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## PLANNING, BUILDING CONTROL & LICENSING SERVICES

Town Hall, Market Street, Nelson,  
Lancashire BB9 7LG

Town & Country Planning Act 1990  
Town & Country Planning  
(Development Management Procedure) Order (England) 2015

### GRANT OF PLANNING PERMISSION

Application Ref: 18/0170/FUL

**Applicant:**  
Mr G. Griffin  
C/O Agent

**Agent:**  
Mr Brian Sumner  
Avalon Town Planning Ltd  
2 Reedley Business Centre  
Redman Road  
Reedley  
Burnley  
Lancashire  
BB10 2TY

Under the provisions of the above mentioned Act and Order, **Pendle Borough Council** as Local Planning Authority hereby grants planning permission for:-

**Proposal:** Full: Erection of stone built holiday lodge (Re-Submission).

**At:** Land To The North West Of Letcliffe House Manchester Road Barnoldswick

**Decision Date:** 26th June 2018

In Accordance with the application and plan(s) submitted to the Council on 1st May 2018 **Subject to following conditions:-**

#### CONDITIONS:

- 1 The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan (Drawing Number - GRIF/02 Dwg 02 - Amendment A) and Proposed Plans and Elevations (GRIF/02 Dwg 03).

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding any indication on the approved plans or application forms, prior to the commencement of any development on site, samples of the external facing and roofing materials of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.

- 4 The cottage shall be occupied for holiday purposes only:

(1) The cottage/chalet shall not be occupied as a person's sole or main place of residence.

(2) The owner/operator shall maintain an up-to-date register of the names of all owners/ occupiers of individual units on the site and their main home addresses, and shall make this information available at all reasonable time to the Local Planning Authority.

Reason: In order to ensure the proper control of the use of the holiday units and to prevent the establishment of permanent residency.

- 5 Prior to the commencement of any development on site, details of the scheme of disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for separate systems for foul and surface waters and be constructed and completed in accordance with the approved plans before the first dwelling is occupied.

Reason: To control foul and surface water flow disposal and prevent flooding.

- 6 The proposed development shall not be brought into use unless and until the car parking provision has been constructed, surfaced, sealed, drained and marked out in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The two parking spaces and turning area shall thereafter always remain unobstructed and available for parking and turning purposes.

Reason: In order to provide sufficient off street parking for the development in the interests of highway safety.

- 7 Prior to the commencement of development on site, a detailed landscaping scheme shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:

- a. the exact location and species of all existing trees and other planting to be retained;
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- c. an outline specification for ground preparation;
- d. all proposed boundary treatments with supporting elevations and construction details with dry stone wall or hedges to screen garden areas instead of fences;
- e. all proposed hard landscape elements and pavings, including layout, materials and colours with all existing stone setts/flags being retained;
- f. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas; and
- g. all existing stone boundary walls shall be rebuilt.

The approved scheme shall be implemented in its entire approved form within the first

planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings and that appropriate replacement trees are provided on the site to compensate for those removed.

**REASONS FOR APPROVAL:**

- 1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal is acceptable in terms of design, materials and impacts on the conservation area and it would not unduly adversely impact on amenity. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

**POLICIES:**

All Development Plan policies and proposals relevant to this decision and which form part of this decision notice are specified below:

CS Policy ENV1 - Protecting and Enhancing Our Natural and Historic Environments

CS Policy ENV2 - Achieving Quality in Design and Conservation

CS Policy WRK5 - Tourism, Leisure and Culture

RPLP Policy 31 - Parking

SPDDP - Design Principles Supplementary Planning Document

SPDCAG - Conservation Area Design and Development Guidance Supplementary Planning Document

SPGDOC - Development in the Open Countryside Supplementary Planning Guidance



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**Planning, Building Control and Licensing Services Manager**

**Application Ref: 18/0170/FUL**

**Date: 26th June 2018**

## **GUIDANCE NOTES FOR APPLICANTS WHERE AN APPLICATION HAS BEEN APPROVED**

This permission refers only to that required under the Town and Country Planning Act 1990 and does not include any consent or approval under any other enactment, byelaw, order, regulation or Act. This consent does not constitute Listed Building Consent.

### **A) Appeals to the Secretary of State**

- If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he or she may appeal to the Secretary of State in accordance with sections 78 and 79 of the Town and Country Planning Act 1990 within six months of the date of this notice.
- If an enforcement notice is or has been 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 six months of the date of this notice whichever period expires earlier.
- The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been so granted otherwise than subject to the conditions imposed by the Council. Appeals that are pursued unreasonably may be the subject of an award of costs in accordance with the provision of Circular 8/93.
- Appeals must be made on a form which is obtainable from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or from the web site <https://www.gov.uk/planning-inspectorate>. All information submitted will be available for the public to view on the internet.
- The Planning Inspectorate have introduced an online appeals service which you can use to make an appeal online – see <https://www.gov.uk/planning-inspectorate>. The Inspectorate will publish details of your appeal on the internet, including the original planning application form, supporting documents supplied to the local authority by you and with the completed appeal form and information you sent to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

### **B) Purchase Notices**

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.