



15 DEC 2011

For office use only

Application No: 320111055 P

Date received

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:		First name:	
Last name:			
Company (optional):	J V ASPIN & SONS		
Unit:		House number:	
		House suffix:	
House name:			
Address 1:	c/o AGENT		
Address 2:			
Address 3:			
Town:			
County:			
Country:			
Postcode:			

2. Agent Name and Address

Title:	MR	First name:	ALAN
Last name:	KINDER		
Company (optional):	AVALON 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:

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:

CONVERSION OF BARN TO FORM ONE DWELLING AND HOLIDAY COTTAGE

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	11	6	
2	13	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 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. Kendall14/12/11**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:

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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:

V. Kendall

Date (DD/MM/YYYY):

14/12/11

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:



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):

V. Kendall.

14/12/11

(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):

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:

1 20 711a
3 19

4173
5 432ha
13 42

0668
1 727ha
4 27

320111055P

2763
2 692ha
6 65

0155
1 492ha
3 69

1558
3 166ha
7 82

1045
049ha
12

B M 176 65m

Issues

Path

9939
8 310ha
20 54

3638
11 043ha
27 29

4333
259ha
64

Issues

1823
1 321ha
3 27

B M 162 28m

Cattle Grid

White Hall
2117
640ha
1 58

B M 147 61m

Whit

B M 135 99m

White Hall Farm

GREEN LANE

WHITEHALL

0005
117ha
29

PLANNING STATEMENT

320111055P

SITE: BARN AT WHITEHALL FARM, GRINDLETON

**PROPOSAL: REMOVAL OF CONDITIONS 11 AND 13 FROM PLANNING PERMISSION
3/02/0833 TO ALLOW USE AS PERMANENT RESIDENTIAL ACCOMMODATION**

- 1 Whitehall Farm is situated to the north of Grindleton village and accessed from Whitehall Lane off Slaidburn Road. The farm consists of the original farmhouse together with a group of farm buildings and stores and a stone built barn which has the benefit of consent under application 3/02/0833/P for conversion to a dwelling and holiday cottage. This consent has been implemented in part and forms the subject of this application. More modern farm buildings are situated to the west of the original farmhouse.
- 2 Land in the vicinity is predominantly in agricultural use with two residential properties close by namely Dows House and White Hall to the east. The farm is situated within the Forest of Bowland Area of Outstanding Natural Beauty (AONB).
- 3 Relevant planning applications can be summarised as follows:

3/01/0743/P - Conversion of barn to form one dwelling and holiday cottage – Refused
2 May 2002.
3/02/0833/P - Conversion of barn to form one dwelling and holiday cottage – Approved
conditionally 1 April 2003

Of relevance to this proposal are conditions No 11 and 13 on consent 3/02/0833 which read as follows:

"11. The 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 three months in any one year and in any event shall not be used as a permanent accommodation.

13. This submission shall be read in conjunction with the Section 106 Agreement dated 1 April 2003."

4 The key concern at this time is whether the retention of the conditions 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. 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 limiting the occupancy to holiday let is unjustified.

5 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, Tosside reference 3/2011/0439; and Parlick, Moss Lane, Chipping reference 3/2011/0249; Laneside Farm, Grindleton reference 3/2011/0556; Coach House, Clough Bottom Farm, Bashall Eaves reference 3/2011/0370; Saddle Barn, Clough Bottom Farm, Bashall Eaves reference 3/2011/0379 and 3/2011/0773.

6 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 use as a holiday cottage.

December 2011