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| 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:** | 3/2021/1127 | |  |  |  |
| **DECISION DATE:** | 28 January 2022 | |  |  |  |
| **DATE RECEIVED:** | 07/12/2021 | |  |  |  |
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| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Mr Mark Harrison  MFH Progects  C/o Agent | |  | Mr Craig Harrison  SPA Ltd  Hazlemere  Pimlico Road  Clitheroe  BB7 2AG | | |
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| **DEVELOPMENT PROPOSED:** | | Variation of Condition 15 (approved plans) from planning consent 3/2016/0282 to allow alterations to retaining walls in the car park. |
| **AT:** | Pack Horse Garage Mellor Brow Mellor | |
| 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): | | |
|  | 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:  Ground Floor Plan and Site Drawing No: 10a 07.06.06  First and Second Floor Plans Drawing No: 11 07.06.06  Elevations Drawing No 12: 11 07.06.06  Car Park Layout Drawing No: 13 07.06.06  Bypassing Of Culvert Drawing No: 14a 07.06.06  Watercourse Sections Drawing No: 15b 21.11.06  Proposed Overall Site Plan - GA Drawing No: 5766 - C01G September 2019  Reason: For the avoidance of doubt and to clarify which plans are relevant to the consent. | |
|  | 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.  Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.  P.T.O. | |
|  | Prior to commencement of the development precise details of the proposed slab floor level(s) and any appropriate road level shall be submitted to and approved in writing by the Local Planning Authority.  Reason: In the interests of visual amenity and safeguarding any adjacent residential amenity. | |
|  | 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 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.  Reason: In the interests of the amenity of the area. | |
|  | Landscaping consisting of 9 replacement heavy standard 12/14 cm trees [Sorbus aria Majestica x 3/Sorbus aucuparia x 3/Betula pendula x 3] shall be implemented in the first planting season following occupation or use of the development unless otherwise required by the reports above, 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.    Reason: To ensure the proposal is satisfactorily landscaped and appropriate to the locality. | |
|  | Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) the building(s) shall not be altered by the insertion of any window or doorway without the formal written permission of the Local Planning Authority.  Reason: In order to safeguard nearby residential amenity. | |
|  | Before any building works commence, the site access and footways shall be constructed to full adoption standards as defined in the Lancashire County Council Specification for Construction of Estate Roads and shall be used as the sole means of vehicular access for construction traffic and, thereafter, for development traffic.  Reason: In the interests of highway safety.  P.T.O. | |
|  | All construction traffic and construction vehicles shall be parked clear of the adopted highway, Mellor Brow, at all times.  Reason: In the interests of highway safety. | |
|  | The area of the forecourt between the buildings and Mellor Brow shall be kept clear of any obstructions above road level and be available for pedestrian usage at all times.  Reason: In the interests of highway safety. | |
|  | Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.  Reason: To prevent pollution of the water environment. | |
|  | 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.  Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health. | |
|  | No lighting shall be installed in the car parking area unless a further planning permission has first been granted in respect thereof.  Reason: In the interests of general amenities of the locality and the amenities of nearby residents. | |
|  | Prior to the first occupation of Unit 9, a wall or fence shall be erected on or adjoining the western edge of the footbridge over Mellor Brook which serves that plot, in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.  Reason: In the interests of the privacy of an adjoining dwelling.  P.T.O. | |
|  | No site works, including any demolition works of buildings or boundary walls, shall be commenced until a further protected species/ecological survey has been carried out during the optimum time of May to September. The updated survey shall be submitted to the Local Planning Authority for approval in writing prior to any works commencing on site. If roosting bats are detected or suspected a further survey and mitigation measures will be required for submission to and approval in writing by the Local Planning Authority prior to the demolition of any buildings or boundary walls on site, with the works to be carried out in strict accordance with any mitigation measures identified.  Reason: To ensure that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed; and due to the passage of time since the original survey was carried out in August 2006. | |
|  | No above ground development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority (including a timetable for implementation) to secure at least 10% of the energy supply of the development hereby permitted from renewable or low carbon energy sources or a scheme that demonstrates that alternative measures will achieve at least 10% less energy consumption than similar development constructed in accordance with the current Building Regulations Standards. The approved scheme/details shall be implemented as part of the development/as approved and retained as operational thereafter.  Reason: In order to encourage the development of renewable energy. | |

**Note(s)**

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|  | For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes. | |
|  | 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. | |
|  | 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. | |
| John Macholc  **pp 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.