



RIBBLE VALLEY
BOROUGH COUNCIL

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

For office use only

Application No: 320110773 P

Date received

Fee paid £

Receipt No:

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:		First name:	H & I		
Last name:	BACKHOUSE				
Company (optional):					
Unit:		House number:		House suffix:	
House name:	90 AGENT				
Address 1:					
Address 2:					
Address 3:					
Town:					
County:					
Country:					
Postcode:					

2. Agent Name and Address

Title:	MR	First name:	ALAN		
Last name:	KINDER				
Company (optional):	REEDLEY CHARTERED TOWN PLANNING				
Unit:	2	House number:		House suffix:	
House name:	REEDLEY BUSINESS CENTRE				
Address 1:	REDMAN ROAD				
Address 2:	REEDLEY				
Address 3:					
Town:	BURNLEY				
County:	LANCS				
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:	SADDLE BARN				
Address 1:	CLOUGH BOTTOM FARM				
Address 2:	BASHALL EAVES				
Address 3:					
Town:	CLITHEROE				
County:	LANCS.				
Postcode (optional):					
Description of location or a grid reference (must be completed if postcode is not known):					
Easting:		Northings:			
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:

GRAEME THORPE

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:

APPLICATION FOR THE VARIATION OF CONDITION NO 3 (OCCUPANCY PERIOD) OF PLANNING CONSENT 3/2004/0592P, TO ALLOW NO 1 & NO 2 SADDLE BARN TO BE USED AS PERMANENT RESIDENTIAL ACCOMMODATION

Reference number: 3/2011/0379 Date of decision (DD/MM/YYYY): 16 9 2011 (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:

TO ALLOW THE USE OF UNIT NO 3 SADDLE BARN AS PERMANENT RESIDENTIAL ACCOMMODATION

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

N/A

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:

V. Kendall20 9 11**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:

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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:

V. Kendall

Date (DD/MM/YYYY):

20 9 11

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: £170



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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):

20 9 11

(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@reedley.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:

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111

Fax: 01200 414488

Planning Fax: 01200 414487

Town and Country Planning Act 1990

VARIATION OF CONDITION

APPLICATION NO: 3/2011/0379

DECISION DATE: 16 September 2011

DATE RECEIVED: 20 May 2011

320110773P

APPLICANT:

H & J Backhouse
c/o Agent

AGENT:

Reedley Chartered Town Planning & Architectural
Consultants
2 Reedley Business Centre
Redman Road
Burnley
Lancs
BB10 2TY

DEVELOPMENT PROPOSED: Application for the variation of condition no. 3 (Occupancy Period) of planning consent 3/2004/0592P, to allow No.1 and No.2 Saddle Barn to be used as permanent residential accommodation.

AT: Saddle Barn Clough Bottom Farm Bashall Eaves Lancashire

Ribble Valley Borough Council in pursuance of its planning powers, hereby varies condition of planning permission dated for referred to in the schedule below:

REVISED CONDITION AND REASON:

- 1 "The unit of accommodation known as No. 3 Saddle Barn 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. A register of all lettings shall be kept and made available to the Local Planning Authority for inspection on an annual basis. The Units known as No. 1 and No. 2 Saddle Barn shall be used as permanent residential accommodation.

REASON: In order to comply with Policies G1, G5, ENV1, RI1 and RI3 of the Ribble Valley Districtwide Local Plan. 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."

P.I.O.

APPLICATION NO.3/2011/0379

DECISION DATE: 16 September 2011

Policy G1 - Development Control.
Policy G5 - Settlement Strategy.
Policy ENV1 - Area of Outstanding Natural Beauty.
Policy ENV19 - Listed Buildings.
Policy H2 - Dwellings in the Open Countryside.
Policy H15 - Building Conversions - Location.
Policy H16 - Building Conversion - Building to be converted.
Policy H17 - Building Conversions - Design Matters.
Policy H23 - Removal of Holiday Let Conditions.
PPS3 - Housing
PPS5 - Planning for the Historic Environment
Affordable Housing Memorandum of Understanding.

SUMMARY OF REASONS FOR APPROVAL

The requested removal of the condition is in accordance with the presently applicable policies and would not result in any seriously detrimental effects upon visual amenity, the amenities of any nearby residents or highway safety.

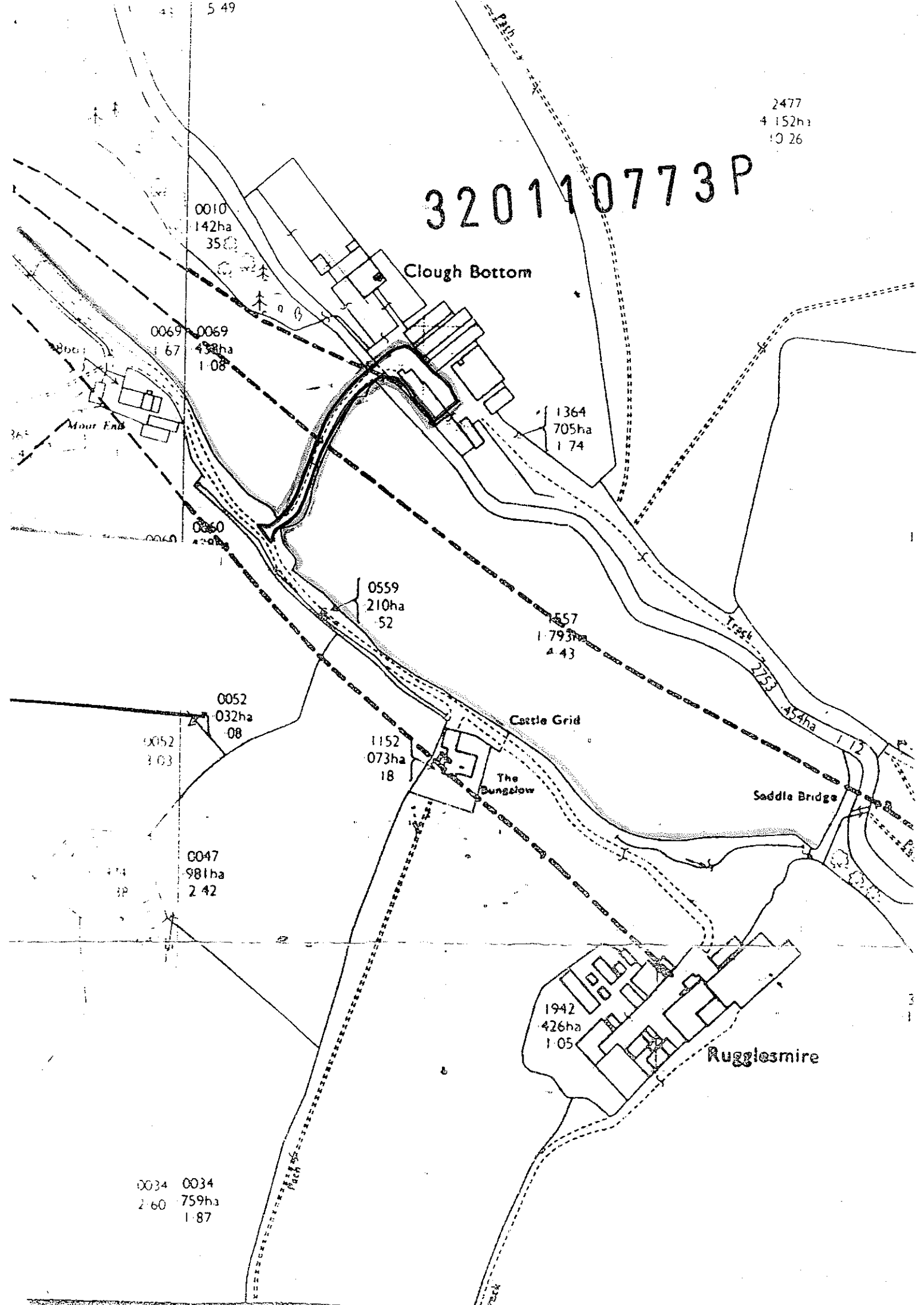
Note(s)

- 1 For 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.



JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES

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PLANNING STATEMENT**SITE: UNIT 3 SADDLE BARN, CLOUGH BOTTOM FARM, BASHALL EAVES****PROPOSAL: REMOVAL OF CONDITION 3 FROM PLANNING PERMISSION 3/2011/0379
TO ALLOW USE AS PERMANENT RESIDENTIAL ACCOMMODATION**

- 1 Clough Bottom Farm is situated to the east of Bashall Eaves and accessed from Rabbit Lane via a farm track. Land in the vicinity is predominantly in agricultural use but interspersed with numerous areas of woodland. Small valleys such as that carved by Bashall Brook at Clough Bottom interrupt the general slope of the terrain down to the south. The farm is situated within the forest of Bowland Area of Outstanding Natural Beauty (AONB).
- 2 Clough Bottom Farm comprises an extensive group of buildings in a variety of uses. In addition to the farmhouse there is consent for four holiday cottages, three of which are operational with the Saddle Barn being the property the subject of this application. In addition to the holiday let business Focus Experimental Training operate from the Middle Barn in the farmyard group and also an outbarn situated to the South East. Recently there has been marked down turn in the number of bookings in the Training Centre and this has resulted in the need to restructure the business to ensure its ongoing success. Recently planning consent has been issued under reference 3/2010/0353 for the change of use of the Middle Barn Training Centre into two dwellings although as yet the scheme has not been implemented. More recently two further planning consents have been issued under reference 3/2011/0369 (LBC) & 0370 for the removal of occupancy condition on the Coach House and 3/2011/0379 for the removal of occupancy condition on Unit 1 & 2 Saddle Barn.
- 3 In the short to medium term the training business will restructure and in so doing release the Middle Barn for conversion to housing.

- 4 There is significant and extensive planning history attached to the site as a whole, but the relevant items appertaining to the application building can be summarised as follows:

3/2004/0306 - Change of use of residential training centre to three holiday lets – Withdrawn.

3/2004/0592 - Change of use of residential training centre to three holiday lets – Approved conditionally.

3/2011/0369 (LBC) & 0370 - Removal of occupancy condition, The Coach House - Approved.

3/2011/0379 - Removal of occupancy condition on Unit 1 & 2 Saddle Barn - Approved conditionally.

Of relevance to this proposal is condition No.1 on consent 3/2011/0379 which reads as follows:

"The unit of accommodation known as No. 3 Saddle Barn 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. A register of all lettings shall be kept and made available to the Local Planning Authority for inspection on an annual basis. The Units known as No. 1 and No. 2 Saddle Barn shall be used as permanent residential accommodation"

- 5 The key concern at this time is whether the retention of the condition is justified. The issue centres around the occupancy of the dwellings purely as holiday lets. 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 condition in 2004 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 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. Examples we would cite are: Pear Tree Cottage on Mitton Road at Whalley reference 3/2010/0573/P; Arbour Cottage on Longridge Road at Thornley with Wheatley reference 3/2011/0062; High Laithe Barn, Brockthorn Farm, Tossie reference 3/2011/0439; and Parlick, Moss Lane, Chipping reference 3/2011/0249.
- 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 the removal of the condition allowing the dwellings occupation as a permanent residential unit does not preclude its ongoing use as a holiday cottage, and at the present time it is in fact my client's intention to continue to promote the use of the unit in this manner.

Reedley Chartered Town Planning and Architectural Consultancy
2 Reedley Business Centre, Redman Road, Reedley, Burnley BB10 2TY
01282 - 834834

September 2011