

Marie



Ribble Valley Borough Council

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA
Telephone: Clitheroe (0200 25111) FAX: 0200 26339 DX 15157 Clitheroe

Oswin Hopkins - Chief Executive
Philip Bailey - Director of Development
David Morris - Director of Environmental Services

DIRECT LINES	
Rates Clitheroe	28849
Community Charge	27449
Housing Benefit	27489
House Lettings	25209
Housing Repairs	27489

please ask for
extension

Mr M Kirby
5007

my ref
your ref

MK/SW/P10/4

date

3 June 1991

Dear Sir/Madam

TOWN & COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988 DIRECTION UNDER ARTICLE 4

I refer to the enclosed Notice, which has been issued by the Borough Council in order to regulate development on the principal shopping frontages of Clitheroe. I would like to explain the principle behind the notice and exactly what it means.

The Clitheroe Local Plan Review, which has just been made available for public consultations contains a policy which states:

"Within the principal shopping frontage as defined on the proposals map, the only new uses normally considered appropriate at ground floor level will be uses included in Class A1 of the Town and Country Planning (Use Classes) Order 1987 and for the sale of food and drink for consumption on the premises".

This policy is a relaxation of the policy which was included in the previous Clitheroe District Plan, which only allowed retail uses.

The new policy means that restaurants and cafes (but not take-aways) may be acceptable on the principal shopping frontages, however, office uses will continue to be restricted at ground floor level. The direction under Article 4 is necessary to remove permitted development rights which would have allowed the change of use from Use Class A3 (Food and Drink) to office uses without the need for planning permission.

Even though the restrictions have been imposed, this does not totally rule out change of use to offices, since the Borough Council accepts that exceptional circumstances may be shown which would allow the policy to be relaxed.



Departments of the Environment and Transport
North West Regional Office
Sunley Tower Piccadilly Plaza Manchester M1 4BE
Telex 668767 Telephone 061-832 9111 ext 2383
GTN 4301
Fax 061-838 5790

Director of Development
Ribble Valley BC
Council Offices
Church Walk
Clitheroe
Lancashire BB7 2RA

MK/MN/P10/3
Your reference
Our reference PNW 5295/19/1
Date 4 December 1991

Sir

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988
DIRECTION UNDER ARTICLE 4

1. I am directed by the Secretary of State for the Environment to refer to your letter of 6 June 1991 and subsequent correspondence, and to return herewith one copy of the direction with his approval.
2. The Council are requested to notify the owners and occupiers of land on whom this direction was served of the Secretary of State's approval of the direction and of the effect of that approval.
3. Should your local planning authority consider the need for any further Article 4 Directions which require approval by the Secretary of State, may I refer you to the guidance set down in paragraph 12 of appendix D to Departmental Circular 22/88 concerning the documents/information which are to be forwarded to the Department.
4. The Department acknowledges there is no prescribed form for an Article 4 Direction however I am enclosing draft Directions which you may care to utilise in future cases.

I am Sir
Your Obedient Servant

[Redacted signature]

MRS N HUGHES

DEPARTMENT OF THE ENVIRONMENT NORTH WEST REGIONAL OFFICE	
02 DEC 91	
FOR FILE	MK - discuss re Sunday markets
ATTENTION	



01/24/12

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988

WHEREAS the Council of the County/District of being the appropriate local planning authority within the meaning of article 4 of the Town and Country Planning General Development Order 1988 are of the opinion that development of the description(s) set out in the Schedule hereto should not be carried out on land at being the land shown edged/coloured on the plan annexed hereto unless permission therefore is granted on application made under the Town and Country Planning General Development Order 1988.

AND WHEREAS the Council are further of the opinion that development of the said description(s) [would be prejudicial to the proper planning of their area] [and] [would constitute a threat to the amenities of their area] and that the provisions of paragraph (4) of the said article 5 should apply to this direction.

NOW THEREFORE the said Council in pursuance of the power conferred upon them by the said article 4 hereby direct that the permission granted by article 3 of the Town and Country Planning General Development Orders 1988 shall not apply to development on the said land of the description(s) set out in the Schedule hereto.

THIS DIRECTION shall remain in force until (being six months from the date of this direction) and will then expire unless it has been approved by the Secretary of State for the Environment before that date.

SCHEDULE *

Given under the Common Seal of the

.....Council of

this day of198

The Common Seal of the Council was hereunto affixed
in the presence of

.....
Chief Executive Officer

*

The development to be controlled should be described in the words of Schedule 2 to the Order and the description should be followed by the words "being development comprised within Class referred to in Schedule 2 to the said order and not being development comprised with any other Class". If control is to be limited to a particular description of the development comprised within a Class the wording should be adapted accordingly.

SPECIMENS FOR ARTICLE 4 DIRECTION

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988

WHEREAS the Council of the County/District of
are satisfied that it is expedient that development of the description(s) set
out in the Schedule hereto should not be carried out on the land shown
edged/coloured on the plan annexed hereto unless permission
therefore is granted on application made under the Town and Country Planning
General Development Order 1988

NOW THEREFORE the said Council in pursuance of the powers conferred upon them
by article 4 of the Town and Country Planning General Development Order 1988
hereby direct that the permission granted by article 3 of the said Order shall
not apply to development on the said land of the description(s) set out in the
Schedule hereto.

SCHEDULE *

Given under the Common Seal of the

..... Council of

..... this day of 198

The Common Seal of the Council was hereunto affixed
in the presence of

.....
Chief Executive Officer

* The development to be controlled should be described in the words of Schedule
2 to the Order and the description should be followed by the words "being
development comprised within Class ... referred to in Schedule 2 of the said
Order and not being development comprised within any other Class".

If control is to be limited to a particular description of the development
comprised within a Class the wording should be adapted accordingly.

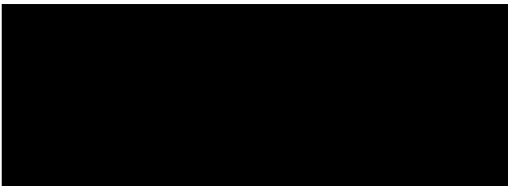
TOWN & COUNTRY PLANNING
GENERAL DEVELOPMENT ORDER 1988
DIRECTION UNDER ARTICLE 4
MADE BY RIBBLE VALLEY BOROUGH COUNCIL
FOR PART OF THE CLITHEROE CONSERVATION AREA

Dated 6 June 1991

TOWN & COUNTRY PLANNING

GENERAL DEVELOPMENT ORDER 1988

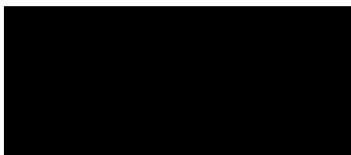
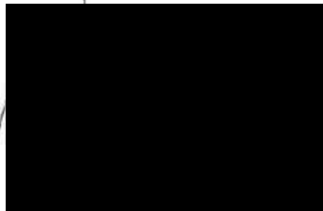
The Ribble Valley Borough Council, being the Local Planning Authority for the area, is satisfied that it is expedient that development of the descriptions set out in the attached schedule should not be carried out, at ground floor level on the land shown edged, with a dotted line, on the attached plan, unless permission is granted for it on an application.



Philip Bailey

Director of Development.

THE COMMON SEAL of Ribble Valley
Borough Council was hereunto
affixed in the presence of



for Chief Executive

The Secretary of State for the Environment
hereby approves the foregoing direction
subject to the modification shown in red
ink thereon.



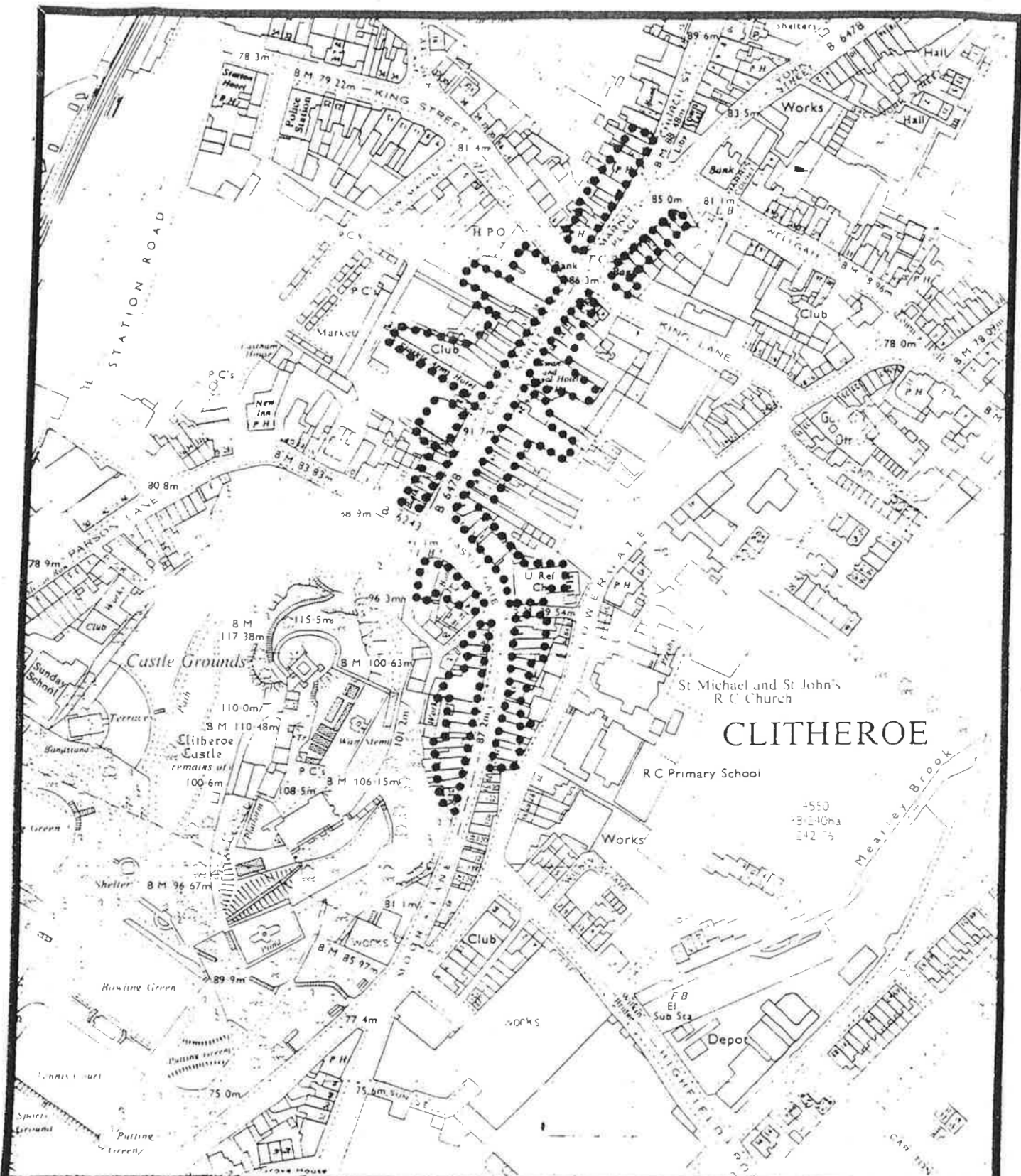
Signed by authority
of the Secretary of
State

Assistant Secretary
in the Department
of the Environment

4 DECEMBER 1991

SCHEDULE

This direction restricts permitted development rights, as granted under Schedule 2, Part 3, Class C of the Town and Country General Development Order 1988. This restricts changes of use from Use Class A3 (food and drink) to Use Class A2/A3 (financial and professional services), as defined by the Town and Country Planning (Use Classes) Order 1987. The direction also restricts Use Class A3 to the sale of food and drink for consumption on the premises.



TOWN & COUNTRY PLANNING

GENERAL DEVELOPMENT ORDER 1988

DIRECTION UNDER ARTICLE 4

MADE BY RIBBLE VALLEY BOROUGH COUNCIL

FOR PART OF THE CLITHEROE CONSERVATION AREA

Philip Bailey Dip. Arch, Dip. TP, RIBA., MRTPI, AMBIM. Director of Development & Client Services
Ribble Valley Borough Council, Church Walk, Clitheroe B87 2RA (STD 0200) 25111

scale

drawing number

reference

date



Ripple Valley Borough Council, Church Walk, Clitheroe BB3 5BA

(210 0500) 52111

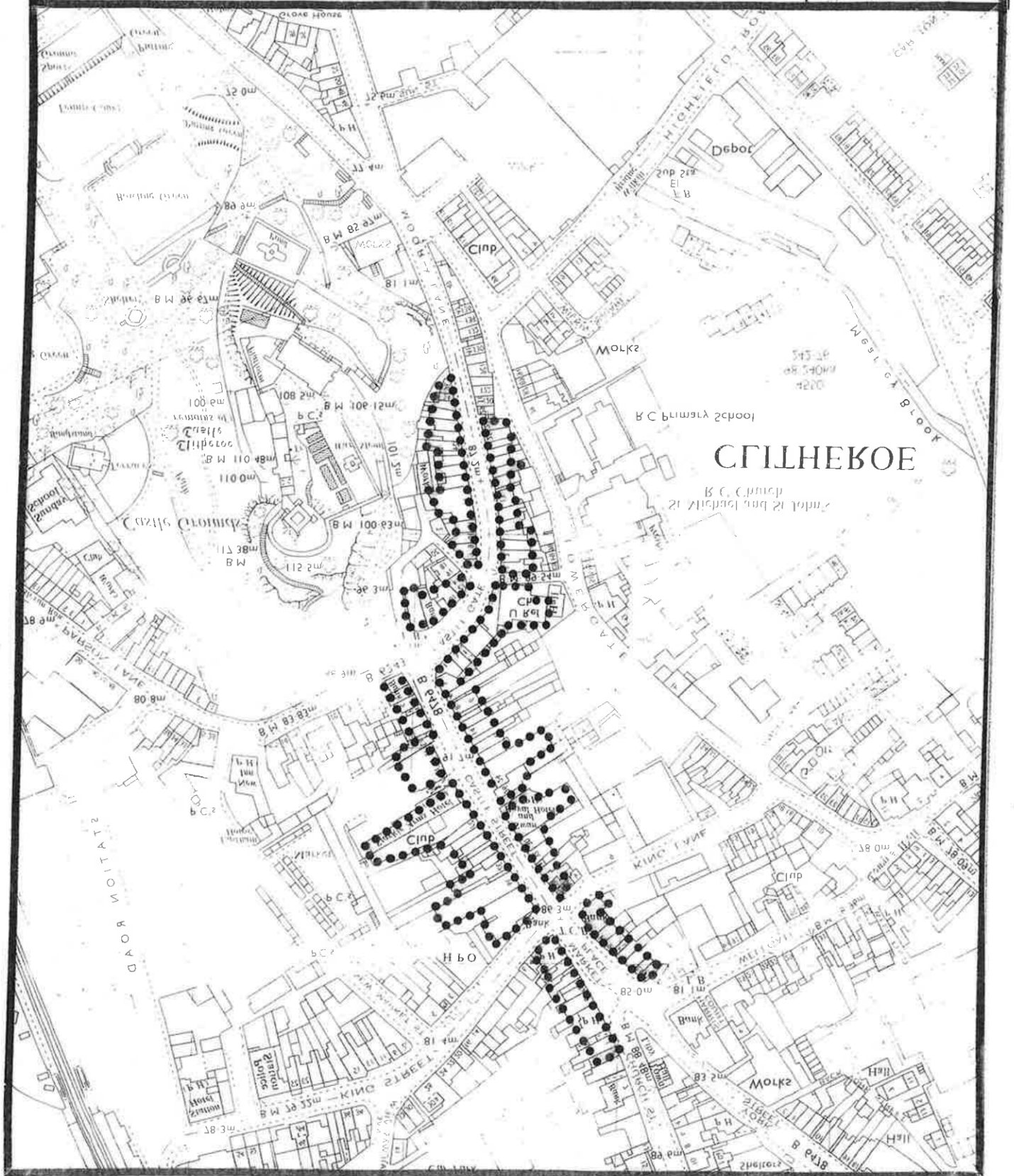
Philip Bailey Dip Arch Dip TB RIBA MBTPI AMBIM Director of Development & Client Services

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scale



Continued ...

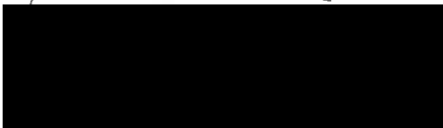
It does however mean that planning permission will be needed.

If you object to this restriction, there are two courses of action available to you. As stated earlier, the Local Plan is available for public consultations, and objections to any policy can be lodged with the Borough Council (until 19 July 1991). If these are not resolved then a Public Local Inquiry may be held, which will be presided over by an Inspector appointed by the Secretary of State.

Alternatively, the Article 4 direction is a temporary measure (for six months) unless approved by the Secretary of State. In the event of any objections being received by the Borough Council, these will be forwarded for the Department of the Environment for their consideration.

I trust that this information has been of interest to you. If you would like any further details, please contact my assistant, Michael Kirby.

Yours faithfully

A large black rectangular box redacting the signature of the Director of Development.

Director of Development

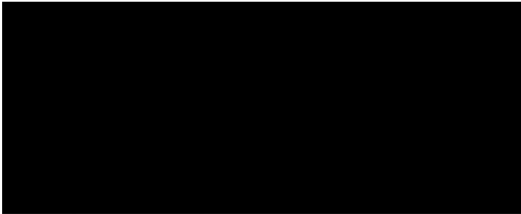
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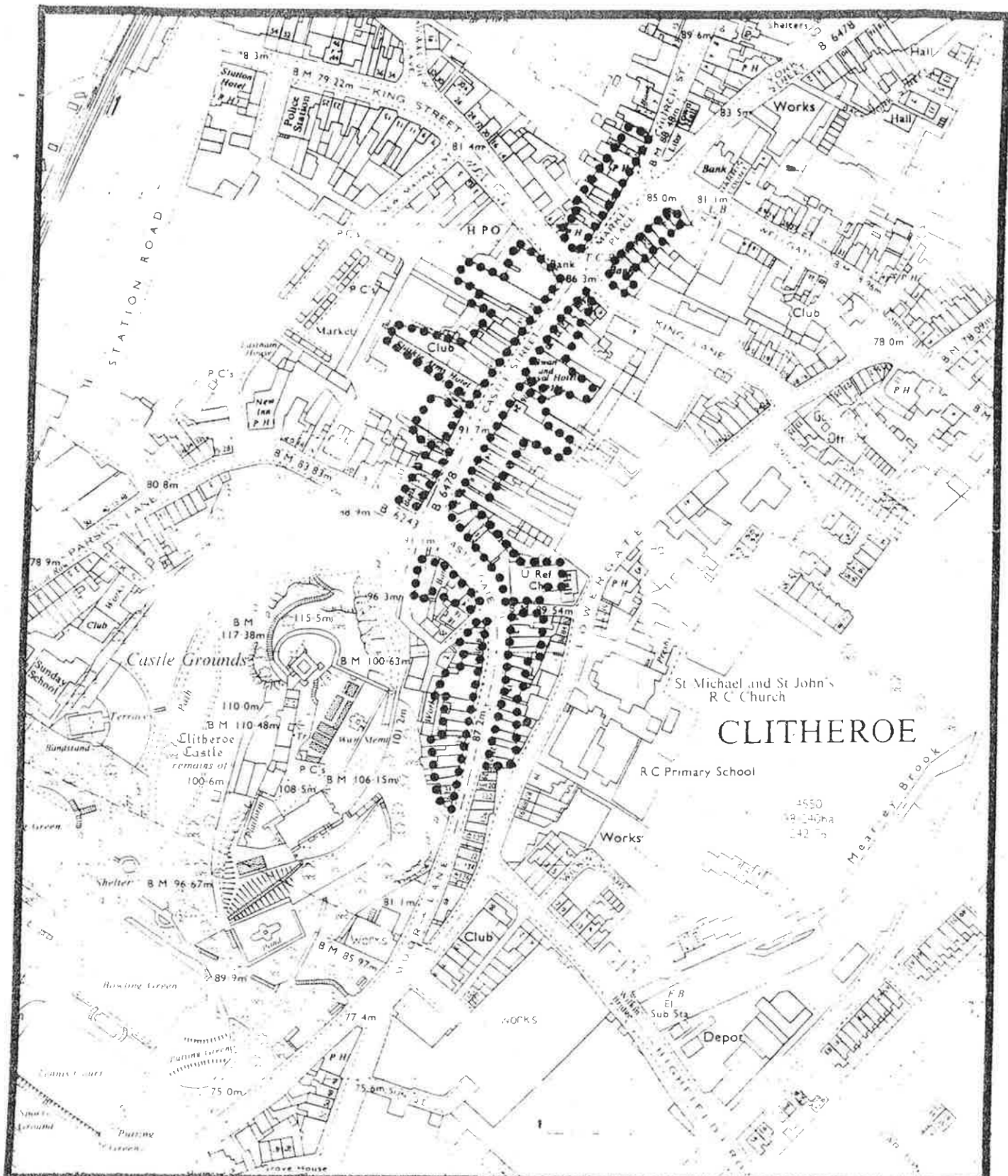


Philip Bailey

Director of Development.

SCHEDULE

This direction restricts permitted development rights, as granted under Schedule 2, Part 3, Class C of the Town and Country General Development Order 1988. This restricts changes of use from Use Class A3 (food and drink) to Use Class A3 (financial and professional services), as defined by the Town and Country Planning (Use Classes) Order 1987. The direction also restricts Use Class A3 to the sale of food and drink for consumption on the premises.



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