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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:** | 3/2022/0883 | |  |  |  |
| **DECISION DATE:** | 12 May 2023 | |  |  |  |
| **DATE RECEIVED:** | 22/09/2022 | |  |  |  |
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| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Mr S Stansfield  Strathaven  Whalley Road  Billington  BB7 9LG | |  | Mrs Judith Douglas  Judith Douglas Town Planning Ltd  8 Southfield Drive  West Bradford  Clitheroe  BB7 4TU | | |
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| **DEVELOPMENT PROPOSED:** | | Application for planning permission for change of use from public house with bar serving food and living accommodation to public house with bar serving food, cafe and B&B accommodation, associated extension and alterations to the building. Construction of three one-bed holiday apartments, managers accommodation, alterations to vehicle access and landscaping. |
| **AT:** | Duke of York Inn Grindleton Brow Grindleton BB7 4QR | |
| 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:  5977-E00: Location Plan  5977-P20 C: Proposed Site Plan  5977-P21 B: Proposed Plans  5977-P22 B: Proposed Elevations  5977-P23 C: Proposed Plans and Elevations  5977-P24 B: Existing and Proposed Site Sections  Reason: For the avoidance of doubt and to clarify which plans are relevant to the consent. | |
|  | P.T.O. | |
|  | Notwithstanding the submitted details, precise specifications and samples of walling and roofing materials including details of all proposed window and door surrounds, jambs, mullions, sills and heads to be implemented within the development hereby approved shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The development shall be carried out in strict accordance with the approved details.  Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the area. | |
|  | Precise specifications of proposed windows and doors including elevations cross - sections, glazing type, opening mechanism and surface finish shall have been submitted to and approved in writing by the Local Planning Authority prior to their installation. The approved windows shall be implemented within the development in strict accordance with the approved details and thereafter retained.  Reason: In order that the Local Planning Authority may ensure that the detailed design of the proposal safeguards the special architectural and historic interest of the listed building(s), the character and appearance of the conservation area and to ensure that the detailed design of the proposal responds positively to the inherent character of the area. | |
|  | Prior to the commencement of the development section details at a scale of not less than 1:20 of each elevation of the proposed 'New Accommodation' building shall have been submitted to and approved in writing by the Local Planning Authority.  For the avoidance of doubt the sections shall clearly detail all eaves, guttering/rainwater goods, soffit/overhangs and window/door reveals and the proposed window/door framing profiles and materials. The development shall be carried out in strict accordance with the approved details.  Reason: In order that the Local Planning Authority may ensure that the detailed design and external appearance of the proposal is appropriate to the locality and responds positively to the inherent character of the area. | |
|  | Notwithstanding the details shown upon the approved plans, the proposed roof lights shall be of the Conservation Type, recessed with a flush fitting, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall be carried out in strict accordance with the approved details.  Reason: In order that the Local Planning Authority may ensure that the detailed design of the proposal does not undermine the character and appearance of the area and to ensure that the proposed roof-lights to be installed respond positively to the inherent character of the existing building.  P.T.O. | |
|  | Details of the alignment, height, and appearance of any boundary treatments, fencing, walling, retaining wall structures and gates to be erected within the development shall have been submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in strict accordance with the approved details.  Reason: To ensure a satisfactory standard of appearance in the interests of the visual amenities of the area. | |
|  | Prior to their installation details of a scheme for any external building or ground mounted lighting/illumination, shall have been submitted to and approved in writing by the local planning authority. For the avoidance of doubt the submitted details shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated. The lighting schemes(s) be implemented in accordance with the approved details.  Reason: To enable the Local Planning Authority to exercise control over development which could prove materially harmful the character and visual amenities of the immediate area and to minimise/mitigate the potential impacts upon protected species resultant from the development. | |
|  | Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until a scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the local planning authority.  For the avoidance of doubt the submitted details shall include the following: 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 specifications of all retaining structures (where applicable) and detailed timings and phasing for the carrying out of the submitted details.  Notwithstanding the above, the approved soft 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 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. For the avoidance of doubt all trees/hedgerow shown as being retained within the approved details shall be retained as such in perpetuity.  Reason: To ensure the proposal is satisfactorily landscaped and trees/hedgerow of landscape/visual amenity value are retained as part of the development.  P.T.O. | |
|  | The 'Managers Accommodation' hereby approved (as indicated on drawing 5977-P23 C) shall only be occupied by persons employed in connection with the operational management of the 'Duke of York Inn' to which the application relates.  Reason: To define the scope of the permission and prevent the use of the building for purpose(s) other than those hereby approved. | |
|  | The holiday/bed and breakfast accommodation hereby approved shall be restricted to short-term holiday purposes only and shall not be occupied by any persons for a continuous period exceeding 28 days in any calendar year or as permanent residential accommodation or as a person's main place of residence.  The owners/operators of the site/accommodation shall maintain an up-to-date register of the names of all owners/occupiers of the individual units of accommodation, and of their main home addresses, and shall make this information available, on request, to the Local Planning Authority.  Reason: To prevent the permanent residential occupation of the buildings(s) in a location where new residential development is unacceptable in principle and to define the scope of the permission hereby approved. | |
|  | The commercial uses (Class E(b) and Sui Generis) hereby approved shall only be operated between the following hours:  08:00hrs to 00:00hrs Monday to Sunday (including bank holidays).  For the avoidance of doubt there shall be no business or activities operated or undertaken on the site associated with the use(s) hereby approved outside the stated operating hours.  Reason: To clarify the nature of the consent hereby approved and to ensure the development hereby approved remains compatible with the character of the area.  P.T.O. | |
|  | No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period of the development. It shall provide for:  A. The parking of vehicles of site operatives and visitors  B. The loading and unloading of plant and materials  C. The storage of plant and materials used in constructing the development  D. The erection and maintenance of security hoarding  E. Wheel washing facilities  F. Measures to control the emission of dust and dirt during construction  G. A scheme for recycling/disposing of waste resulting from demolition and construction works  H. Details of working hours  I. Routing of delivery vehicles to/from site  Reason: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway for the duration of the construction phase of the development. | |
|  | Prior to the first use of the development hereby permitted the site access alterations and new footway arrangement, as shown on drawing 'Proposed Site Plan 5977-P20 Rev: C' shall be completed and made available for use.  Reason: To ensure the safe operation of the Highway and to provide adequate provision for pedestrians. | |
|  | The 'EV Charging Points' and 'Cycle Store' hereby approved shall be installed/constructed and be made available for use prior to the use(s) hereby approved becoming first operative.  Reason: To clarify the nature of the consent hereby approved and to encourage sustainable methods of transport/travel.  P.T.O. | |
|  | No development, demolition or site preparation works shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological investigation and recording works. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the  Local Planning Authority. This programme of works should comprise:    i. The creation of a level 2-3 record of the inn as set out in 'Understanding Historic Buildings' (Historic England 2016); and  ii. The holding of a formal watching brief during all opening up and alteration works to any pre-1900 elements of the extant building; and  iii. The holding of a formal archaeological watching brief on all ground disturbance associated with the development.  These works should be undertaken by an appropriately experienced and qualified professional contractor to the standards and guidance set out by the Chartered Institute for Archaeologists (CIfA). A formal report on the works undertaken and the results obtained shall be compiled and submitted to the Local Planning Authority and the Lancashire Historic Environment Record prior to the buildings consented being first brought into use or at a date otherwise agreed in writing.  The development shall be carried out in accordance with the agreed details.  Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building.  P.T.O. | |
|  | Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:  i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;  ii. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);  iii. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;  iv. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and  v. Foul and surface water shall drain on separate systems.  The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.  Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. | |

**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. |
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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.

· 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.