



## PLANNING, ECONOMIC DEVELOPMENT AND REGULATORY SERVICES

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

### Town & Country Planning Act 1990

## APPROVAL (PRIOR APPROVAL REQUIRED)

**Application Ref:** 22/0381/AGD

**Applicant:**

Mrs K. Leslie  
C/O Marilyn Brichard Ltd  
Upper Quickstavers  
Wine Tavern Lane  
Sowerby Bridge  
Halifax  
West Yorkshire  
HX6 1PB

**Agent:**

Mrs Marilyn Brichard  
Marilyn Brichard Ltd  
Upper Quickstavers  
Wine Tavern Lane  
Sowerby Bridge  
Halifax  
West Yorkshire  
HX6 1PB

### Part 1 – Particulars of Application

**Date Received** 10th June 2022

**Proposal:** Permitted Development Notification (Agricultural Building to Dwelling):  
Conversion of horticultural building to dwelling.

**At:** Pendle Plant Nursery Birchenlee Lane Colne

**Decision Date:** 31st August 2022

### Part 2 – Particulars of Decision

The Borough Council of Pendle hereby give notice that approval has been granted in respect of the details referred to in Part 1 above **subject to the following conditions:**

#### CONDITIONS:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Site Plan, Layout and Elevation Plan Proposed.

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

- 2 Prior to the commencement of external alterations to the buildings samples of the external

cladding materials of the walls and roof shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved materials.

Reason: In the interest of visual amenity.

- 3 The dwelling hereby approved shall not be occupied unless and until parking provision for a minimum of two cars has been made available within the site and that parking provision shall be maintained free from obstruction and available for car parking purposes at all times thereafter.

Reason: To ensure suitable parking provision within the site.

- 4 The dwelling hereby approved shall not be occupied unless and until details of the domestic curtilage, including boundary treatments have been submitted to and approved in writing by the Local Planning Authority, the boundaries of the site shall thereafter be maintained in accordance with the approved details.

Reason: To preserve the open rural character of the countryside.

#### **INFORMATIVES:**

- 1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

#### **REASONS FOR APPROVAL:**

- 1 The design and external appearance of the building is acceptable, the use as a dwelling is acceptable in terms of transport and highway impacts, noise impacts, contamination risks and flood risks, natural light to habitable rooms and the location and siting does not otherwise make the use as a dwelling impractical or undesirable.



**Planning, Economic Development and Regulatory Services Manager**

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## GUIDANCE NOTES FOR APPLICANTS

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.
- If it is your intention to appeal and request the Inquiry procedure then you must notify the Local Planning Authority ([planning@pendle.gov.uk](mailto:planning@pendle.gov.uk)) and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on [www.gov.uk/government/publications/notification-of-intention-to-submit-an-appeal](http://www.gov.uk/government/publications/notification-of-intention-to-submit-an-appeal)
- 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.