



RIBBLE VALLEY
BOROUGH COUNCIL

For office use only

Application No: 320110556 P

Date received 13/11/11

Fee paid £

Receipt No:

Council Offices, Church Walk, Clitheroe, Lancashire. BB7 2RA Tel: 01200 425111 www.ribblevalley.gov.uk

Application for removal or variation of a condition following grant of planning permission.

Town and Country Planning Act 1990

Planning (Listed Buildings and Conservation Areas) Act 1990

You can complete and submit this form electronically via the Planning Portal by visiting www.planningportal.gov.uk/apply

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Please complete using block capitals and black ink.

It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application

1. Applicant Name and Address

Title:	Mr	First name:	D
Last name:	Dugdale		
Company (optional):			
Unit:		House number:	
		House suffix:	
House name:	C/O Agent		
Address 1:			
Address 2:			
Address 3:			
Town:			
County:			
Country:			
Postcode:			

2. Agent Name and Address

Title:	Mr	First name:	A
Last name:	Kinner		
Company (optional):	Reedley Town Planning		
Unit:		House number:	2
		House suffix:	
House name:	Reedley Business Centre		
Address 1:	Redman Road		
Address 2:	Reedley		
Address 3:			
Town:	Burnley		
County:	Lancashire		
Country:			
Postcode:	BB10 2TY		

3. Site Address Details

Please provide the full postal address of the application site

Unit: House number: House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Postcode (optional):

Description of location or a grid reference (must be completed if postcode is not known):

Easting: Northing:

Description:

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given (This will help the authority to deal with this application more efficiently)

Please tick if the full contact details are not known, and then complete as much as possible: ☐

Officer name:

Reference:

Date (DD/MM/YYYY): (must be pre-application submission)

Details of pre-application advice received?

5. Description Of Your Proposal

Please provide a description of the approved development as shown on the decision letter, including the application reference number and date of decision in the sections below:

Reference number: Date of decision (DD/MM/YYYY): (date must be pre-application submission)

Please state the condition number(s) to which this application relates:

1		6	
2		7	
3		8	
4		9	
5		10	

Has the development already started?

☐ Yes ☒ No

If Yes, please state when the development started (DD/MM/YYYY):

(date must be pre-application submission)

Has the development been completed?

☐ Yes ☒ No

If Yes, please state when the development was completed (DD/MM/YYYY):

(date must be pre-application submission)

6. Condition(s) - Removal

Please state why you wish the condition(s) to be removed or changed:

If you wish the existing condition to be changed, please state how you wish the condition to be varied:

7. Ownership Certificates

One Certificate A, B, C, or D, must be completed with this application form

CERTIFICATE OF OWNERSHIP - CERTIFICATE A**Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**I certify/ The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land or building to which the application relates

Signed - Applicant:

Or signed - Agent:

Date DD/MM/YYYY:

12/7/2011

CERTIFICATE OF OWNERSHIP - CERTIFICATE B**Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**I certify/ The applicant certifies that I have/ the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land or building to which this application relates.

Name of Owner	Address	Date Notice Served

Signed - Applicant:

Or signed - Agent:

Date DD/MM/YYYY:

CERTIFICATE OF OWNERSHIP - CERTIFICATE C**Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**

I certify/ The applicant certifies that:

- Neither Certificate A or B can be issued for this application
- All reasonable steps have been taken to find out the names and addresses of the other owners (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of the land or building or of a part of it, but I have/ the applicant has been unable to do so

The steps taken were:

Name of Owner	Address	Date Notice Served

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date DD/MM/YYYY:

7. Ownership Certificates (continued)

CERTIFICATE OF OWNERSHIP - CERTIFICATE D

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

I certify/ The applicant certifies that:

- Certificate A cannot be issued for this application
- All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land to which this application relates, but I have/ the applicant has been unable to do so

The steps taken were:

--

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

--

On the following date (which must not be earlier than 21 days before the date of the application):

--

Signed - Applicant:

--

Or signed - Agent:

--

Date DD/MM/YYYY:

--

8. Agricultural Land Declaration

AGRICULTURAL LAND DECLARATION

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is, or is part of, an agricultural holding

Signed - Applicant:

--

Or signed - Agent:

--

Date (DD/MM/YYYY):

--

(B) I have/ The applicant has given the requisite notice to every person other than myself/ the applicant who, on the day 21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below:

Name of Tenant	Address	Date Notice Served
	N/A	

Signed - Applicant:

--

Or signed - Agent:

--

Date (DD/MM/YYYY):

12/07/2011

9. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted

The original and 3 copies of a completed and dated application form:



The original and 3 copies of the completed, dated Ownership Certificate (A, B, C, or D - as applicable):



The original and 3 copies of other plans and drawings or information necessary to describe the subject of the application:



The original and 3 copies of the completed, dated Article 12 Certificate (Agricultural Holdings):



The correct fee:



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10. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

12/7/2011

(date cannot be pre-application)

11. Applicant Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

12. Agent Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

planning@redley.co.uk

13. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

☒ Agent☐ Applicant☐ Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name:

Telephone number:

Email address:

PLANNING STATEMENT

SITE: FORMER WORKSHOP LANESIDE FARM, GRINDLETON

PROPOSAL: REMOVAL OF CONDITION 2 & 3 FROM PLANNING PERMISSION 3/03/0209/P
TO ALLOW THE USE AS A GRANNY ANNEX TO LANESIDE FARM.

- 1 Laneside farm is situated to the North of Grindleton village outside the village settlement boundary. Land in the vicinity is predominantly in agricultural use being situated within the forest of Bowland Area of Outstanding Natural Beauty (AONB)
- 2 Laneside farm comprises the original farm house together with a second adjoining house outside the control of my client which was converted from the original barn. In addition within the grounds of Laneside Farm to the south west of the main farm house is the holiday cottage and attached workshop which is the subject of this application
- 3 There is significant and extensive planning history attached to the site as a whole but the relevant consent appertaining to the application building is:-

Application 3/03/0209/P - conversion of part of existing workshop to form one holiday cottage and a workshop - approved conditionally.

Of relevance to this proposal are conditions 2 & 3 which read as follows

"1. The unit of accommodation shall not be left to or occupied by any one person or group of persons for a continuous period of longer than 3 months in any one year and in any event shall not be used as a permanent accommodation.

2. The permission shall be read in conjunction with the section 106 agreement dated the 8th September 2003 "

- 4 This consent has been implemented and it was the intention of my client's partner to establish a business which she would run on a part time basis. Regrettably

Director - Alan Kinder, Dip.T.P (Leeds).MRTPI.

Company Secretary - Val Kendall

2, Reedley Business Centre, Redman Road, Burnley, Lancashire, BB10 2TY

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circumstances changed recently with the untimely death of my clients partner as such his personal circumstances have changed and the intention is that this property rather than being used as a holiday cottage is utilised as a granny annex to the main house

- 5 The key concern at this time is whether the retention of the condition is justified. The issue centres around the occupancy of the dwelling purely as a holiday let. Saved policy H23 states that proposals to remove a condition restricting occupancy in this way will be refused "... unless the proposal conforms to the normal development control policies ...". saved policy H2 is relevant in this instance. Policy H2 limits residential development in the open countryside, but does allow the conversion of buildings for this purpose provided that a number of criteria are satisfied. The building is within a group of other dwellings, and a scheme of conversion for residential use has previously been approved. Furthermore since the imposition of the conditions in 2003 there has been a significant change in circumstances, with the Council no longer being in a situation of oversupply of housing. Accordingly the retention of the condition and accompanying section 106 agreement limiting the occupancy to holiday let is unjustified.

- 6 This conclusion is supported by a number of planning consents recently granted for the removal of conditions restricting the occupancy of dwellings in the countryside to holiday lets. An example is Pear Tree Cottage on Mitton Road at Whalley where planning permission has been granted (planning reference 3/2010/0573/P) for the modification of a condition allowing a property formerly limited to use as a holiday let to be used as permanent residential accommodation. More recently, a similar application has been granted under reference 3/2011/0062 thereby allowing Arbour Cottage on Longridge Road at Thornley with Wheatley to be used as a permanent residential dwelling

- 7 In conclusion, whilst it has been demonstrated that it is not appropriate or justified in planning terms to maintain the occupancy condition, then it is equally important to note that on behalf of our client seeking the removal of the conditions would in principle allow the use of the cottage as an independent dwelling although this is not in fact my clients intention and he would be willing to see a revised condition imposed simply stating that the accommodation could only be used as a granny annex to the main house known as Laneside Farm

Reedley Chartered Town Planning and Architectural Consultancy

2 Reedley Business Centre, Redman Road, Reedley, Burnley BB10 2TY 01282 – 834834

July 2011

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices Church Walk Clitheroe Lancashire BB7 2RA

Telephone: 01200 425111

Fax: 01200 414488

320110556P

Planning Fax: 01200 414487

Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 03/0209/P

DECISION DATE: 8 SEPTEMBER 2003

DATE RECEIVED: 14 MARCH 2003

APPLICANT:

DAVID DUGDALE
LANESIDE FARM
GRINDLETON
BB7 4QS

AGENT:

LANCASHIRE RURAL FUTURES
1ST FLOOR
WATERLOO MILL
WATERLOO ROAD
CLITHEROE
BB7 1LR

DEVELOPMENT PROPOSED: CONVERSION OF PART OF EXISTING WORKSHOP TO FORM ONE HOLIDAY COTTAGE AND WORKSHOP

AT: LANESIDE FARM, GRINDLETON

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 must be begun not later than the expiration of five years beginning with the date of this permission.
- 2 This unit of accommodation shall not be let to or occupied by any one person or group of persons for a continuous period of longer than 3 months in any one year and in any event shall not be used as a permanent accommodation
- 3 This permission shall be read in conjunction with the Section 106 Agreement dated 8 September 2003.

The reason(s) for the condition(s) are:

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990
- 2 The building is located in an area where the Local Planning Authority would not normally be minded to grant the use of building for a permanent residential accommodation.
- 3 For the avoidance of doubt since the proposal has been the subject of a Section 106 Agreement.

Note(s)

- 1 For the 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.


A1 STEWART BAILEY
CHIEF PLANNING OFFICER