



Appeal Decision

Site visit made on 20 January 2025

by L N Hughes BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2025

Appeal Ref: APP/M2325/W/24/3350264

**Blackburns Farm Nurseries and Wildlife Centre, Ribby Road, Ribby With Wrea
PR4 2PA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Andrew Bradshaw against the decision of Fylde Borough Council.
- The application Ref is 23/0800.
- The application sought planning permission for “1) *Change of use of agricultural land to a mixed use of agriculture, remembrance wood and wildlife centre with associated supporting development including access tracks, nature trails and bird hides*; 2) *Erection of a building to provide wildlife and education centre with café with associated car parking, refuse store and other supporting infrastructure and landscaping* 3) *Retrospective erection of polytunnel* 4) *Retrospective erection of agricultural building with mezzanine element*”, without complying with conditions attached to planning permission Ref 23/0203, dated 30 May 2023.
- The conditions in dispute are:
 - No. 1 which states that: *“This permission relates to the following plans:*
 - *Location Plan - Anyon Drawing no. LP/102/22 Rev A*
 - *Proposed Wildlife Educational Village Layout - Anyon Drawing no. EVL/02/23 Rev A*
 - *Proposed Access Details - Anyon Drawing no. 28/21PAD1 Rev A*
 - *Proposed Wildlife Education Building - Anyon Drawing no. FS28/23 Rev B*
 - *Proposed Landscaping - Anyon Drawing no. 61/18PLS1 Rev C*
 - *Agricultural Building - Anyon Drawing no. FS27/21 Rev A*
 - *Remembrance Woods Layout - Anyon Drawing no. RWL/01/22 Rev A*
 - *Proposed Bin Store - Anyon Drawing BS01 rev A*
 - *Polytunnel – Anyon Drawing PT27/21 Rev A**Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.”*
 - No. 3 which states that: *“Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order revoking and re-enacting that Order, with or without modification) and the Town and Country Planning (Use Classes) Order 1987 (as amended) the various buildings (wildlife education building, agricultural building, polytunnel) and land approved under this planning permission shall only be utilised for the purposes that they are described as having on the plans listed in condition 1 of this planning permission, with no variations or subdivisions.”*
 - No. 5 which states that: *“Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the agricultural building and Wildlife Education Building shall be constructed in accordance with the materials detailed on the approved plans listed in condition 1 of this permission for those respective buildings. For the avoidance of doubt the timber cladding shown on that building shall be added to clad the building entirely as shown on that plan prior to the first use of the building, and shall thereafter be retained in full at all times.”*
 - No 7 which states that: *“Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order revoking and re-enacting that Order, with or without modification) and the Town and Country Planning (Use Classes) Order 1987 (as amended) the Wildlife Education Building hereby*

approved shall only be used for Wildlife Educational purposes (including the operation of RHS Green Initiative, the NHS Green Social Prescribing, and other such activities) and for purposes that are incidental to that use."

- No. 10 which states that: *"Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order revoking and re-enacting that Order, with or without modification) and the annotations provided on the Wildlife Education building plan provided with this application, the internal dining area for the café element hereby approved shall be limited to not more than 80m2 of the Wildlife Education Centre building, other than when the building is being used to host an organised education visit in which case this floor area restriction does not apply. This cafe use shall be for the sale and consumption of food and drink only as is defined in Class E (b) of the Town and Country Planning (Use Classes) Order 1987 (as amended). No other part of that building, or any other building on the site, shall be used for that purpose and the incidental use of any external areas for the consumption of food and drink shall be limited to those areas that have previously been agreed in writing by the local planning authority and supported by a scaled plan to define the extent of the area to be used for that purpose."*
- The reasons given for the conditions are:
 - No. 1: *"For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 (incorporating Partial Review) and National Planning Policy Framework."*
 - No. 3: *"To ensure that those buildings and land uses hereby approved are operated in accordance with the collective aims of this planning permission to deliver the benefits that they are ascribed in the overall planning balance and so ensure that the development is implemented so as to comply Policy GD3 and GD4 of the Fylde Local Plan to 2032 (incorporating Partial Review)."*
 - No. 5: *"To ensure the use of appropriate materials which are sympathetic to the character of the host building and surrounding area in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework."*
 - No. 7: *"To ensure that this building is operated in accordance with the requirements of Policy GD3 of the Fylde Local Plan to 2032 (incorporating Partial Review)."*
 - No. 10: *"In order to provide appropriate control over the extent of the café element and the area of the site that is used for purposes to ensure the use remains as an incidental use to the collective educational, wildlife and remembrance wood use of the site and does not unduly harm the vitality and viability of businesses trading in any nearby district or local centres. This is to ensure compliance with Policy EC5 of the Fylde Local Plan to 2032 (incorporating Partial Review)."*

Decision

1. The appeal is allowed and planning permission is granted for 1) Change of use of agricultural land to a mixed use of agriculture, remembrance wood and wildlife centre with associated supporting development including access tracks, nature trails and bird hides; 2) Erection of a building to provide wildlife and education centre with café with associated car parking, refuse store and other supporting infrastructure and landscaping 3) Retrospective erection of polytunnel 4) Retrospective erection of agricultural building with mezzanine element, at Blackburns Farm Nurseries and Wildlife Centre, Ribby Road, Ribby With Wrea, PR4 2PA, in accordance with the application Ref 23/0800, without compliance with condition numbers 1, 3, 5, 7, and 10 previously imposed on planning permission Ref 23/0203 dated 30 May 2023, but subject to the conditions in the attached Schedule.

Preliminary Matters

2. An approval of a Section 73 application effectively creates a new planning permission, with the extant approval remaining intact. I therefore have the discretion to amend any condition on the original permission. The application proposes to vary conditions on permission 23/0203, which is itself a variation of the conditions to an earlier permission 21/0748.

3. The proposal seeks revisions to the Wildlife Education Building (WEB) to introduce a farm shop, increase the cafe, increase the external dining area, and change the external part timber cladding, to red brick as built. This would require amending some of the condition 1 approved plans, removing the reference to timber cladding from condition 5, and increasing the size of the café element cited in condition 10. Conditions 3 and 7 would not change. The proposal is part retrospective with relation to the external physical form of the wildlife building, as well as other elements and uses of the overall site which are not in contention under this appeal.
4. The amendment to the scope of uses sought fall within the scope of a s73 application, despite that a farm shop is not referenced in the description of development. The Council made the same conclusion. This is because the farm shop would be an ancillary additional use to support the overall educational and community use, within a building which itself forms only one part of the wider development. In addition to the amendments sought I have also assessed the remainder of the proposal in full, but as per the fallback position of the extant permission I find no reason to depart from the Council's conclusion that these works would be acceptable.
5. The Planning Inspectorate appeal start letters and the Council's appeal notification letters identify clear timetables, to ensure that appeals proceed quickly and fairly for all parties, and in order to comply with the 'Procedural Guide: Planning appeals – England' (e.g. section 9.5.10). I have therefore not taken into the evidence the few representations from interested parties submitted after the published receipt deadline, a letter from the Council submitted after the appellant's FCs, or the appellant's very late request to further increase the farm shop floorspace.
6. The appellant's Final Comments (FC) stage also included multiple letters from interested parties. The FC stage is not an opportunity to present new evidence, but must directly respond only to matters arising from the Council's Statement of Case, and appeal representations made by interested parties. The letters appended to the appellant's FCs could have been gathered at the time of their appeal submission, or could have been independently submitted as third party representations as identified above. Again, I therefore have not accepted these within the evidence, or any justification which directly relies upon them. Notwithstanding this, I do accept that the enterprise is supported by the local community as identified by previous evidence, which I have therefore taken into account.
7. The Government published a revised version of the National Planning Policy Framework ('the Framework') in December 2024. I have considered its amendments against the December 2023 version which was before the parties for their appeal evidence, but have not gone back for comment, as the Framework changes are not substantive or determinative in relation to this appeal outcome.

Main Issues

8. The main issues are:
 - whether the proposed amendments would undermine the function of the WEB and the justification for its construction; and
 - the effect of the proposed amendments on the character and appearance of the countryside.

Reasons

Function of the Wildlife Education Building (WEB)

9. The Blackburns Farm site is approximately 34ha, previously entirely in agricultural use. It now also incorporates a 'Remembrance Wood', nature trails and biodiversity areas, an agricultural storage building, a polytunnel, and a WEB which is the main focus of this appeal. Access is down a long driveway off Ribby Road.
10. The WEB lies within an 'Area of Separation' designation under Policy GD3 of the Fylde Local Plan to 2032 (incorporating Partial Review) (FLPPR). This aims to protect the identity and distinctiveness of settlements, in this instance between Wrea Green and Kirkham, by retaining an effective gap in between. The policy identifies various appropriate development types in this location, of which criterion (a) is relevant, being development limited to that needed for purposes of agriculture, horticulture or forestry; or other uses appropriate to a rural area, including uses which would help to diversify the rural economy, of a type and scale which would not harm the effectiveness of the gap between settlements.
11. Despite its large form and size, the WEB was approved under Policy GD3(a), in helping to diversify the rural economy as a focal point for the wider and bespoke range of uses comprising the overall Blackburns Farm proposal. The appeal proposal would slightly reduce its food preparation and facilities area, resulting in the available internal floor area for other uses being 450sqm. The café area would increase to 145sqm, and a 46sqm farm shop would be introduced. This results in the wildlife education area reducing from 366sqm to 259sqm. The external area available for outdoor dining would increase from 180sqm to 440sqm.
12. The main justification is that there is limited other scope for direct income generation to support the overall Blackburns Farm site. I do note that the proposed changes have not been supported by any detailed financial projections or viability evidence. However, neither has any such evidence been brought to my attention as having been submitted and taken into account under the initial application to indicate the viability of the smaller café and no farm shop. While such evidence would be useful to provide reassurance of the need, its absence at this point therefore does not hold weight compared to the fallback, such that I find this is not a determinative matter against the proposal.
13. Despite the reduction in over 100sqm of floorspace available for wildlife education use, this would still be the main floorspace use of the WEB, at approximately two thirds of the building. The provision of a café alongside would still achieve the original café purpose, of being a central hub, and welfare and rest facilities for the visitors to the wider site.
14. The café and farm shop would also be intrinsically linked to the education and wildlife ethos of the building and the site, including its agricultural setting contributing to this experience on arrival. Visitors would not experience them as entirely separate and self-contained due to being co-located adjacent to the education area, where incidental educational aspects such as décor and visible information would also be expected. In totality this would all enhance their function beyond being simply retail transactions and a revenue source, to result in a broader and more implicit educational function. As such they would not detract from the stated primary mission of promoting biodiversity through education focused on

nature, wildlife, and well-being, and would enhance community cohesion and environmental awareness.

15. The appellant intends to showcase and sell produce grown on site, alongside goods sourced from other local Lancashire farms. The Council considers the farm shop is unnecessary as planning permission would not be required to sell the produce grown on the farm in a 'farmgate' style, and the café could also be used to showcase the produce. However, the Council's suggested condition would allow control over the source and range of product types to be sold. As such, and in conjunction with my reasoning above, I find that the farm shop would be bespoke to the site, help reinforce the educational messaging, and ancillary to the overall use.
16. The café and farm shop would thus have a different function to facilities within town centres, or at specific tourist destinations such as the nearby Ribby Hall. While they may directly attract visitors, they would also be used by visitors and volunteers who would be visiting the site in any event. I can also infer that a larger café would attract more educational groups, whether or not additional non-education visitors were also attracted. The tipping point for this to be a hospitality led destination rather than an education facility, would not be breached. Additional jobs and/or additional volunteer services from the increased floorspace, would also be a minor economic and social benefit.
17. Use of the external dining area would be weather dependent, and so less intensively used through the year than the café. This area also has no identified alternative use which would be reduced by the dining increase. For these reasons, and alongside my reasoning above, the cumulative addition of the exterior area alongside the café would also remain ancillary to the proposal as a whole.
18. Furthermore, the Council accepted the appellant's sequential test submission as compliant with the FLPPR Policy EC5 and the Framework paragraph 91, because there were no available other sites. There is no conflict with policies aiming to support town and local centres. In this regard, I also note the compliance of the wider proposal against the FLPPR Policy GD4, in providing development that would meet local business and community needs. The justification text identifies that development for community needs will relate to facilities such as local shops, meeting places, and open space.
19. Overall therefore, I find that the proposed cafe and farm shop floorspace within the WEB would remain ancillary and incidental to the main use of the site for wildlife and education purposes. As such, the justification for the building to be in this location within the area of separation remains as previously. It would comply with policies in the FLPPR, and specifically with Policy GD3 as quoted on the decision notice.

Character and Appearance

20. The extant approval requires the WEB to have timber cladding on all elevations above 1.2m high. The Council identifies that this was considered an acceptable alternative to the originally approved green sheeting cladding, so that visitors could distinguish it from the adjacent green clad agricultural building, and so its higher quality appearance reflects its use as the main focus of wildlife education activity.
21. The WEB does not present fully as a traditional agricultural building, or a conversion from one. This is because it is detached from the farmhouse, with a

large width to height proportion and so a shallow roof pitch, a form which indicates its modern portal frame. As such, I do find that partial timber cladding would provide a more appropriate rural appearance and reference point, to better blend in with the context and thus minimise to some extent the long range visibility of its bulk.

22. Notwithstanding this, in this instance I do not find that the use of brick would diminish the building's quality to a highly significant extent, in the context of the FLPPR Policy GD7(p) and the Framework paragraph 140, which aim to ensure that the quality of approved development is not materially diminished between permission and completion.
23. This is because the WEB does reference the vernacular of more modern agricultural buildings. In short range views where its non-agricultural form is more evident, the brick still remains a clear demarcation from the functionality of the adjacent agricultural building. It is still the site's main focus on arrival.
24. Brick references the prevalent local building material, and would weather over time. Other local traditional brick-built barns are predominantly constructed of a darker red brick. However, I did not find the exact colouring of the appeal site brick to be so unusual in the context of my site visit around the local area, that it appeared untoward. In the longer range views identified by the main parties the building thus presents as a brick agricultural building.
25. I find it is actually the combination of the WEB standing alongside the green clad agricultural building and the polytunnel, which together in medium to longer range views indicates an agricultural enterprise rather than an incongruous urban feature, or an industrial or office site as suggested by the Council. I do not find it has undue prominence in this context.
26. The intent of the Area of Separation under the FLPPR Policy GD3, and the Countryside designation under Policy GD4 is to preserve the rural character of these areas, and protect the separation of settlements that could be eroded through incremental development. This includes the visual break between Kirkham (Ribby Hall) and Wrea Green. However, the building's form and size is permitted, and already visible in these views. I do not find its brick elevations to conflict with these policy aims or be so harmful to the effectiveness and openness of the Area of Separation gap or the local rural setting character, so as to warrant a dismissal solely on this basis.
27. Overall therefore, I find that the proposal would cause no harm to the character and appearance of the area. It would comply with the FLPPR Policies GD3 and GD7 as described above. It would also comply with the FLPPR Policy ENV1, which requires development to have regard to its visual impact within its landscape context and character.

Other Matters

28. Interested party representations cited impact on traffic levels, and duplication of facilities available nearby. However, neither the Highway Authority nor the Council objected on this basis, and I have found no reason to conclude otherwise.

Conditions

29. The PPG makes clear that decision notices for the grant of planning permission under section 73 should also restate the conditions imposed on earlier permissions that continue to have effect. I have therefore imposed all those previous conditions from the decision notice for 23/0203 that I consider remain relevant, subject to minor modifications to reflect the changes sought under this appeal. If any conditions repeat those which have been discharged on the previous permission, that is a matter for the parties to resolve. I have removed the former condition 5 due to being an unnecessary duplicate, because the external materials are approved under the plans condition.
30. I have specified the approved plans to provide clarity for the terms of the permission (1). Conditions (2, 3, 4, 6, 7, and 9) are necessary to ensure that the development is implemented as a single use, and delivers the benefits which were recognised in the overall planning balance. Similarly, the appellant has agreed to the Council's suggested new condition to ensure that the goods to be sold within the new farm shop are of local provenance (26), in order that this use remains ancillary to and related to the wider use of the site.
31. Conditions (5, 8, 15, 16, 17, 18, 19) will ensure acceptable access, parking, highway safety, and promotion of sustainable travel. Conditions (10, 11) will minimise disturbance to neighbours by controlling the café opening hours, and cooking odours. Details of bin storage and boundary treatments (12, 13) are necessary to ensure an acceptable appearance across the site. Lighting details are required (14) to ensure no nuisance to surrounding occupiers and to protect against disturbance to protected species. Vegetation clearance must not impact on nesting birds (23).
32. A biodiversity enhancement plan, soft landscaping details, and a habitat and landscape management plan (20, 21, 22) are necessary in the interests of visual amenity, to ensure that the development delivers appropriate biodiversity enhancements, and to mitigate its visual impact. A water drainage scheme shall ensure that drainage is properly addressed (24, 25).

Conclusion

33. For the reasons given above, and having regard to all other matters raised, I conclude that the development would accord with the development plan taken as a whole, and therefore the appeal is allowed. I grant a new planning permission with revised conditions identifying the approved plans, a new condition restricting the farm shop sales, and retaining the conditions from the previous permission that appear still to be relevant, subject to slight amendment to reflect the description of development as now permitted.

L N Hughes

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) This permission relates to the following plans:

Location Plan - LP/102/22 Rev A
Proposed Wildlife Educational Village Layout - EVL/02/23 Rev B
Proposed Access Details - 28/21PAD1 Rev A
Proposed Wildlife Education Building - VC/23 Rev A
Proposed Landscaping - 61/18PLS1 Rev C
Agricultural Building - FS27/21 Rev A
Remembrance Woods Layout - RWL/01/22 Rev A
Proposed Bin Store - BS01 Rev A
Polytunnel - PT27/21 Rev A

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

- 2) The permission hereby approved shall be implemented and retained as a single operation, without any part of the uses being operated, managed or owned separately to the remaining development.
- 3) Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order revoking and re-enacting that Order, with or without modification) and the Town and Country Planning (Use Classes) Order 1987 (as amended) the various buildings (wildlife education building, agricultural building, polytunnel) and land approved under this planning permission shall only be utilised for the purposes that they are described as having on the plans listed in condition 1 of this planning permission, with no variations or subdivisions.
- 4) Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order revoking and re-enacting that Order, with or without modification) the polytunnel and agricultural buildings hereby approved shall only be used for agricultural purposes, with no additional floor area created through the addition of further mezzanine flooring to the agricultural building beyond that area shown on the approved plan.
- 5) Prior to the first operational use of the Wildlife Educational Centre building the external areas of the site indicated on the Wildlife Educational Village drawing listed in condition 1 of this planning permission shall be surfaced in the materials specified on that drawing unless an alternative material and / or timing is submitted to and agreed in writing in advance of the first use. This shall relate to:
- a) access point between the gate and Ribby Road
 - b) the internal access track between the Ribby Road gate and the Wildlife Education Village areas
 - c) the car parking area associated with the Wildlife Education building
 - d) the external areas around the agricultural building and poly tunnel
 - e) the tracks that are to connect the Wildlife Educational Village area with the remembrance wood area and other agricultural parts of the site.

These areas shall thereafter be maintained in accordance with the duly approved details.

- 6) Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order revoking and re-enacting that Order, with or without modification) and the Town and Country Planning (Use Classes) Order 1987 (as amended) the Wildlife Education Building hereby approved shall only be used for Wildlife Educational purposes (including the operation of RHS Green Initiative, the NHS Green Social Prescribing, and other such activities) and for purposes that are incidental to that use.

- 7) Prior to the first operational use of the Wildlife Education Centre building hereby approved a schedule of expected volunteering hours and educational visits and visitor numbers shall be submitted to and approved in writing by the local planning authority. This Schedule shall set out the projected aims and expectations for these hours and visits over a suitable projection period of not less than 3 years from the first use of the building, with these projections divided into the potential nature of the volunteering hours and visits, and to provide a monthly projection of their number.

The operator of the site shall maintain a monthly record of the hours of activity undertaken on the application site by volunteers, of the number of educational visits to the site, and the number of visitors attending those educational visits. This record shall be made available to the LPA upon request, and shall be supported by auditable records to confirm the accuracy of the records.

In the event that the number of volunteer hours, number of educational visits, or educational visitor numbers falls below 90% of the projected number in 2 out of 3 years set out in the relevant schedule of expected volunteering hours and educational visits then the use of the Wildlife Education Centre shall cease, the building removed, and the land returned to its former agricultural use.

- 8) Prior to the first operational use of the Wildlife Education Centre building hereby approved details of the arrangements to be introduced to control access to the area of the site that provides the Remembrance Wood shall be submitted to and approved in writing by the local planning authority. This Schedule shall set out the individual points of access for vehicles and pedestrians, the times and days when these various points shall be available, and the arrangements that are to be in place to enable a convenient connection between the Wildlife Educational Village element of the site and the Remembrance Wood elements including any specific transport methods to be introduced and the days/times that these are to be available. The access to the site shall be available at all times thereafter in accordance with this agreed schedule.

- 9) Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order revoking and re-enacting that Order, with or without modification) the internal dining area for the café element hereby approved shall be limited to not more than 145m² of the Wildlife Education Centre building, other than when the building is being used to host an organised education visit in which case this floor area restriction does not apply. This cafe use shall be for the sale and consumption of food and drink only as is defined in Class E (b) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

No other part of that building, or any other building on the site, shall be used for that purpose and the incidental use of any external areas for the consumption of food

and drink shall be limited to those areas that have previously been agreed in writing by the local planning authority and supported by a scaled plan to define the extent of the area to be used for that purpose.

- 10) Unless an alternative schedule of opening hours has previously been submitted to and approved in writing by the local planning authority, the cafe use hereby approved shall only be open for customer use between the hours of 8am and 8pm on any day. Where an alternative schedule has been agreed then the cafe use shall only operate in accordance with those agreed hours.
- 11) Prior to the first use of the cafe element of this planning permission a scheme for the provision of a system for the extraction and filtration of cooking odours shall be submitted to and approved in writing by the local planning authority. The scheme shall include:
 - a) details of the siting, design and finish (including colour treatment) of any external flue, including measures to ensure that any flue extends not less than 1 metre above the eaves of the building and the terminal does not impede the upward flow of exhaust gases;
 - b) details for the treatment and filtration of cooking odours within the system prior to their emission;
 - c) measures to attenuate noise and minimise vibration arising from its operation;
 - d) manufacturer's operating instructions; and
 - e) a programme of equipment servicing/maintenance.

The extraction system shall thereafter be installed in accordance with the duly approved scheme before the use hereby permitted first takes place and, at all times when food is being cooked on the premises, the extraction/ventilation equipment shall be operated, maintained and where necessary repaired in accordance with the manufacturer's instructions and programme of equipment servicing/maintenance.

- 12) Prior to the first operational use of the Wildlife Education Centre the approved bin store listed in condition 1 of this planning permission, or an alternative arrangements that has been submitted to and approved in writing by the local planning authority, shall be constructed in accordance with the duly approved scheme and shall be retained as such thereafter.
- 13) Notwithstanding any details shown on the approved plans and the requirements of condition 1 the Wildlife Education Building shall not be brought into first use until details of the siting, height, design, materials and finish of all boundary treatments within the development have been submitted to and approved in writing by the local planning authority. The boundary treatments shall be constructed in full accordance with the duly approved details in accordance with a phasing schedule that forms part of the submitted details.
- 14) No external lighting shall be installed on the site until a scheme for the installation of any exterior lighting on the buildings and the external areas of the site has been submitted to and approved in writing by the local planning authority. The scheme shall demonstrate compliance with best industrial practice contained in the Institution of Lighting Professionals and Bat Conservation Trust publication - Guidance Note 08/18: Bats and artificial lighting in the UK, and shall include details of the lighting's:
 - i) position and height on the building and/or site;

- ii) spillage, luminance and angle of installation, which shall be designed to avoid light spillage towards those areas/features on the site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory; and
- iii) any hoods to be fixed to the lights.

All exterior lighting shall thereafter be installed in accordance with the duly approved scheme.

- 15) Prior to the first operational use of the Wildlife Education Building hereby approved the following on-site and off-site highway and access improvement works shall be completed:
- a) The vehicular site entrance to Ribby Road shall be improved as shown on Anyon drawing 28/21PAD1 Rev A to ensure an appropriate width and depth of the access point to permit vehicles to pass safely in this entrance.
 - b) The removal or relocation of the gate to Ribby Road to a point that is no less than 15m back from the nearside edge of the carriageway of Ribby Road to permit safe use of that access point.
 - c) The provision of a pair of dropped kerb pedestrian crossing points over Ribby Road to the immediate west of the vehicle access as shown on Anyon drawing 28/21PAD1 Rev A.
 - d) The provision of not less than 3 passing places along the length of the access drive between the Ribby Road access point and the Wildlife Education Village area of the site.
 - e) The closure of the access point to Bryning Lane, the removal of the parking area that has been formed, the erection of a sign to advise that the access provides 'No access to Remembrance Wood available', and the reinstatement of this access with a native species hedge and single width agricultural field gate.
 - f) The display of a sign at the Richmond Avenue entrance to advise that there 'No parking for Remembrance Wood', in accordance with a scheme that has first been approved in writing by the local planning authority.
- 16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the revocation or re-enactment thereof, with or without modification), visibility splays of 2.4m x 25m in both directions shall be provided at the junction of the development's access with Ribby Road prior to the first operational use of the Wildlife Education Centre, and shall be kept clear of: a) any obstructions (including buildings, walls, fences, hedges, trees, shrubs or any other obstruction) over 1 metre in height; and b) any overhanging tree branches lower than 2.4 metres in height (when both are measured from the centre line of the carriageway of Ribby Road) at all times thereafter.
- 17) The Wildlife Education Building hereby approved shall not be brought into first operational use until the vehicle parking, servicing and manoeuvring areas associated with that building and the Remembrance Wood have been laid out, surfaced and made available for use in accordance with the materials shown on the approved Wildlife Village Layout drawing listed in condition 1 of this planning permission and shall be retained as such thereafter.

- 18) Prior to the first operational use of the Wildlife Education Building the bicycle parking facility shown on the Wildlife Education Village layout drawing listed in condition 1 of this planning permission, or an alternative scheme that has subsequently been submitted to and approved in writing by the local planning authority, has been constructed and made available for use in accordance with the duly approved scheme. This facility shall remain available for its intended purpose at all times that the Wildlife Education Building operates.
- 19) Prior to the first operational use of the Wildlife Education Building a scheme for the provision of charging points for plug-in and other ultra-low emission vehicles within the development shall be submitted to and approved in writing by the local planning authority. The scheme shall identify the number, siting, design and phasing of the delivery of the charging points. All the charging points shall be provided and made available for use in accordance with the duly approved scheme no later than is set out in the specified phasing, and shall be retained as such thereafter.
- 20) Prior to the first operational use of the Wildlife Education Building a Biodiversity Enhancement Plan (BEP) for the development shall be submitted to and approved in writing by the local planning authority. The BEP shall include the incorporation of the following biodiversity enhancement measures, including details of their number, location and specification, into the development and a timetable for their provision:
- a) the introduction of native hedge planting alongside the proposed trail routes within the site, with the BEP providing details of the species, planting density and specimen size of the planting to be undertaken in these areas;
 - b) the planting arrangements for the identified wildlife ponds and their pond margin areas;
 - c) the installation of bat boxes;
 - d) the installation of bird boxes;
 - e) the installation of bee hives;
 - f) the planting of wildflower meadows; and
 - g) the introduction of other biodiversity enhancement measures across the site as appropriate.
- The duly approved BEP shall thereafter be implemented in full accordance with the details and timetable contained therein.
- 21) Notwithstanding any details shown on the approved plans and the requirements of condition 1 of this permission, before the Wildlife Education Building is brought into first use a soft landscaping scheme for the Wildlife Education Village shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the number, size, species, siting, planting distances/densities and the programme of planting of trees, hedges and shrubs. The duly approved soft landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.
- 22) Prior to the Wildlife Education Building being brought into first use a Habitat and Landscape Management Plan (HLMP) for all landscaped areas of the development

has been submitted to and approved in writing by the local planning authority. The HLMP shall include details of the following:

- a) protection measures for all retained trees, hedgerows, waterbodies and open land during the course of construction;
- b) long term landscape design objectives and biodiversity enhancement arrangements;
- c) management responsibilities;
- d) maintenance schedules; and
- e) a timetable for implementation.

The HLMP shall thereafter be implemented in full accordance with the duly approved details and timetable contained therein.

23) No clearance of any vegetation (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation to be cleared does not accommodate any active bird nests has first been submitted to and approved in writing by the local planning authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the local planning authority. Nest site protection shall thereafter be provided in accordance with the approved scheme.

24) Prior to the first operational use of the Wildlife Education Building a scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the local planning authority. The scheme shall be based on the hierarchy of drainage options contained in the Planning Practice Guidance and, where relevant, shall demonstrate compliance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The scheme shall include:

- a) Separate systems for the disposal of foul and surface water.
- b) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates.
- c) Information about the lifetime of the development design storm period and intensity (1 in 30 and 1 in 100 year, plus allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses.
- d) Measures to ensure that the post-development surface water run-off rate will not exceed the pre-development green field run-off rate.
- e) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- f) Flood water exceedance routes, both on and off site.
- g) Details of water quality controls, where applicable.
- h) A timetable for implementation, including phasing as applicable.

The duly approved scheme shall be implemented in accordance with the agreed phasing arrangements and shall be complied with at all times thereafter.

- 25) Prior to the first operational use of the Wildlife Education Building a Verification Report and Operation and Maintenance Plan for the surface water drainage system to be installed pursuant to condition 25 of this permission have been submitted to and approved in writing by the local planning authority.

The Verification Report shall: i) demonstrate that the surface water drainage system installed pursuant to condition 25 of this permission has been constructed in accordance with the duly approved scheme (or detail any variations); and ii) contain information and evidence, including photographs, details and locations (including national grid references) of the following (where applicable): inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and a final 'operation and maintenance manual' for the sustainable surface water drainage system as constructed.

The Operation and Maintenance Plan shall include: i) details of appropriate operational, maintenance and access requirements for each sustainable drainage component, with reference to published guidance, for the lifetime of the development as constructed; and ii) arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a management company and any means of access for maintenance and easements, where applicable.

The surface water drainage system shall thereafter be retained, managed and maintained in accordance with the duly approved Verification Report and Operation and Maintenance Plan.

- 26) Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order revoking and re-enacting that Order, with or without modification) the farm shop element hereby approved shall be limited to not more than 46m² of the Wildlife Education Centre building. This farm shop use shall be for the sale of goods that are either produced at Blackburns Farm or are within a range of product types and source that has previously been submitted to and approved in writing by the local planning authority.

END OF SCHEDULE