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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:** | 3/2022/0109 | |  |  |  |
| **DECISION DATE:** | 28 April 2022 | |  |  |  |
| **DATE RECEIVED:** | 31/01/2022 | |  |  |  |
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| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Change Gym Ltd  Westlands House  Whalley Road  Padiham  BB12 8JX | |  | Mr Lee Greenwood  LJG Planning Consultancy Ltd  17 South Drive  Padiham  BB12 8SH | | |
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| **DEVELOPMENT PROPOSED:** | | Variation of Condition 6 (hours of operation) from planning permission 3/2019/0821 for Unit 12 only to Monday to Saturday 06.00 to 22.00 Sundays 07.00 to 17.00. |
| **AT:** | Unit 12 Baublock Blackburn Road Simonstone BB12 7FS | |
| 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): | | |
|  | The permission shall relate to the development as shown on Plan References  Location Plan  Site Layout Plan1883/01K  Layout and Elevation Plans 1883/06B,1883/08C,1883/03H and 1883/07.  Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans. | |
|  | The proposed materials shall relate to the ones specified on the approved plans and there shall be no deviation.  Reason: In the interest of visual amenity. | |
|  | No goods, materials, waste products, containers or vehicle trailers, used in connection with the new units hereby approved shall be stored within the external areas of the site.  REASON: In order to ensure a satisfactory appearance.  P.T.O | |
|  | The use of the premises in accordance with this permission shall be restricted to the hours between 0700 and 2000 Monday to Friday, 0700 to 1800 Saturdays and 0900 to 1600 on Sundays.  Notwithstanding the above  The use of unit 12 ONLY of the premises in accordance with this permission shall be restricted to the hours between 0600 and 2200 Monday to Saturday and 0700 and 1700 on Sundays.  Reason: The use of the premises outside these hours could prove injurious to the character of the area and in order to safeguard residential amenities. | |
|  | Deliveries to and from the units hereby approved shall only take place between the hours of 07:00-19:00 Monday to Friday inclusive, and 08:00-13:00 on Saturday and not at all on Sunday and Bank Holidays.  REASON: In order to protect the residential amenities of the occupiers of the adjacent properties. | |
|  | There shall be no movements of HGV's or forklift trucks, used in connection with the units hereby approved, within the open areas of the site other than between 07:00-19:00 Monday to Friday, between 08:00-13:00 Saturday and not at all on Sunday and bank Holidays.  REASON: In order to prevent nuisance. | |
|  | No construction work, construction traffic or operation of any plant/machinery shall take place on the site during the course of the development hereby approved except between the hours of 08:00 hours and 18:00 hours Monday to Friday and 09:00 and 13:00 on Saturday. No construction work, construction traffic or operation of any plant/machinery shall take place on Sundays or Public Holidays. Furthermore, no deliveries or vehicles shall arrive on site outside these stipulated working hours.  REASON: In order to protect the residential amenity of the occupiers of the adjacent properties. | |
|  | Notwithstanding the provisions The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 and the Town and Country Planning (Use Classes) Order 1987 (as amended) or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the units hereby approved shall only be used for the purposes of use classes E(g) (Uses which can be carried out in a residential area without detriment to its amenity) and B8 (Storage or distribution).  REASON: For the avoidance of doubt, and to avoid an over-intensive use and to ensure that the development remains compatible with the character of the area and the intensity and frequency of usage remains proportionate to the use.  P.T.O. | |
|  | A joint survey shall be carried out between the developer and the planning authority to determine the condition of Blackburn Road every six months and the final inspection within one month of the completion of the last unit, and the developer shall make good any damage to Blackburn Road to return it to the pre-construction situation as required.  REASON: To maintain the construction of Blackburn Road, in the interest of highway safety. | |
|  | Cycling and motor bike facilities shall be provided in accordance with the scheme previously approved by the Local Planning Authority before any unit hereby permitted becomes operative.  REASON: To ensure that provision is made for cycles and to support sustainable methods of travel. | |

**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. |
|  | |  | | --- | | The developer is advised that this consent does not grant permission for the proposed change of use of the premises and that this should be confirmed via a lawful development certificate or full planning permission. | |

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| 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. P.T.O.

· 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.