|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 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:** | 3/2023/0281 | |  |  |  |
| **DECISION DATE:** | 01 December 2023 | |  |  |  |
| **DATE RECEIVED:** | 05/04/2023 | |  |  |  |
|  | | | | | |
| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Mrs L Sagar  136 Whalley Road  Read  Burnley  BB12 7PN | |  | Mrs Judith Douglas  Judith Douglas Town Planning Ltd  8 Southfield Drive  West Bradford  Clitheroe  BB7 4TU | | |
|  |
|  |
|  |
|  |

|  |  |  |
| --- | --- | --- |
| **DEVELOPMENT PROPOSED:** | | Proposed change of use of land for the siting of four holiday lodges with associated parking, access and amenity areas. Revision to scheme approved under 3/2020/0981 and 3/2022/1022 part retrospective. |
| **AT:** | Land at Morans Farm Pendleton Road Wiswell BB7 9BZ | |
| 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:  ADM/23/04/07 Location Plan 1:1250  ADM/23/04/01 Rev E Site layout & landscaping  ADM/23/04/02 Rev C Lodge 1  ADM/23/04/03 Rev B Lodge 2  ADM/23/04/04 Rev A Lodge 3  ADM/23/04/05 Rev D Lodge 4  ADM/23/04/06 Rev A Sections Plan  ADM/23/04/07 Rev C Drainage Plan  ADM/MORANS/LP REV A Logistics Plan  Reason: For the avoidance of doubt and to clarify which plans are relevant to the consent. | |
|  | The materials to be used on the external surfaces of the lodges hereby approved as indicated on the approved plans ADM/23/04/02 Rev C, ADM/23/04/03 Rev B, ADM/23/04/04 Rev A and ADM/23/04/05 Rev D shall be implemented 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.  P.T.O. | |
|  | For the full period of construction facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud, stones and debris being carried onto the highway. Provision to sweep the surrounding highway network by mechanical means will be available and the roads adjacent to the site shall be mechanically swept as required during the full construction period.  Reason: To prevent stones, mud and debris being carried onto the public highway to the detriment of road safety. | |
|  | No lodge/ unit hereby permitted shall be occupied until visibility splays 2.4 metres back from the centre line of the access and extending 35m metres on the nearside carriageway edge in both directions have been provided, as shown on approved logistics plan ADM/MORANS/LP Rev A. Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 0.9 metres above the nearside carriageway level which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.  Reason: To ensure adequate inter-visibility between highway users on Pendleton Road and the site access, in the interests of highway safety. | |
|  | Before the first occupation of the lodges hereby approved that part of the access extending from the highway boundary for a minimum distance of 7m into the site shall be appropriately paved in tarmacadam, concrete, block paviours, or other hard material to be approved by the Local Planning Authority.  Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to road users. | |
|  | The parking areas hereby approved shall be surfaced and marked out in accordance with a scheme that shall first have been submitted to and agreed in writing by the Local Planning Authority.  For the avoidance of doubt the proposed materials of green granite chippings would not be acceptable in this rural location.  The agreed parking scheme shall be implemented and made available for use prior to first occupation of any of the lodges hereby approved and thereafter retained.  Reason: In order that the Local Planning Authority may ensure that adequate dedicated parking provision is provided on site to serve the lodges hereby approved.  P.T.O. | |
|  | No lodge/unit hereby approved shall be occupied unless and until the scheme for the construction of the site access has been fully implemented in full accordance with the details submitted on approved plan ADM/MORANS/LP Rev A.  Reason: In order to ensure that the access and highway works are acceptable before occupation of the site. | |
|  | Notwithstanding the landscaping proposals indicated on Drawing: ADM/23/04/01 Rev E details of the planting of hedgerows and shrubs within the site shall be submitted to and agreed in writing by the Local Planning Authority within three months of the date of this permission. The approved landscaping scheme shall thereafter be implemented in the first planting season following the first occupation of the first unit hereby approved. The agreed planting scheme shall thereafter be maintained for a period of not less than 10 years to the satisfaction of the Local Planning Authority.  The 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.  Details of the proposed boundary treatments shall be implemented in strict accordance with the approved plan ADM/23/04/01 Rev E Site layout & landscaping. For the avoidance of doubt the increased height to the existing boundary wall to the northeast boundary with Lynwood shall be implemented prior to the first occupation of Lodge 2 and thereafter retained.  Reason: To ensure the proposal is satisfactorily landscaped and that the trees/hedgerow add to the landscape/visual amenity value of the area and are retained as part of the development. | |
|  | During the construction period, all trees to be retained within the site shall be protected in strict accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standard as per approved logistic plan ADM/MORANS/LP Rev A.  Reason: To protect trees which have visual amenity value on the site and ensure that these are not affected by the proposed development hereby approved. | |
|  | Prior to first occupation of the lodges/ units hereby approved, two bat boxes shall have been incorporated into the site as per the approved details namely approved plan ADM/MORANS/LP Rev A and Kent Bat Box Specification.    The development shall thereafter be carried out in strict accordance with the approved details.  Reason: In the interests of biodiversity and to enhance roosting opportunities for species of conservation concern and to minimise/mitigate the potential impacts upon protected species resultant from the development  P.T.O. | |
|  | The installation of the scheme external lighting to the buildings and bollard ground mounted lighting shall have been installed in strict accordance with the details submitted by email on the 4th October, 2023.  For the avoidance of doubt no additional external lighting shall be installed on the site of important wildlife habitats is minimised/mitigated.  The lighting schemes shall be implemented in accordance with the approved details prior to the occupation of any of the lodges hereby approved and thereafter retained as approved.  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. | |
|  | Each lodge/ unit of accommodation hereby approved shall not be let to or occupied by any one person or group of persons for a combined period exceeding 3 months in any one calendar year and in any event shall not be used as a unit of permanent accommodation or any sole place of residence.  The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of the individual lodges on the site, and of their main home addresses, and shall make this information available, on request, to the Local Planning Authority.  No more than four holiday lodges shall be stationed with the site boundary at any one time with the site area defined in the red edge of the location plan ADM/20/34/05.    Reason: In order to ensure that no permanent residential occupation of the site is undertaken in a location where new residential development would be unacceptable in principle and to define the scope of the permission hereby approved. | |
|  | No approval is given for the vehicular and pedestrian gates proposed at the entrance of the site.  Reason: The proposed gates are not appropriate for this rural location and represent an urban form of development in terms of material and scale. | |

**Note(s)**

|  |  |
| --- | --- |
|  | 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. |
| 3. | 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.  P.T.O.  This Decision Notice should be read in conjunction with the officer’s report which is available to view on the website. |
| 5. | |  | | --- | | The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278) with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact LCC for further information by telephoning the Development Support Section on 0300 123 6780 or email developeras@lancashire.gov.uk in the first instance to ascertain the details of such an agreement and the information to be provided quoting the location, district and relevant planning application reference number. | |

|  |
| --- |
| 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.