

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: 3/2021/0397

DECISION DATE: 02 July 2021

DATE RECEIVED: 21/04/2021

APPLICANT:

Mr J Hindle
Haydock Developments Ltd
C/o Agent

AGENT:

Mr G Margerison
Lea Hough Chartered Surveyors
Oakshaw House
2 Capricorn Park
Blakewater Road
Blackburn
BB1 5QR

DEVELOPMENT Proposed new light industrial units/retail trade counter.

PROPOSED:

AT: Land at Barrow Brook Enterprise Park Barrow BB7 9QZ

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):

1. Time limit, plans and details

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 pursuant to Section 91 of the Town and Country Planning Act 1990

2. 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 (BS.18-040(B)/01 Rev.A (amended 22.06.2021)

Existing Site Plan (BS.18-040(B)/02 Rev. B (amended 22.06.2021)

Proposed Site Plan (BS.18-040(B)/03 Rev. A (amended 21.06.2021)

Proposed Floor Plan & Elevations (BS.18-040(B)/04 Rev. B (amended 04.06.2021)

Landscaping Plan (BS.18-040(B)/06 Rev. B (amended 21.06.2021)

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

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3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (as amended or re-enacted) the building to which the application relates shall only be used for the purposes of retail sales (E(a)) and for no other purpose, including any other purpose within Use Class (E(a)).

REASON: For the avoidance of doubt, to clarify the nature of the consent hereby approved and to ensure that the development remains compatible with the character of the area

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (as amended or re-enacted), the Class (E(a)) (retail) use hereby approved shall be for the sale of 'bulky' animal feeds and bedding and no other goods shall be sold from the premises. For the avoidance of doubt such goods shall consist of animal feed and bedding that is packaged and sold in a manner that weighs no less than 12kg per singular item purchase.

REASON: For the avoidance of doubt, to clarify the nature of the consent hereby approved and to ensure that the use hereby approved does not undermine the viability or vitality of nearby/adjacent main shopping areas or retail centres.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any subsequent enactment or re-enactment thereto, no enlargements, improvements or other alterations (including the insertion of a mezzanine floor) shall be undertaken to the buildings without express planning permission first being obtained.

REASON: To ensure a balance is maintained between floor space and car parking and that the site is capable of accommodating the proposed building

6. The external facing materials, detailed on the approved plans, shall be used and no others substituted.

REASON: To ensure that the materials used are visually appropriate to the locality.

7. Landscaping and trees

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: In the interest of the appearance of the locality.

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8. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees within Tree Preservation Order No.7/19/3/199 (2016) shall be protected in accordance with the BS5837:2012 [Trees in Relation to Demolition, Design & Construction].

The protection zone must cover the entire branch spread of the trees, [the area of the root soil environment from the trunk to the edge of the branch spread] and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection/exclusion zone. In addition no impermeable surfacing shall be constructed within the protection zone.

REASON: In order to ensure that any trees affected by development and considered to be of visual, historic or botanical value are afforded maximum physical protection from the potential adverse effects of development.

9. Residential Amenity

The development hereby permitted shall be designed so that the rating levels for cumulative noise from external plant and equipment shall not exceed the existing background noise level (LA90) at the external façade of any noise sensitive premises, as assessed in accordance with British Standard 4142(2014) or any subsequent replacement national standards.

Details of any extract vents, means of extract, air conditioning, ventilation or any other associated externally mounted/ located plant shall have been submitted to and approved in writing by the local planning authority prior to their use within the development.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance.

10. Notwithstanding the submitted details, the development hereby approved shall only operate (including use of plant/machinery) within the following hours:

Monday to Friday - 08:00 to 19:00 hours;
Saturday - 08:00 to 16:00 hours;
Sunday/Bank Holidays - 10:00 to 1600 hours

REASON: In the interests of the general amenity of the area and to safeguard, where appropriate, neighbouring residential amenity.

11. Notwithstanding the submitted details, the development hereby approved shall have no deliveries, collections or servicing undertaken outside of the following hours: Monday to Friday - 08:00 to 19:00 hours; Saturday - 08:00 to 13:00 hours; Not on Sunday/Bank Holidays.

REASON: In the interests of the general amenity of the area and to safeguard, where appropriate, neighbouring residential amenity.

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12. There shall be no movements of HGV's or forklift trucks, used in connection with the use hereby approved, within the open areas of the site other than between 09:00-18:00 Monday to Friday, between 09:00-13:00 Saturday and not at all on Sundays and bank Holidays.

Reason: To protect the residential amenities of the occupiers of neighbouring/nearby properties.

13. Notwithstanding the submitted details, during the period of construction, no construction work, construction traffic or operation of any plant/machinery shall take place on the site during the course of the development hereby approved except between the hours of 08:00 and 18:00 Monday to Friday and 09:00 and 13:00 on Saturday. No construction work, construction traffic or operation of any plant/machinery shall take place on Sundays or Public Holidays.

REASON: In order to protect the amenities of existing residents.

14. The permitted use shall not take place other than within those buildings identified for the permitted use on the approved plans.

REASON: To ensure a satisfactory appearance of the site in the interests of local visual amenity and in the interests of the amenities of nearby residents.

15. No goods, plant or materials shall be deposited or stored on the site other than in the buildings shown on the approved plans.

REASON: To ensure a satisfactory appearance of the site in the interests of local visual amenity and in the interests of the amenities of nearby residents.

16. No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination, have been first submitted to, and approved in writing by, the Local Planning Authority prior to first occupation/use of the site.

The external lighting shall be installed precisely in accordance with the approved details and thereby retained as such unless otherwise agreed in writing with the Local Planning Authority.

REASON: In order to minimise the possibility of inconvenience to nearby residents.

17. Highways

The Construction Method Statement/ Traffic Management Plan that was submitted with the application shall be strictly adhered to throughout the duration of the construction period of the development.

REASON: To minimise the impact of construction on existing residents in the vicinity of the site.

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18. The parking and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and/or turning facilities to serve the site.

19. Before the development hereby permitted is first occupied, provision for cycle parking, in accordance with details first agreed in writing with the Local Planning Authority, shall have been provided in all respects and made available for use, and shall thereafter be retained.

REASON: To ensure adequate on site provision for cycle parking.

20. Drainage

The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Proposed Site Drainage, Rev -, Dated - which was prepared by Partington & Associates Limited. For the avoidance of doubt, surface water must drain at the restricted rate of 5 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

REASON: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

21. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution.

Note(s)

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. 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 operates a pre-planning application advice service which applicants are encouraged to use. Whether or not this was used, 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.

John Machole

pp 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.