|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 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:** | 3/2023/0707 | |  |  |  |
| **DECISION DATE:** | 08 December 2023 | |  |  |  |
| **DATE RECEIVED:** | 03/10/2023 | |  |  |  |
|  | | | | | |
| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Ms Diane Despard  DMD Design  1 Lower Lane  Longridge  Preston  PR3 3SL | |  | Mr Mark Flaherty  PWA Planning  2 Lockside Office Park  Lockside  Preston  PR2 2YS | | |
|  |
|  |
|  |
|  |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
| **DEVELOPMENT PROPOSED:** | | Application to regularise mixed building use permitting retail with associated bar serving alcohol, and occupational dwelling (sui generis). |
| **AT:** | 1 Lower Lane Longridge PR3 3SL | |
| 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:  Plans and Elevations Dwg no 3154 001  Location Plan produced 04-09-23 @ 1:1250  REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent. | |
|  | The residential accommodation hereby approved shall be restricted to occupation by one resident at any one time and who works on the premises.  REASON: In the interests of the amenities of the area and of the residential amenities of the occupier of the unit. | |
|  | The bar hereby approved shall only be in use in conjunction with the display of retail products at ground floor and which are available to purchase whenever the bar is in use.  REASON: To clarify the scope of the permission and prevent the bar from becoming the sole use to ensure that the development remains compatible with the character of the area, to protect residential amenity and to protect the vitality of the town centre.  P.T.O. | |
|  | The use of the premises hereby approved shall be restricted to the following hours:-  Monday - Saturday, 08:00 to 20:00  Sunday/Bank Holiday, 08:00 to 17:00  REASON: To ensure that the development remains compatible with the character of the area and to minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings. | |
|  | Live or amplified music or musical instruments shall not be played outside of the following hours:  Monday - Saturday, 16:00 to 20:00  Sunday/Bank Holiday, 14:00 to 17:00  No live or amplified music shall be played at any time in any external areas.  REASON: To minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings. | |
|  | There shall be no more than 12 organised events (including private parties) in any one year, and no more than 4 organised events within any given 28-day period.  REASON: Reducing the frequency of organised event reduces the chance that a highway safety issue will arise as the premises does not offer any off-street car parking. | |
|  | Prior to the playing of any live or amplified music or musical instruments, the front door as identified on plan reference Plans and Elevations Dwg no 3154 001 shall be fitted with a door-closer / self-closing device, which is to be retained in perpetuity.  When live or amplified sound or musical instruments are being played the front door shall be kept closed except for access and egress of patrons.  REASON: To minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings.  P.T.O. | |
|  | Prior to the playing of any live or amplified music or musical instruments, details of a sound limiter device capable of controlling the level of sound emitted, shall be submitted to and approved in writing by the Local Planning Authority.  The details shall include specifications of the limiter device which demonstrate that noise levels generated from the sound system shall not exceed background noise level as agreed by the Local Authority at each of the following octave frequency bands a minimum: 63Hz, 125Hz, 250Hz, 500Hz, 1 KHz, 2 KHz, 4 KHz, and 8 KHz when measured at the nearest noise sensitive residential properties.  The limiter device shall be installed and set up in accordance with the approved specifications / noise levels prior to the playing of any live or amplified music or musical instruments, and shall thereafter be retained at the approved level.  Any live or amplified sound or musical instruments shall be routed through the limiter at all times in accordance with the approved specifications / noise levels. There shall be no live music or musical instruments on the premises which can by-pass the noise limiter.  REASON: To minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings. | |
|  | Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no new windows/dormer windows/rooflights shall be inserted or constructed at any time in any elevation of the building without express planning permission first being obtained.  REASON: To ensure any replacement windows are appropriate to minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings | |
|  | There shall not be any filling or emptying of bottle bins between the hours of 20:00 and 09:00 on any day.  REASON: To minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings. | |

**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.  4. | 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.  This Decision Notice should be read in conjunction with the officer’s report which is available to view on the website. | |
| 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.