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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:** | 3/2022/0852 | |  |  |  |
| **DECISION DATE:** | 06 March 2023 | |  |  |  |
| **DATE RECEIVED:** | 06/10/2022 | |  |  |  |
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| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Mr A Jarvis  A and E Jarvis  Cragg House Farm  Collins Lane  Chipping  Preston  PR3 2NP | |  | Mr J Hadfield  JHES  Springs House  Chipping  Preston  PR3 2GQ | | |
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| **DEVELOPMENT PROPOSED:** | | Proposed new field access onto highway including creation of culvert. |
| **AT:** | Cragg House Farm Collins Lane Chipping PR3 2NP | |
| 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 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. | |
|  | 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, Site Plan and Section Drawing No: 534/201 REV A  Proposed Visibility Splays Drawing No: 534/202 REV A received 3rd March 2023  Reason: For the avoidance of doubt as the proposal was the subject of agreed design improvements and / or amendments and to clarify which plans are relevant to the consent. | |
|  | The materials to be used in the construction of the field access hereby approved as indicated on approved Drawing No: 534/201 REV A shall be implemented as indicated.  Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.  P.T.O. | |
|  | The development hereby permitted shall not be commenced until details of the location and total length of a replacement hedgerow-planting scheme have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, as appropriate, the types, species and numbers plants for a Lancashire hedgerow including a minimum of 60% hawthorn and include blackthorn, hazel and guelder rose.  The approved 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. The hedge shall not exceed a height of 1m and 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 hedgerows of landscape / visual amenity value are retained as part of the development. | |
|  | Any removal of hedgerows shall be undertaken outside the nesting bird season [March - August inclusive] unless preceded by a pre-clearance check by a licensed ecologist on the day of removal.  Reason: To ensure that there are no adverse effects on the favourable conservation status of birds. | |
|  | Prior to commencement of development a scheme for the new access shall be submitted to and approved in writing by the Local Planning Authority. The new access shall be constructed thereafter in accordance with the approved scheme.  Reason: In the interests of general highway safety. | |
|  | The development hereby permitted shall not be commenced until and unless the new agricultural building approved under Prior Notification application 3/2022/0845 has been substantially completed.  Reason: To ensure that the new vehicle access is constructed to fulfil the need identified in the application submission and to ensure that the visual impact is justified by the benefits to supporting the agricultural operation. | |
|  | The location of the field access gate shall be installed as indicated on the approved plans (Drawing No: 534/201 REV A and Drawing No: 534/202 REV A received 3rd March 2023).  The field access gate shall be set back by at least 12 metres from the edge of the highway and shall remain as such in perpetuity.  Reason: In the interests of general highway safety.  P.T.O. | |
|  | Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 no building, wall, fence, hedge, tree, shrub or other device shall be erected or planted or allowed to remain upon the land within the approved visibility splays (as shown on approved Drawing No: 534/202 REV A received 3rd March 2023) over 1m above road level.  Reason: To ensure adequate visibility at the site access. | |

**Note(s)**

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|  | The grant of planning permission will require the applicant to enter into a S278 Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact Lancashire County Council for further information by emailing the Highway Development Control Section at developeras@lancashire.gov.uk. |
|  | The grant of planning permission will require the applicant to gain approval from Lancashire County Council Flood Risk Team to culvert the watercourse beneath the new access. |
|  | 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. |
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| 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. 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/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.