section 55(2)(f), identifying it by reference to that class);*
 - (c) give the reasons for determining the use, operations or other matter to be lawful; and*
 - (d) specify the date of the application for the certificate.*
- (6) The lawfulness of any use, operations or other matter for which a certificate is in force under this section shall be conclusively presumed.*
- (7) A certificate under this section in respect of any use shall also have effect, for the purposes of the following enactments, as if it were a grant of planning permission—*
 - (a) section 3(3) of the Caravan Sites and Control of Development Act 1960 [or section 7(1) of the Mobile Homes (Wales) Act 2013;]*
 - (b) section 5(2) of the Control of Pollution Act 1974; and*
 - (c) section 36(2)(a) of the Environmental Protection Act 1990.]*

3.2. The site has a significant planning history and as such it is anticipated that this process will require input from the LPA in relation to the historic and ongoing use of the lodge in question, Lodge number 70. As such it is pertinent to highlight that limited information is available on the Council's online application search in relation to the historic application,



meaning that it has not been possible to review all of the supporting information including all of the relevant plans. We would request that if the LPA have any additional information on file in this respect that they make this available to us at the earliest opportunity to assist with our application.

3.3. It is stated within the Planning Practice Guidance (Paragraph: 006 Reference ID: 17c-006-20140306) that *'a local planning authority always needs to co-operate with an applicant who is seeking information that the local authority may hold about the planning status of land* and on that basis we would expect the LPA to work with us proactively where there is a deficit of information available to us.

3.4. It is noted that the legislation for timescales for taking enforcement action has recently changed, the NPPG guidance on Enforcement and Post Permission Matters, notes that:

In most cases, development becomes immune from enforcement if no action is taken:

- *within 10 years of substantial completion for a breach of planning control consisting of operational development where substantial completion took place on or after 25 April 2024*
- *within 10 years for an unauthorised change of use to a single dwellinghouse where the change of use took place on or after 25 April 2024*
- *within 4 years of substantial completion for a breach of planning control consisting of operational development where substantial completion took place before 25 April 2024;*
- *within 4 years for an unauthorised change of use to a single dwellinghouse where the change of use took place before 25 April 2024*
- *within 10 years for any other breach of planning control (essentially other changes of use)*

Paragraph: 004 Reference ID: 17b-004-20180222

3.5. In the context of the above the 4-year rule still applies as the breach took place before the 25th of April 2024. Notwithstanding this, the works were also completed more than 10 years ago, meaning that whichever date is applicable, the development is still outside of the window for enforcement action.



Need for precision in certificates

- 3.6. Conditions cannot be attached to certificates of lawfulness. It follows that someone who commenced a use in breach of planning control and escapes enforcement action for the time limit period would be subject to less control than one who applied for planning permission to which conditions were attached. This problem is addressed in the Planning Practice Guidance at Paragraph 010, reference ID 17c-010-20140306:

"Precision in the terms of any certificate is vital, so there is no room for doubt about what was lawful at a particular date, as any subsequent change may be assessed against it. It is important to note that:

- *a certificate for existing use must include a description of the use, operations or other matter for which it is granted regardless of whether the matters fall within a use class. But where it is within a "use class", a certificate must also specify the relevant "class". In all cases, the description needs to be more than simply a title or label, if future problems interpreting it are to be avoided. The certificate needs to therefore spell out the characteristics of the matter so as to define it unambiguously and with precision. This is particularly important for uses which do not fall within any "use class" (i.e. "sui generis" use); and*
- *where a certificate is granted for one use on a "planning unit" which is in mixed or composite use, that situation may need to be carefully reflected in the certificate. Failure to do so may result in a loss of control over any subsequent intensification of the certificated use.*

- 3.7. The wording of the Certificate as outlined in Section 1 of this statement is considered to be accurate and reflective of the property in question, Lodge number 70, which sits on the wider development of 30no. lodges that were originally granted permission for use as holiday homes and has continuously been occupied as a residential units for over 4 years. The existing use of the property is as a permanent residential dwelling and the buildings has never been occupied as a holiday home as originally secured in the Section 106 Agreement attached to earlier planning permissions. Given the property was built out and occupied under a residential use for well over a four-year period, and sufficient evidence is submitted with this application to demonstrate that is the case, the use of this property on a residential basis with a year round continuous occupancy is lawful.



Certification process under Section 191: Obligation to Apply

- 3.8. In accordance with the legislation, the submitted application form provides the information required by Part (3) (a), (b) and (d). The purpose of this statement is to expand upon the information provided and to explain the reasoning for determining that the operations and use would be lawful.
- 3.9. The use of the lodge for residential purposes means that the property would not fall within the C1 Use Class that was originally granted as part of the earlier permissions and was secured by the Section 106 Agreement. As the permission was secured on the basis of a signed Section 106 Agreement limiting the use to holiday homes, it is our view that the permission was not lawfully implemented given it never operated in line with the legal agreement. On that basis, the lodge has been erected on site for well in excess of the required 4 years to become lawful, nearing a 20 year period, and has been used as permanent residential accommodation for over 4 years (given it is a residential use). Given that the construction and use of the properties has been in place for over 4 years, which is the required period for a dwelling to become lawful, it is our view the construction of the lodges and its use as a residential unit with a permanent year round occupation is lawful.
- 3.10. As detailed in this statement and within the supporting documentation the lawful use is conclusive.

Onus of Proof

- 3.11. The onus of proof in a certificate of lawfulness application is on the applicant. The standard of proof in respect of a certificate is on the balance of probability.
- 3.11 It was held in *F. W. Gabbitas v Secretary of State and Newham London Borough Council [1985] J.P.L 630* that an applicant's own evidence is not required to be corroborated by independent evidence in order to be accepted. Further, if the local planning authority or an Inspector have no evidence of their own or from third parties to contradict or otherwise dispute the applicant's version of events, rendering them less than probable, then there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of the certificate on the balance of probability. If, however, there are contradictions in the applicant's evidence on material issues, then the local planning authority would be entitled to refuse the certificate. Further,



the local planning authority is entitled to treat hearsay evidence with caution if it is entirely uncorroborated.

- 3.12 In this case the evidence provided in support of this application has been provided by the Applicant to demonstrate that the certificate can be issued.



/4 ESTABLISHING EXISTING USE

- 4.1. The site in question is Green Bank Park which has been subject to a number of applications over the past 28 years for the development of lodges. The initial permission (3/1995/0080) was granted in 1998 (included at Appendix A) comprising outline permission for the development of 30no. holiday homes with reserved matters permission later granted in 2004. The properties were all subsequently built out in line with the approved plans.
- 4.2. Following this, further applications were submitted applying for additional cabins/lodges to be built out in other areas of the site, of which amounted to an additional 15no. lodges.
- 4.3. However as noted in section 2.5, application 3/2006/0673 amended the layout and number of the properties within the area consented for development as part of the original application. These changes were done under a new full planning application and consequently it is our position that these units are not subject to the aforementioned legal agreement. The below image shows the boundary of the original consent (in red) and the area occupied by the development approved under application 3/2006/0673 (in blue):



Figure 1: Area of original application (red) and that consented under application 3/2006/0673 (blue)

4.4. The below correlates the colours shown in the above figure to the associated planning application:

Application 3/2001/0485 - Reserved Matters Application For 30 Holiday Chalets – Approved 10/11/2004

Application 3/2005/0503 - Construction of three additional timber chalets – approved 28/07/2005

Application 3/2006/0400 - Erection of one holiday chalet. Proposed construction of 40m length of random stone wall 1.5m high along Clitheroe Road. – approved 21/06/2006

Application 3/2006/0673 - Alteration to approved site road and layout (part) and additional 4 chalets; associated engineering works – Approved 15/09/2006

Application 3/2006/1002 - Five additional stone Chalets on south west side of site, and amendments to siting of car park to avoid public footpath. – Approved 19/01/2007

Application 3/2007/0576 - Two additional stone chalets. – Approved 20/07/2007



- 4.5. It is therefore the position of the applicant that those units approved under application 3/2006/0673 are not bound by the legal agreement and it is only the remaining 17 units which are. However evidence in relation to the occupancy of lodge number 70 is provided as part of this submission to allow the LPA to reached a reasoned position on this matter.
- 4.6. As set out within this statement, the properties were never used as holiday homes and since their initial occupation have always been occupied on a permanent residential basis (Use Class C3) which was set out in the various relevant tenancy agreements. As the scheme was subject to a Section 106 Agreement limiting the use, it is our view that as the S106 was never complied with given that the lawful use never commenced, the permission was therefore never lawfully implemented and the development would not be lawful. However given the property comprises a residential dwelling and have been constructed and used as a residential dwelling for over 4 years, the development should be considered lawful by virtue of the passage of time.
- 4.7. All the properties were first occupied between 2007 and 2012, including lodge number 70, and use of which as C3 residential has been in place for over 4 years. Therefore the development and use, by virtue of the passage of time, has become lawful in line with the provisions of s.171B(2) of the Act which states *'where there has been a breach of planning control consisting in the change of use of any building to use as a single dwellinghouse, no enforcement action may be taken after the end of the period of four years beginning with the date of the breach'*, meaning that enforcement action can no longer be taken against the development.
- 4.8. The 30no. dwellings, including lodge number 70, have never received planning permission to change their use to residential, but have been used in this manner since their initial occupation. The residential use of the lodges, including lodge number 70, has not been concealed in any way, in line with the provisions of s.171BA of the Act given that the properties have paid Council Tax for well over 4 years and recent Council Tax bills that the Applicants have on file are included at Appendix D, however full details of all the Council Tax payments will be available on the Council's own internal record demonstrating the full history of payments alongside on the GOV.UK website (results shown in Appendix D for each property) showing all of the various properties at Green Bank Park having paid Council Tax in excess of four years.



- 4.9. Given that Council Tax has been paid on all of the properties, including lodge number 70, for their entire period of occupation across the 16 to 11 years (well over the 4 years to provide a lawful use as a dwelling), the Council have been clearly aware that the buildings were functioning as dwellings rather than holiday homes as they would not be subject to Council Tax if they were holiday homes, rather business rates. The evidence demonstrates use as residential dwellings as opposed to as holiday homes in excess of the immunity period and no attempt to conceal the use of the dwellings has been made, therefore the use is lawful.
- 4.10. On this basis, it is clear from the Council Tax evidence provided that the LPA have been aware that the site has been used for residential purposes for a considerable number of years, dating back earliest to 2007 when the first property was occupied, and Council Tax began to be paid. Further to this, as noted in Appendix D the evidence of residential occupation extends to a full list of occupants from their first occupancy until present day, copies of property inspections and letters from existing and previous residents confirming the nature of the occupancy.
- 4.11. The Applicant is seeking a lawful development certificate to confirm that lodge number 70 has a lawful permanent residential use given it has been occupied in this manner for over 4 years. The LPA have been aware of this breach given their acceptance of Council Tax for the duration of the occupation of the dwellings.



/5 PLANNING COMMENT

- 5.1. The application for a Lawful Development Certificate is proceeding on the basis that lodge number 70 on the site has known as Green Bank been used for residential purposes for over 4 years meaning that the construction and use of the lodge is lawful by virtue of the passage of time in line with s.171B of the Act, negating the need for any formal planning permissions. Given the lodges were not implemented in line with the use secured by the Section 106 Agreement which was fundamental to the initial permissions, the original permission was never lawfully implemented, hence the built development becoming lawful following its continued use for a period of over 4 years.
- 5.2. The records demonstrating payment of Council Tax to Ribble Valley Council covering the period beginning 2007-2012 up until the present day for the various properties demonstrates that the Council have been aware of the 30no. dwellings (including lodge number 70) use for residential purposes for over 4 years which would allow for the lawful use and development to be accepted by Officers.
- 5.3. The supporting schedule of occupants (Appendix D) confirms that the properties have been occupied by tenants on a residential basis for over 4 years. Further to this a sworn statement is provided within Appendix C from Mr. Ainsworth, one of the applicants and the original developer. This statement confirms all of the information within this document to be correct and can be given significant weight given Mr. Ainsworth has been involved in the development directly since its commencement.
- 5.4. The supporting appendices provide clear evidence of the site's existing use and specifically lodge number 70's use. The evidence is unambiguous given the clear information on occupation dates, occupant names, tenancy agreements, letters of confirmation and periods of Council Tax payments which will also be available on a review of the Council's internal records.
- 5.5. As such, the existing use of lodge number 70, despite the original consent having not been lawfully implemented in line with the original outline and reserved matters permissions given the S106 Agreement was never complied with, has lawful permanent residential use under Use Class C3 opposed to the original consent for holiday homes. The description as set out in this application is clear in setting out that lodge number 70 within the associated



red edge is of lawful permanent residential occupation under Use Class C3. There is no ambiguity on how lodge number 70 could be used, and it is sufficiently clear from the submitted plans which of the dwellings are being applied for under this submission. On the basis that the information provided is clear and demonstrates the works were undertaken and the use as residential properties has been in effect for over 4 years, it is requested a Certificate of Lawfulness is granted to that effect.



/6 CONCLUSIONS

6.1. This lawful development certificate application seeks the following:

"Application for a Certificate of Lawfulness for the existing use of Lodge number 70, at Green Bank Park, as a residential lodge in permanent residential occupation under Use Class C3."

- 6.2. When considering the evidence provided within this statement and its appendices, it is clear that the lawful use of lodge number 70 is as C3 residential as opposed to the consented use as short term accommodation. As the units were erected and have been occupied as residential dwellings for over four years, it should be considered lawful. Whilst the original permission secured the use of the properties as holiday homes through a Section 106 Agreement, it is our position that given the S106 was never complied with, the scheme was never lawfully implemented and therefore the development has become lawful through the passage of time opposed to in line with the previous permissions. Throughout the continued use of the properties for residential purposes, the use has not been concealed as Council Tax has been paid to the authority consistently, therefore it is our view it has been known to the authority that the units have been utilised for residential purposes.
- 6.3. In light of the above and considering the submitted evidence, including a detailed history of all of the occupants of the units and the duration of occupation, it is clear that the outlined use of the existing properties is as residential, and it is lawful.
- 6.4. In accordance with the NPPG (Paragraph: 006 Reference ID: 17c-006-20140306), it is considered that the evidence provided is sufficiently precise and unambiguous to justify the grant of a certificate. The evidence provides a clear account of all of the historic and current owners of the property and how it has been used for residential purposes continuously for well over 4 years as required. Accordingly, based on the evidence provided, it is clear that the applicant would be entitled to a certificate to this effect.



Appendices

Appendix A – Relevant Planning Decisions (3/1995/0080)

Appendix B – Section 106 Agreement (3/1995/0080)

Appendix C – Sworn Statement from Mr. Stan Ainsworth

Appendix D – Information and Evidence relating to each of the relevant units.



Appendix A – Relevant Planning Decisions (3/1995/0080)

25 MAY 2000

Department of Development

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

Telephone: 01200 425111

Fax: 01200 414488

Town and Country Planning Act 1990

OUTLINE PLANNING PERMISSION

APPLICATION NO: 3/00/0208/P

DECISION DATE: 18 MAY 2000

DATE RECEIVED: 17 MARCH 2000

APPLICANT:

J & J ASHCROFT LTD
C/O AGENT

AGENT:

HARRISON AND PITT
15 DALTON SQUARE
LANCASTER
LA1 1PL

DWP 1011 originals to close

PARTICULARS OF DEVELOPMENT: RENEWAL OF OUTLINE PERMISSION FOR DEVELOPMENT OF 30 HOLIDAY CHALETs WITH RECEPTION AND RESTAURANT

AT: GREEN BANK QUARRY, OLD CLITHEROE ROAD, LONGRIDGE

Ribble Valley Borough Council hereby give notice in pursuance of provisions of the Town and Country Planning Act 1990 that outline planning permission has been granted for the carrying out of the development referred to above in accordance with the application and plans submitted subject to the following conditions:

- 1 Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates.
 - (a) The expiration of five years from the date of this permission; or
 - (b) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- 2 The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever possible the retention of existing trees, have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening.

The approved landscaping scheme 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 two 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.
- 3 The access road shall be improved as indicated on the submitted plans in relation to application 3/95/0080 before any other development works commence on the site.
- 4 Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block paving or other approved materials.

/Continued.....

LE VALLEY BOROUGH COUNCIL
LINE PLANNING PERMISSION

APPLICATION NO: 3/00/0208/P

DECISION DATE: 18 MAY 2000


5. This consent shall be read in conjunction with the Section 106 Agreement signed and dated 19/5/98 in relation to the previous application 3/95/0080.

The reasons for the condition(s) are:

- 1 Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.
2. In the interests of the amenity of the area.
- 3&4. In the interests of highway safety.
5. For the avoidance of doubt since the proposal has been the subject of an agreed Section 106 Agreement.

Note(s)

- 1 For rights of appeal in respect of any condition(s)/or reason(s) attached to the consent 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 applicants' attention is drawn to the enclosed consultation response from the British Mountaineering Council and is asked to make every effort to ensure that the existing arrangement is maintained which allows reasonable access to the quarry face for mountaineering purposes.


STEWART BAILEY
CHIEF PLANNING OFFICER

R

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

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

Telephone: 01200 425111

Fax: 01200 414488

Planning Fax: 01200 414487

Town and Country Planning Act 1990

APPROVAL OF RESERVED MATTERS

APPLICATION NO: 3/2001/0485/P

DECISION DATE: 10 NOVEMBER 2004

DATE RECEIVED: 22 JUNE 2001

PARTICULARS OF PLANNING PERMISSION RESERVING DETAILS FOR APPROVAL

APPLICATION NO: 3/00/0208/P

APPLICANT:

PACEFORM LIMITED

C/O AGENT

AGENT:

JANET DIXON

TOWN PLANNERS LTD

10A WHALLEY ROAD

CLITHEROE

BB7 1AW

**PARTICULARS OF DETAILS SITING, DESIGN, ACCESS, APPEARANCE AND LANDSCAPING
SUBMITTED FOR APPROVAL:**

AT: FORMER GREENBANK QUARRY, OLD CLITHEROE ROAD, LONGRIDGE

Ribble Valley Borough Council hereby give notice that approval has been granted in respect of details referred to above for the purposes of the conditions imposed on the grant of planning permission referred to above and subject to the following condition(s):

- 1 This permission shall be implemented in accordance with the proposal as amended by legal plan received on 27 September 2004 and elevation detail received on 8 June 2004.
- 2 Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.
- 3 The landscaping scheme submitted on plans received on 27 September 2004 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 5 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.
- 4 No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.
- 5 No development approved by this permission shall be commenced until a desk study has been undertaken and agreed by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.
- 6 This permission shall be read in connection with the Section 106 Agreement dated 1 November 2004.
- 7 No development approved by this permission shall be commenced until a scheme for the containment and storage of manure has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with approved plans.

PTO

**RIBBLE VALLEY BOROUGH COUNCIL
APPROVAL OF RESERVED MATTERS CONTINUED**

**APPLICATION NO. 3/2001/0485/P
2004**

DECISION DATE: 10 NOVEMBER

The reason(s) for the condition(s) are:

- 1 For the avoidance of doubt since the proposal was the subject of agreed amendments.
- 2 In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1 of the Ribble Valley Districtwide Local Plan.
- 3 In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.
- 4 To ensure a satisfactory means of drainage in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.
- 5 To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.
- 6 For the avoidance of doubt since the proposal has been the subject of agreed amendments.
- 7 To prevent pollution of the water environment in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

Relevant planning policy

Policy G1 - Development Control.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy 1 - Development in Rural Areas - Lancashire Structure Plan 1991 - 2006 "Greening the Red Rose County".

Policy RT1 - General Recreation and Tourism Policy.

Summary of reasons for approval

The proposal represents an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding countryside, nor would its use have an adverse impact on highway safety.

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.


R **STEWART BAILEY**
DIRECTOR OF DEVELOPMENT



Appendix B – Section 106 Agreement (3/1995/0080)

DATED

1st November

2004

RIBBLE VALLEY BOROUGH COUNCIL

- and -

PACEFORM LIMITED AND
RIBBLE VALLEY LUXURY HOMES LIMITED

ORIGINAL/

A G R E E M E N T

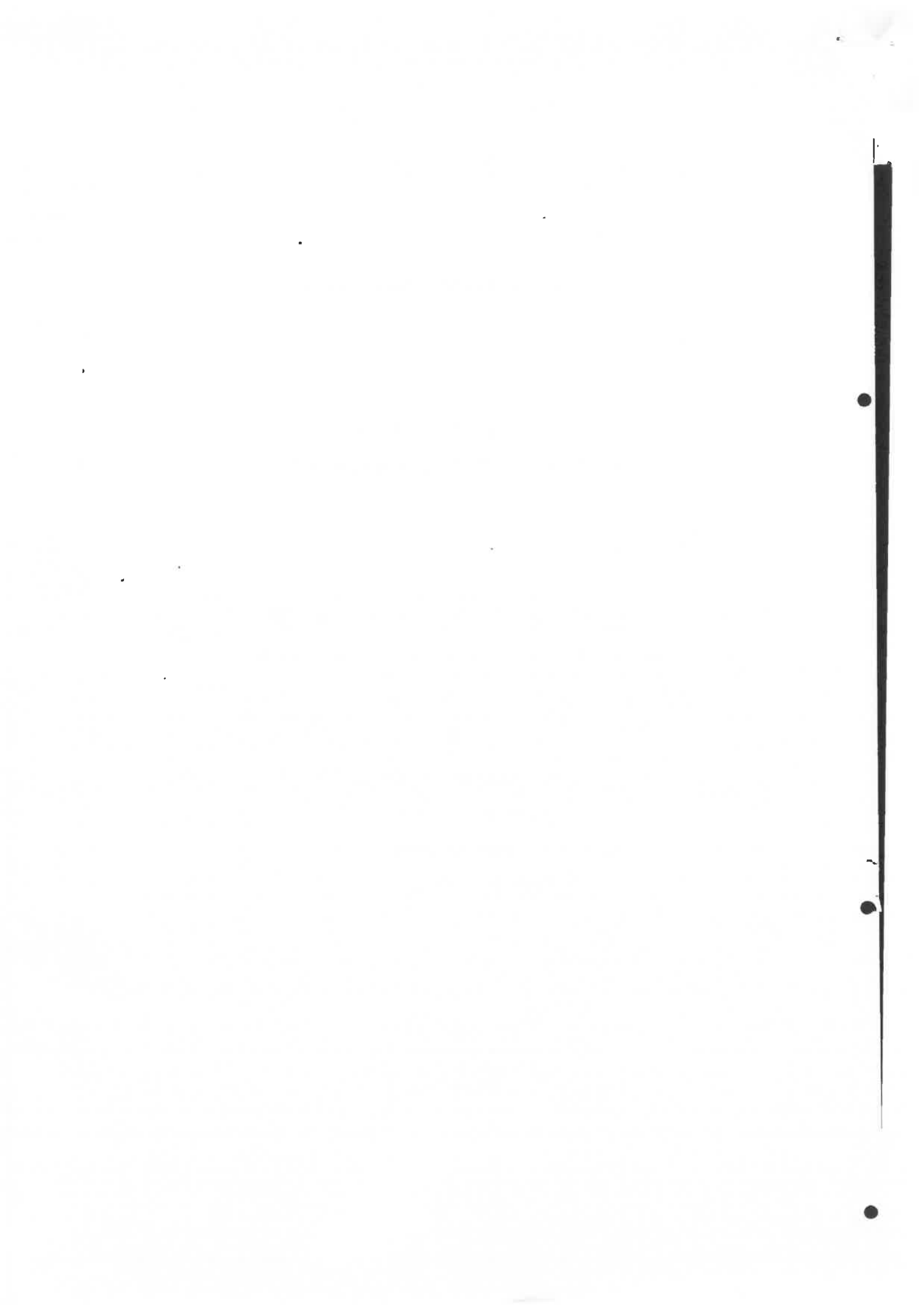
Under Section 106 Town and Country Planning Act 1990

relating to property known as

Greenbank Quarry

Longridge Preston Lancashire

P F TIMSON LLB
Director of Legal Services
Ribble Valley Borough Council
CLITHEROE



THIS AGREEMENT is made the First day of November Two thousand and ~~two~~ ^{thousand} BETWEEN RIBBLE VALLEY BOROUGH COUNCIL of Council Offices Church Walk Clitheroe Lancashire (hereinafter called "the Council") of the one part and PACEFORM LIMITED of 26 St James Street Accrington Lancashire BB5 1NT and RIBBLE VALLEY LUXURY HOMES LIMITED of Eastham House Farm Mitton Whalley Lancashire BB7 9PH (hereinafter called "the Owners") of the other part _____

WHEREAS:-

- (1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1990 (as amended) for the area within which certain land and property known as Greenbank Quarry Old Clitheroe Road Longridge Lancashire (hereinafter called "the Property") shown edged red on the plan attached hereto is situated _____
- (2) The Owners are seised of the fee simple in possession of the Property _____
- (3) The Owners have by written application dated the Twentieth day of June Two thousand and one applied to the Council for permission to develop the Property as detailed in the plans and particulars deposited with the Council under the Council's reference 3/01/485/P _____
- (4) The Council is satisfied that the development disclosed by the said particulars is such as may be approved by the Council under the said Act _____

NOW THIS DEED WITNESSETH as follows:-

1. THIS Agreement is made in pursuance of Section 106 of the Town and Country Planning Act 1990 (as amended) _____
2. IN consideration of the Council hereby approving the said development for the purposes of the said Act the Owners hereby covenant with the Council as set out in the Schedule hereto _____

3. THE expressions "the Council" and "the Owners" shall include their respective successors in title and assigns _____

IN WITNESS whereof the Council has caused its Common Seal to be hereunto affixed and the Owners have signed as a Deed the day and year first before written _____

THE SCHEDULE

1. The Owners hereby covenant with the Council that the said Property shall be permanently subject to the restrictions regulating the development thereof as hereafter contained and the purport and intent of such covenants shall be registered upon the Title of the Owner at HM Land Registry by way of appropriate entry _____

2. The said covenants referred to in the preceding clause is as follows:-

- (a) The use of the Property as a quarry shall cease forthwith _____
- (b) Not to allow the thirty holiday chalets the subject of the development to be:
 - (i) occupied or let by any one person or group of persons for a continuous period of more than three months in any one year _____
 - (ii) used as permanent accommodation _____
- (c) To provide to the Council a monitoring report for each preceding twelve months stating:
 - (i) the dates on which the units were let _____
 - (ii) the duration of each letting _____
 - (iii) the persons to whom the units were let _____

THE COMMON SEAL of RIBBLE)

VALLEY BOROUGH COUNCIL)

was hereunto affixed in the presence of:-)



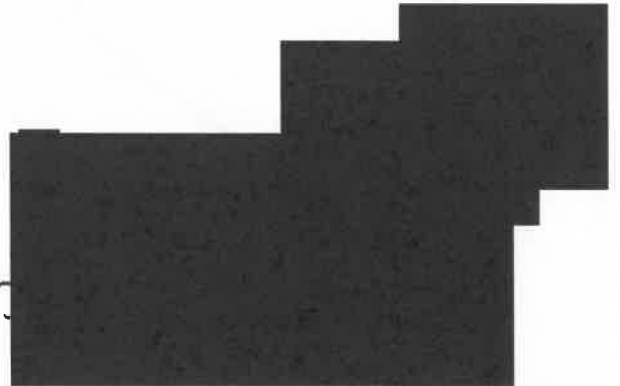
Mayor

Chief Executive

SIGNED AS A DEED on behalf of)

PACEFORM LIMITED in the)

presence of:-)



Director

Secretary

SIGNED AS A DEED on behalf of)

RIBBLE VALLEY LUXURY)

HOMES LIMITED in the presence of:-)



Director

Secretary

Development Department

Council Offices, Church Walk, Clitheroe, Lancs., BB7 2RA

Tel: (01200) 425111 Fax: (01200) 414487 DX: Clitheroe 15157



**RIBBLE VALLEY
BOROUGH COUNCIL**

Location Plan

Map Ref: SD6138SE

Scale: 1:2500



301 0485 P

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RECEIPT NO.

1954

SOLD BY

B



Appendix C – Sworn Statement from Mr. Stan Ainsworth

I, Stan Ainsworth, of 4 New Drop View, Stoneygate Lane, Ribchester, PR3 2XE, do solemnly and sincerely declare as follows in relation to the properties located at Green Bank Park, Higher Road, Longridge, Lancashire:

1. I have been responsible for the build-out of all planning consents associated with the site comprising 45 units, and have directly managed the properties from the initial construction through to the present day or until their recent sale. This includes oversight of the development process and the ongoing management of the units across all time periods relevant to this submission.
 2. I am one of the applicants (or acting on behalf of the applicant) in respect of the submission of a Lawful Development Certificate relating to the site comprising a total of 45 units developed pursuant to a number of planning permissions which originally granted consent for use as holiday lets.
 3. I confirm that, while planning permission was granted for the use of the units as holiday accommodation, the units have not, at any time, been used or occupied as holiday lets. Instead, each of the 45 units has been used continuously as a dwelling for long-term residential occupation, forming the primary residence of those who have lived in them.
- For clarity the units in question are those approved as part of the following applications:
- Application 3/1995/0080 – Outline Application For Development Of 30 No. Holiday Chalets With Reception/Restaurant Building – approved 19/05/1998
 - Application 3/2000/0208 – Renewal Of Outline Permission For Development Of 20 No. Holiday Chalets With Reception And Restaurant – approved 18/05/2000
 - Application 3/2001/0485 - Reserved Matters Application For 30 Holiday Chalets – Approved 10/11/2004

- Application 3/2005/0503 - Construction of three additional timber chalets – approved 28/07/2005
- Application 3/2006/0400 - Erection of one holiday chalet. Proposed construction of 40m length of random stone wall 1.5m high along Clitheroe Road. – approved 21/06/2006
- Application 3/2006/0673 - Alteration to approved site road and layout (part) and additional 4 chalets; associated engineering works – Approved 15/09/2006
- Application 3/2006/1002 - Five additional stone Chalets on south west side of site, and amendments to siting of car park to avoid public footpath. – Approved 19/01/2007
- Application 3/2007/0576 - Two additional stone chalets. – Approved 20/07/2007

4. I further confirm that all evidence submitted as part of this application, including but not limited to the list of individual occupants for each unit and the specific dates of their occupancy, is true and accurate to the best of my knowledge and belief.

5. In support of this, I note the following:

a. Council Tax has been paid on all of the units throughout the relevant period, and records held by the Local Authority corroborate this. Furthermore, the Council was notified of all changes in occupancy as and when they occurred.

b. None of the units have ever been used for any alternative or non-residential use.

c. Any gaps in occupancy have been non-material and are representative of conventional breaks in tenancy, typically to allow for property maintenance or preparatory works prior to a change in occupation.

6. The use of each unit as a dwelling commenced from the date of its first occupation and has continued as such without material interruption.
7. This statement is made in support of the application for a Lawful Development Certificate and I make it knowing that it will be used as evidence in connection with the determination of that application.

I make this declaration conscientiously believing the same to be true and accurate.

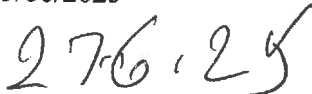
Declared by:

Name: Stan Ainsworth

Signature:



Date: 25/06/2025



Before me:

Name: Joshua Hellowell MRTPI

Signature:



Date: 25/06/2025



Appendix D – Information and Evidence relating to each of the relevant units.

Property information for
**70, GREEN BANK PARK,
HIGHER ROAD,
LONGRIDGE, PRESTON,
PR3 2XY**

Local Authority	Ribble Valley (https://www.ribblevalley.gov.uk/)
Local authority reference number	00071035452370
Council Tax band	A
Improvement indicator	No
With effect from	13 August 2009
Mixed-use property	No
Court code	None

Property: 70 Greenbank Park

Name of Tenants	Move In Date	Move Out Date
Gary Payton-McDowall	07-Apr-07	13-Jan-08
Adam James Dickinson & Steven David Balding	25-Feb-08	04-Jul-08
Adrian P Hill	01-Sep-08	01-Jul-09
Mr & Mrs Foster	13-Aug-09	26-Feb-11
Tim Fairburn	01-Feb-13	Present

8 Towneley Parade
Longridge, Preston
PR3 3HU
TEL: 01772 783993
FAX: 01772 786982



INVENTORY / INSPECTION REPORT

FOR

Address: 70 Green bank park, Longridge, Nr Preston

As At Date: 5th August 2009

CHECKED ON SITE BY:

A handwritten signature in black ink, appearing to be "Dewhurst", written over a horizontal line.

Counter-signed By Tenant/s:

A handwritten signature in black ink, written over a horizontal line.

Date: 05/08/2009

SETS OF KEYS HANDED TO TENANT:

Meter Readings as at 05th August 2009 Gas: 01328

Electric: 07977

Water:

Standard alarm code: 4321.

Entrance	
Hall (Photos 883 – 910)	Fitted red matt (clean)
	Wooden door (which has a hole at the top half of door but has been filled in)
	Cream walls (quite marked on all walls)
	2 x Ceiling light (one not working)
	UPVC double glazed front door
	Loft access
	Smoke alarm
	Alarm box
Kitchen (photos 942 – 972)	Cream walls (couple of surrounding marks but mostly clean)
	Brown wood effect lino (clean)
	Fitted white wall and base units (clean)
	All cupboards inside and out are clean
	Integral fridge (clean)
	Integral dishwasher (clean)
	Stainless steel sink and drainer (clean)
	Wood worktops (clean)
	2 X double glazed windows with white blinds
	Part beige tiled walls (clean)
	6 x Spot lights (3 working)
	Radiator
	Extractor hood (clean)
	Storage cupboard – housing the combi boiler
Dining room (photos 0973 - 989)	Patterned carpet (clean)
	Cream walls (few surrounding marks)
	6 x spot lights (one not working)
	1 double glazed window with white blinds
	Radiator
	4 x power points
	Television point
Utility room	

(photos 0990 - 998)	Fitted base units with wood worktops (clean) Brown carpet (clean) Radiator Cream walls (couple of marks) Extractor fan 2 x Ceiling light (one not working) 1 power point
Downstairs W.C	Fitted two piece suite – sink and toilet (clean) Double glazed window
(photos 0999 - 1006)	Brown carpet (clean) White blinds Ceiling light Part blue tiled walls (clean) Part cream walls (clean) Radiator Extractor fan
Lounge (photos 911 - 941)	Patterned carpet (clean) Cream walls (few marks but mainly clean) 2 x double glazed windows double glazed patio doors 3 sets of cream curtains with rails 7 x spot lights, 2 x wall lights and 2 x ceiling lights Gas fire in sandstone surround (clean) 2 x radiator Television point Telephone point 6 x power points Three pieces of brown carpet
Stairs & Landing (photos 1007 - 1033)	Cream walls (few marks on the stairs and landing) Patterned carpet (clean) Wooden banister Ceiling light Smoke alarm Velux sky light 1 power points 1 spot lights
Bedroom one (photos 1034 - 1066)	Brown carpet (clean) Cream walls (few surrounding marks and one large different coloured patch on the back wall) 7 x spot lights (1 not working)

	Patio doors leading to balcony (balcony clean)
	Cream curtains and rail (clean)
	Radiator
	2 built in wardrobes with lighting and polls (black mark on the left hand side wooden door inside)
	4 x power points. Strip light
	En – suite :
	Three piece suite – toilet, sink and mains shower cubicle (all clean) (note the toilet flush is lose but still flushes)
	Part tiled walls (clean)
	Part cream walls (clean)
	Extractor fan and 3 x spot lights
	Radiator. silver mirror
	Velux sky light. Brown carpet (clean)
Bathroom	
(photos 1067 - 1077)	Fitted three piece suite – toilet, sink and bath (all clean)
	3 x spot light
	Part tiled walls (clean)
	Radiator
	Part cream walls (clean)
	Brown carpet (clean)
	Extractor fan
	Velux window
	Silver Mirror and light
Bedroom	
Two (photos 1078 – 1108)	Cream walls (quite marked on every wall)
	Brown carpet (clean)
	Double glazed window
	Cream curtains and rail
	6 x spot lights
	4 x power points
	Television point
	Radiator
Bedroom	
Three (photos - 1110 – 1128)	Brown carpet (clean)
	Cream walls (quite marked on every wall)
	Double glazed window
	Cream curtains with rail
	5 x spot lights (all working)
	3 x power points
	Television point
	Radiator
Outside	
(1129 – 1134)	Lawn gardens all around the property (slightly over grown)
	Pathways and patio (clean). Enclosed by fencing. Gas meter



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SDC10884



SDC10885



SDC10886



SDC10887



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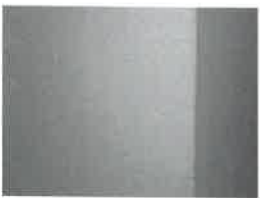
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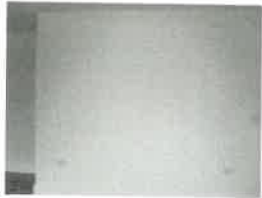
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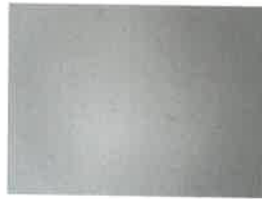
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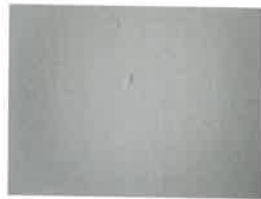
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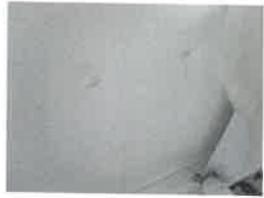
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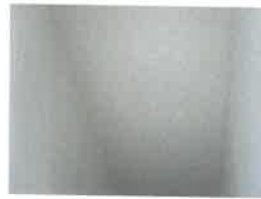
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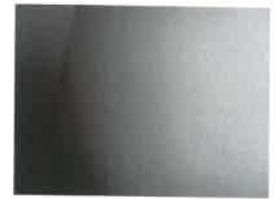
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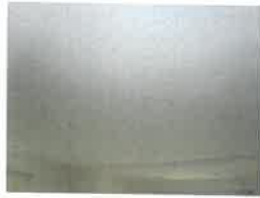
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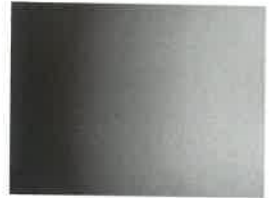
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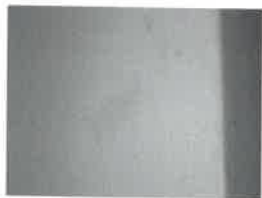
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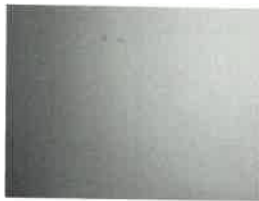
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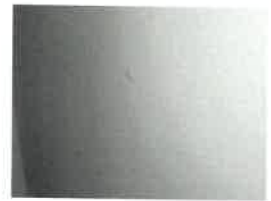
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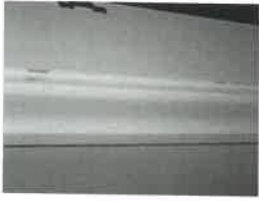
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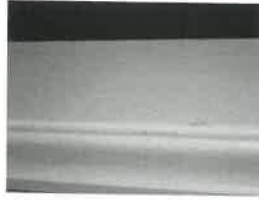
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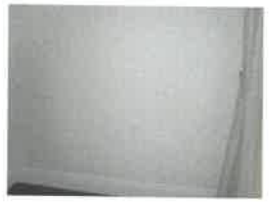
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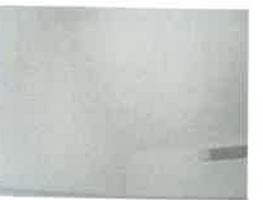
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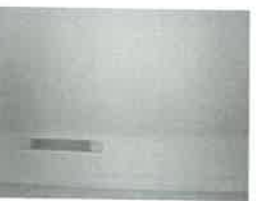
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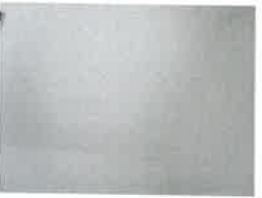
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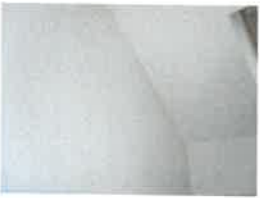
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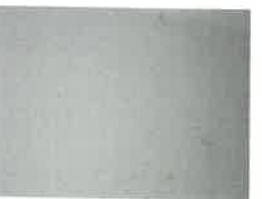
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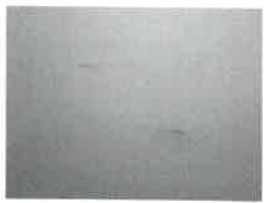
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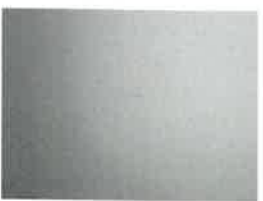
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SDC11127



SDC11128



SDC11129



SDC11130



SDC11131



SDC11132



SDC11133



SDC11134

8 Towneley Parade
Longridge, Preston
PR3 3HU
TEL: 01772 783993
FAX: 01772 786982



INVENTORY / INSPECTION REPORT

FOR

Address: 70 Greenbank Park, Longridge

As At Date: 25th February 2008

CHECKED ON SITE BY:

A handwritten signature in black ink, appearing to be "A. Lee", written over a horizontal line.

Counter-signed By Tenant/s:

Two handwritten signatures in black ink, one appearing to be "S. B. J." and the other "A. Lee", written over a horizontal line.

Date: 25/02/08

SETS OF KEYS HANDED TO TENANT:

Meter Readings as at 25th February 2008

Supplier - *billing direct from landlord.*

Gas: 00584

Electric: 1240.

Hall (1)	Red row carpet, alarm panel, alarm sensor, thermostat control, smoke alarm,
Living (2)	cream patterned carpet, 2 central heating radiators, 2 pairs cream curtains & tie backs, 2 metal curtain poles, 7 recessed spotlights, alarm sensor, 2 circular wall lights,
Kitchen (3)	Radiator, vinyl floor covering, 2 cream slat blinds, alarm box & Combi boiler in cupboard, Diplomat dishwasher, integrated fridge, Diplomat oven, Stoves hob, 6 recessed spotlights, alarm sensor, part tiled walls,
Dining Room (4)	cream patterned carpet, radiator, cream slat blind, 6 recessed spotlights,
Whisky (5)	Radiator, brown carpet.
Downstairs w/c (6)	2 piece white suite, radiator, sector extractor, cream slat blind, dado rail, circular light fitting, toilet roll holder, toilet brush, part tiled walls
Stairs & landing (7)	cream patterned carpet, wood bannister, rail, velux roof light, smoke alarm, 1 recessed spot light,
Bed 1 (8)	Radiator, brown carpet, cream curtains & tie backs, metal curtain pole, 7 recessed spotlights, 2 hanging rails in cupboard.
En-Suite (9)	Brown carpet, 2 piece white suite, glass shower screens, stainless steel shower fitting, radiator, velux roof light, sector extractor, towel ring, toilet roll holder, dado rail, part tiled walls, 4 recessed spot lights, wall light with shaving foam.

Bathroom (10) Spiced white sofa, velvet roof light, 3 recessed spotlights, brown carpet, wall light with shadowing paint, cove rail, paint tiled walls, sector extractor, toilet roll holder, radiator.

Bed 2 (11) Brown carpet, 6 recessed spotlights, cream curtains & tie backs, metal curtain pole, radiator.

Bed 3 (12) Brown carpet, radiator, 5 recessed spotlights, cream curtains & tie backs, metal curtain pole.

Notes The carpets & floor coverings are all in very good condition, the walls & doors are also clean with a few movement marks in the plaster.

Please note you have 7 days to let us know if you disagree with anything mentioned within this inventory.



1



1.1



2



2.2



2.3



2.4



3



3.1



3.2



3.3



3.4



3.5



4



4.1



4.2



4.3



5



5.1



5.2



5.3



6



6.1



6.2



7



7.1



7.2



7.3



7.4



7.5



8



8.1



8.2



8.3



8.4



9



9.1



9.2



10



10.1



10.2



10.3



11



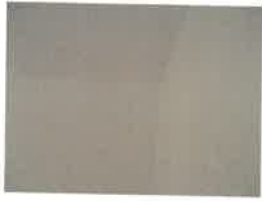
11.1



11.2



12



12.1



12.2



12.3



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