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| RIBBLE VALLEY BOROUGH COUNCIL | | | |  |  |
| Development Department | |  |  |  |  |
| 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 | | |  |  |  |
| REFUSAL OF PLANNING PERMISSION | | | | | |
| **APPLICATION NO:** | 3/2022/0574 | |  |  |  |
| **DECISION DATE:** | 21 October 2022 | |  |  |  |
| **DATE RECEIVED:** | 26/08/2022 | |  |  |  |
|  | | | | | |
| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Ms Megan Cottam  47 Meadowfields  Blackburn  BB2 4JH | |  | Mrs Judith Douglas  Judith Douglas Town Planning Ltd  8 Southfield Drive  West Bradford  Clitheroe  BB7 4TU | | |
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| **DEVELOPMENT PROPOSED:** | | | | | Retention of storage containers, vehicle parking and turning area. Reduction in the width of the track to an average width 2.9m. Proposed cladding and roofing over storage containers and the construction of a welfare unit. | | |
| **AT:** | | Rann Woodland Off Saccary Lane Mellor Blackburn | | | | | |
| Ribble Valley Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission **has been refused** for the carrying out of the above development for the following reason(s): | | | | | | | |
| 1 | | | The proposed development/facilities are not considered to be deemed necessary for the purposes of forestry, nor is it considered that the quantum and scale of the facilities are considered commensurate with that of the scale of the operations associated with the management of maintenance of the protected woodland to which they relate. As such the proposal is considered to be in direct conflict with Policy DMG2 insofar that it is not 'needed' for the purposes of forestry or agriculture. | | | | |
| 2 | | | The proposed development, by virtue of the extents of surfaced areas, including the scale, design, configuration and number of structures proposed, would result in the introduction of an incongruous, unsympathetic and discordant from of development in the defined open countryside, within a protected woodland area (TPO 7/19/3/212) that cumulatively results in significant harm to the inherent character and visual amenities of the open countryside and that of the inherent character of the woodland setting.  As such the proposal is considered to be in significant direct conflict with Key Statement EN2 and Policies DMG1, DMG2, DME1 and DME2 of the Ribble Valley Core Strategy.  P.T.O. | | | | |
| 3 | | | The proposal is considered to be in direct conflict with Policies DME1 and DME2 of the Ribble Valley Core Strategy insofar that the proposed development, by virtue of compaction associated with surfaced areas, the siting and proximity of buildings/structures and outdoors storage of materials/paraphernalia, will cause undue harm and significantly compromise the long-term integrity of trees of high landscape visual amenity value, that are afforded protection through a Tree Preservation Order (TPO 7/19/3/201). | | | | |
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| **Note(s)** | | |  |  |  |  |  |
| 1  2 | | | |  | | --- | | Applications for planning permission are assessed against the National Planning Policy Framework and the policies within the Core Strategy for the Ribble Valley.  The Local Planning Authority adopts a positive and proactive manner and will consider representations, liaise with consultees, and seek amendments to proposals where appropriate within statutory timescales.  The proposal does not comprise sustainable development and there were no amendments to the scheme, or conditions that could reasonably have been imposed, which could have made the development acceptable. It was therefore not possible to approve the application. | |  | | | | | |
| Nicola Hopkins  NICOLA HOPKINS  DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING | | | | | | | |
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**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.