

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: 3/2021/0549

DECISION DATE: 14 July 2021

DATE RECEIVED: 19/05/2021

APPLICANT:

Mr Steve Crowe
Riverside
5 Browgate
Sawley
BB7 4NB

AGENT:

Miss Sharon-lee Bow
Studio Charrette
The Clubhouse
50 Grosvenor Hill
London
W1K 3QT

DEVELOPMENT Proposed erection of gates and wall.

PROPOSED:

AT: Riverside 5 Browgate Sawley BB7 4NB

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. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchasing Act 2004.

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

Existing Plans and Elevations 123-PL-EXT-00-A

Proposed Plans and Elevations 123-PL-EXT-01-A

Reason: For the avoidance of doubt and to clarify which plans are relevant to the consent hereby approved.

3. The materials to be used on the in the development shall be natural stone for the walling materials and steel finished in a dark colour for the gates as indicated within the approved details. The development shall be implemented in 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.

INFORMATIVES

- 1) PLEASE NOTE:** Prior to any works in connection with the development commencing, the applicant is required to enter into a Section 142 agreement under the Highways Act (example agreement attached), with the Local Highway Authority (Lancashire County Council) to agree to maintain the existing adopted grass verge adjacent to the application site in perpetuity.

- 2) PLEASE NOTE:** The following comments from Cadent:

Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity)

Requirements BEFORE carrying out any work you must:

- 1) Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- 2) Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- 3) Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 – 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- 4) In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

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

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.

**EXAMPLE AGREEMENT
LANCASHIRE COUNTY COUNCIL
HIGHWAYS ACT 1980 SECTION 142**

LICENCE TO PLANT AND MAINTAIN IN HIGHWAY

1. The Lancashire County Council (**'the Council'**) as the Highway Authority for the Highway mentioned below hereby grant, under Section 142 of the Highways Act 1980 to **** whose registered address is ***** (**'the Licensee'**) as the owner of premises adjoining such Highway, and to his successors in title (all such persons being hereinafter referred to as 'the Licensee', which expression shall include any other person who is for the time being entitled by virtue of this licence to do anything permitted by it to be done) under Section 142 of the Highways Act 1980 a Licence to plant and maintain in the land known as ***** only on pink land hatched red on the plan (drawing^{***}) attached hereto (**'the Highway'**), the trees, shrubs, plants or grass as may be specified (planting) upon the terms and subject to the conditions contained in the said section 142 and the other provisions of the said Section 142 and the Licensee hereby accepts the Licence aforesaid upon and subject to the terms, conditions and provisions which follow.
2. No planting shall be carried out in the vicinity of Public Utilities apparatus without their prior approval and evidence of that approval having been provided by the Licensee to the Council.
3. No thorned plant or plant which is of a poisonous nature (whether by reason of fruit, flowers, leaves or howsoever) or is otherwise likely to constitute a source of danger to persons or animals on the Highway shall be planted under this Licence.
4. All the planting to which the Licence relates shall be properly cut, pruned and trimmed and the planting shall not be of a species which normally exceeds a maximum growing height of 600mm at all times during the continuance of this Licence and no planting shall be allowed to obstruct or interfere in any way with or to become a source of danger to passage along the carriageway or any footway Service Strip or safe harbour of the Highway.
5. The Licensee shall keep the part of the Highway to which this Licence relates in a trim and tidy condition.
6. If it appears to the Council at any time that any planting to which this Licence relates is, or is likely to, obstruct or interfere in any way with, or to be a source of danger to passage along the carriageway or any footway of the Highway, or to overhang the premises of any person other than the Licensee, the Council may without notice to the Licensee, take such action as they think fit, or to otherwise take direct action and any such action by the Council shall be without prejudice to their power under Section 142(6) of the Highways Act 1980 to withdraw the Licence.
7. The Licensee shall not remove any soil from the part of the highway to which this Licence relates or otherwise do anything which would interfere with the support given to the rest of the Highway.
9. Persons authorised by the Council or any Public Utilities or the Post Office, may at any time enter the part of the Highway to which this Licence relates without notice to the Licensee in order to carry out works for the purpose of the Highway or the undertaking in question.

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10. During the progress of any work in connection with the planting or maintenance thereof the Licensee shall have due regard for the safety and convenience of Highway users and shall thereafter make good any damage to the Highway resulting from the works.
 11. The Licence hereby granted shall be annexed to the premises mentioned in paragraph 1 above and shall remain in force unless previously withdrawn by the Authority under section 142 of the Highways Act 1980 or surrendered to the Authority by the Licensee.
 12. The Licensee shall pay to the Council on the granting of this Licence the sum of **ONE HUNDRED POUNDS (£100.00)** in respect of legal and other expenses incurred in connection with the grant of this Licence.

DATED THE DAY OF 2015

Signed on behalf of Lancashire County Council

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Highways Development
Control Manager
Community Services

SIGNED BY THE LICENSEE.....

ADDRESS:

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NOTE: The attention of the Licensee is drawn to-

- (i) subsections (1) and (7) of section 142 of the Highways Act 1980, which prescribe the circumstances in which the licence may be withdrawn by the Highway authority or surrendered by the Licensee; and
- (ii) subsection (8) of section 142 of the Highways Act 1980 which provides that the Licensee or, if deceased, his personal representatives, shall indemnify the Highway authority against any claim in respect of injury damage or loss arising out of the planting or presence of the trees, shrubs, plants or grass or execution of the works by any person or by the Highway authority;

- (iii) Subsection (4) of section 142 of the Highways Act 1980 which requires that within one month after any change in the ownership of the premises takes place the Licensee shall inform the Highway authority of it.