



**RIBBLE VALLEY
BOROUGH COUNCIL**

1 JAN 2013

ATTENTION: P

For office use only

Application No

Date received

Fee paid £

Receipt No:

320130096P

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**

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.

1. Applicant Name, Address and Contact Details

Title:		First name:		Surname:			
Company name:	Stonyhurst College Estate						
Street address:	Stonyhurst College				Country Code	National Number	Extension Number
	Hurst Green				Telephone number:		
					Mobile number:		
Town/City:					Fax number:		
County:					Email address:		
Country:							
Postcode:	BB7 9PZ						
Are you an agent acting on behalf of the applicant?							
☒ Yes ☐ No							

2. Agent Name, Address and Contact Details

Title:		First Name:		Surname:			
Company name:	Carter Jonas LLP						
Street address:	Regent House 13-15 Albert Street				Country Code	National Number	Extension Number
					Telephone number:	01423707827	
					Mobile number:		
Town/City:	Harrogate				Fax number:		
County:					Email address:		
Country:	United Kingdom						
Postcode:	HG1 1JX				emma.winter@carterjonas.co.uk		

3. Site Address Details

Full postal address of the site (including full postcode where available)

House:		Suffix:	
House name:	Horrocks Barn		
Street address:	Horrocks Farm		
	Stonyhurst		
Town/City:	Clitheroe		
County:	Lancashire		
Postcode:			

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

Eastings:	368281
Northing:	439736

Description:

Large traditional character stone barn situated on land to the north west of Stonyhurst College adjacent to Horrocks Farmhouse.

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):

Officer name:

Title: First name: Surname:

Reference:

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

Details of the pre-application advice received:

That should an application be submitted for the removal of condition 16 to allow the conversion of the barn to an open market unit, it is likely to be approved in line with the DWLP and NPPF policies, proving that the design of the building is acceptable and in keeping with the ANOB location, in line with policies G1, ENV1, G5 and H17 of the DWLP.

A copy of the pre-application response is attached for reference.

5. Description of Proposal

Please provide a description of the approved development as shown on the decision letter:

Renewal of planning permission 3/2001/0542P for conversion of barn to dwelling

Application reference number: Date of decision:

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

Condition number(s):

Condition 16

Has the development already started? ☒ Yes ☐ No If Yes, please state when the development was started:

Has the development been completed? ☐ Yes ☒ No

6. Condition(s) - Removal

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

Please see covering letter

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

7. 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)

☒ The agent ☐ The applicant ☐ Other person

8. Certificates (Certificate A)

320130096P

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.

Title: Mrs First name: Emma Surname: Winter
Person role: Agent Declaration date: 18/01/2013 ☒ Declaration made

8. Certificates (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.

(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:

If any part of the land is an agricultural holding, of which the applicant is the sole tenant, the applicant should complete part (B) of the form by writing 'sole tenant - not applicable' in the first column of the table below

Title: Mrs First Name: Emma Surname: Winter
Person role: Agent Declaration date: 18/01/2013 ☒ Declaration Made

9. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

☒ Date 18/01/2013

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-33

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2-32

Riddle's Valley Ranch, Coalinga

PROPERTY CONSULTANTS
Regent House, 13/15 Albert Street, Harrogate, HG1 1JX
Telephone 01423 523423 Fax 01423 521373

Date: November 2001

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SCALE: 1:2500

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320130096P

RIBBLE VALLEY BOROUGH COUNCIL

please ask for: JOHN MACHOLC
direct line: 01200 414502
e-mail: john.macholc@ribblevalley.gov.uk
my ref: JM/CMS/3/2005/0543/P & 3/2005/0542/P
your ref: KLBHA16416
date: 24 July 2007

Council Offices
Church Walk
CLITHEROE
Lancashire BB7 2RA

Switchboard: 01200 425111
Fax: 01200 414487
DX: Clitheroe 15157
www.ribblevalley.gov.uk

Dear Kate

RE: DEVELOPMENT AT HORROCKS BARN, NEW BARN AND,
WOODFIELDS BARN, STONYHURST COLLEGE

With reference to the above and your most recently correspondence dated 23 July 2007 I have the following observations to make.

I am pleased to confirm that on the basis of the previously submitted information and the recent re-submitted building regulations proposal for the insertion of windows on the relevant barns, I am satisfied that this would constitute commencement.

I am pleased to note that I have received copies of the bat report and details of the archaeological report which would discharge any relevant conditions.

Although it is noted that the report would indicate only a low risk of disturbance, I would expect your clients to comply fully with the recommendations and also ask that appropriate measures be integrated into the building to encourage future roosts.

Yours sincerely



JOHN MACHOLC
BUILDING AND DEVELOPMENT CONTROL MANAGER

Carter Jonas Property Consultants
13-15 Albert Street
Harrogate
N Yorks
HD1 1JX

Kate

Kate Broadbank BA MA MRTPI
Planning Assistant
For and on behalf of Carter Jonas LLP
Tel: 01423 707825
Fax: 01423 521373
Mob: 07734 192359



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Carter Jonas LLP
Place of Registration: England and Wales
Registration Number: OC304417
Address of Registered Office: 127 Mount Street, Mayfair, London. W1K 3NT

From: John Macholc [mailto:John.Macholc@ribblevalley.gov.uk]
Sent: 15 June 2007 17:00
To: Broadbank, Kate
Cc: Sarah Westwood
Subject: Stonyhurst estate and barn conversions

Kate,

As discussed I am willing to discharge all the conditions with the exception of building recording one and the bat survey one. I understand the bat survey is in place and will discharge the condition when I receive details.

I restate my concern about any proposal that increases the number of residential units on the barn conversions.

Regards

John Macholc

Building and Development Control Manager

E-Mail John.Macholc@ribblevalley.gov.uk

03/07/2007

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

PLANNING PERMISSION

APPLICATION NO: 3/2005/0543

DECISION DATE: 26 July 2005

DATE RECEIVED: 14/06/2005

APPLICANT:

Stonyhurst College Estate

Stonyhurst College

Hurst Green

Clitheroe

Lancs BB7 9PZ

AGENT:

Carter Jonas

Regent House

13-15 Albert Street

Harrogate

HG1 1JX

DEVELOPMENT Renewal of planning permission 3/2001/0542P for conversion of barn to dwelling.

PROPOSED:

AT: Horrocks Barn Horrocks Farm Stonyhurst Clitheroe Lancs

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 **two years** beginning with the date of this permission.

Reason: In accordance with the requirements of Policies G1 and H16 of the Ribble Valley Districtwide Local Plan in order that the Local Planning Authority shall retain effective control of the development and to ensure the continued structural integrity of the building.

2. This permission shall be implemented in accordance with the proposal as amended by letter and plan received in connection with application 3/2001/0542/P on the 7 November 2001 detailing revised access arrangements .

Reason: For the avoidance of doubt since the proposal was the subject of agreed amendments.

3. There shall be no vehicular access at any time between Horrocks Barn and the classified road past Horrocks Farmhouse and to this end a new boundary wall shall be constructed in the location shown on the amended plan and thereafter retained in perpetuity. More vehicular access for construction traffic and residential traffic shall be along the route edged yellow on the permitted plan entitled 'new access arrangements' dated November 2001, which shall be surfaced in permanent pavement materials prior to occupation of the dwelling.

Reason: In the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local plan.

Cont...

4. The proposed access from the site to the classified road shall be constructed to a minimum of 6m and this width shall be maintained for a minimum distance of 10m measured back from the nearside edge of the carriageway.

Reason: In the interests of highway safety in accordance with policy G1 of the Ribble Valley Districtwide Local Plan.

5. The exact location of the access shall be agreed in writing with the Local planning Authority in consultation with the Highway Authority before any construction work commences.

Reason: In the interests of highway safety in accordance with Policy G1 of the Ribble valley Districtwide Local Plan.

6. No work shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building in accordance with Policies G1, ENV14 and ENV15 of the Ribble Valley Districtwide Local Plan.

7. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order) any future extensions, external alterations to the dwelling including any development within the curtilage as defined in Schedule 2 Part 1 Classes A to H shall not be carried out without the formal consent of the Local Planning Authority.

Reason: In order that the Local Planning Authority shall retain effective control over the development to ensure compliance with Policies G1 and H18 of the Ribble Valley Districtwide Local Plan.

8. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking or re-enacting that Order) any future additional structures, hard standing or fences as defined in Schedule 2 Part 1 Classes E, F and G, and Part II Class A, shall not be carried out without the formal consent of the Local Planning Authority.

Reason: In order that the Local Planning Authority shall retain effective control over the development to ensure compliance with Policies G1 and H18 of the Ribble Valley Districtwide Local Plan.

9. No works can begin until a survey has been conducted by a person, the identity of whom has been previously agreed in writing by the English Nature Species Protection Officer and the Local Planning Authority, to investigate whether the barn is utilised by bats or any other protected species, and the survey results passed to English Nature and the Local Planning Authority.

If such use is established, a scheme for the protection of the species/habitat shall be submitted to and agreed in writing by English Nature and the Local Planning Authority before any work commences on site.

Reasons: To comply with Policies G1, ENV7 and H16 of the Ribble Valley Districtwide Local Plan ensuring that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed.

10. All the external works of the development hereby permitted shall be completed before the expiration of three years from the date of this permission.

Reasons: In order that the Local Planning Authority retains effective control over the development and to ensure that there is no significant deterioration in the condition of the building contrary to Policies G1 and H16 of the Ribble Valley Districtwide Local Plan.

11. Prior to the commencement of development an inspection regime to operate during the construction process should be agreed in writing with the Local Planning Authority.

Reason: In order to ensure the continued structural integrity of the building to meet the requirements of Policies G1 and H16 of the Ribble Valley Districtwide Local Plan.

12. All doors and windows shall be in timber and retained as such in perpetuity.

Reason: To comply with Policies G1, H16 and H17 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

13. All new and replacement door and window head and sills shall be natural stone to match existing.

Reason: To comply with Policies G1, H16 and H17 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

14. All new and replacement gutters shall be cast iron or aluminium supported on 'drive in' galvanised gutter brackets.

Reason: To comply with Policies G1, H16 and H17 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

15. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

Reason: To ensure a satisfactory means of drainage in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

16. The occupation of the residential barn conversion hereby approved shall be limited to a person solely or mainly employed or last employed by Stonyhurst College or a widow or widower of such a person or any resident dependent. In addition occupancy of the property is liable for a person not employed by Stonyhurst College renting the property for no more than three months in any calendar year.

Reason: In order that the Local Planning Authority retains effective control over the development since residential permission unrelated to this specific justification would not have been granted.

17. This permission shall relate to the proposed conversion in accordance with the structural survey submitted as part of the planning application 3/2001/0542/P. Any deviation from the survey may need to be the subject of a further planning application.

Reason: To comply with Policies G1 and H16 of the Ribble Valley Districtwide Local Plan since the application is for the conversion of the building only.

Cont...

Relevant planning policy

Policy G1 - Development Control.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy H15 - Building Conversions - Location.

Policy H16 - Building Conversions - Building to be Converted.

Policy H17 - Building Conversions - Design Matters.

Policy H18 - Extensions to Converted Buildings.

Interim SPG 'Housing'

Policy 12 'Housing Provision' Joint Lancashire Structure Plan 2001-2016

Summary of reasons for approval

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact or be to the detriment of 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.
3. A separate consent from the Environment Agency under the terms of the Water Resources Act 1991 for any proposed sewage or trade effluent discharged to a water course or other controlled waters, and may be required for discharge to a soakaway. If the effluent discharged to ground is 2 cubic metres less in any 24 hour period, then a consent is not required providing the discharge is from a private dwelling, is not within 50m of a private water supply, well or borehole, or is within Groundwater Protection Zone 1. (Controlled waters include rivers, streams, groundwater, reservoirs, estuaries and coastal waters).

STEWART BAILEY
DIRECTOR OF DEVELOPMENT SERVICES

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RIBBLE VALLEY BOROUGH COUNCIL

please ask for: Diane Cafferty
 direct line: 01200 414501
 email: Diane.Cafferty@ribblevalley.gov.uk
 my ref: RV/2012/ENQ/00222
 your ref:
 date: 7th January 2013

Council Offices
 Church Walk, Clitheroe
 Lancashire BB7 2RA

Tel: 01200 425111
 Fax: 01200 414468
www.ribblevalley.gov.uk

Dear Ms Winter,

REQUEST FOR PRE-APPLICATION ADVICE RELATING TO THE VARIATION OF CONDITION NUMBER 16 OF PLANNING PERMISSION 3/2005/0543 AT HORROCKS BARN, STONYHURST COLLEGE, HURST GREEN.

I am writing in response to your request for pre-application advice in respect of the above-named proposal. In short you are seeking advice on the possibility of removing the condition of a previous planning permission which limits the occupancy of the property to a person solely or mainly employed or last employed by Stonyhurst College or a widow or widower of such a person or any resident dependent. In addition occupancy of the property is liable for a person not employed by Stonyhurst College renting the property for no more than three months in any calendar year.

In considering your proposals, I am mindful of policies in the current adopted Districtwide Local Plan (DWLP). This plan sets out the planning policies for the Ribble Valley. Although policies in this plan are soon to be superseded by policies in the Core Strategy (the emerging Development Plan for the Borough) at present, the DWLP remains the primary tool used in determining planning applications.

The site in question lies within the Forest of Bowland Area of Outstanding Natural Beauty and as such Policy ENV1 within the Districtwide Local Plan is relevant. Within the AONB the landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. The environmental effects of proposals will be a major consideration and the design, materials, scale, massing and landscaping of development will also be important factors.

Policy G5 is also applicable to the proposals. The policy is intended to recognise the need to protect the countryside from inappropriate development but in doing so accepts that the countryside is a working area and a source of many Ribble Valley resident's livelihoods. Applying policy G5 to the proposals, the policy states that outside the main settlement and village boundaries (as this site is) planning consent will only be granted for small scale developments which are essential to the local economy, developed for local needs housing (subject to Policy H20 of the DWLP) or are for other small scale uses appropriate to a rural area which conform to the policies of the plan.

You state in your letter that the unit is no longer needed as accommodation for college staff and I note that you are proposing that the building be now used by an agricultural worker/farmer. However I am also mindful of the current position, which the Council is

9 4 2008 10:17

taking in relation to the conversion of barns, such as this, and therefore any proposals specifically for an agricultural or forestry worker would need to be supported by the submission of sufficient justification that the unit is needed for the purposes of agriculture in line with policy H5 of the DWLP.

As you are aware the need for the dwelling must be demonstrated by whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times, the scale and nature of the enterprise and the extent to which any existing accommodation in the area is suitable and available for occupation by the workers concerned. This will include an investigation of the presence of buildings suitable for conversion in the area, which may be available. In cases where these tests are not conclusive, a financial test may also be applied to provide further evidence of the genuineness of stated intentions to engage in farming. If necessary, Ribble Valley Borough Council may seek advice on the information submitted as part of an application to satisfy this policy.

If you intend to pursue an application for a unit needed for the purposes of agriculture, conditions would be attached to any consent granted for agricultural workers dwellings restricting the occupation of the dwelling to a person, solely or mainly employed (or last employed) in the locality in agriculture to dependents of such people residing with him or her, or to widows or widowers of such people (in line with policy H3 of the DWLP). In determining any application for a new agricultural workers dwelling on the site, the Council will have regard to the recent history of the holding in line with Policy H5 of the DWLP.

I am aware that the existing extant permission was renewed in 2005 (3/2005/0543) during which time there was a housing moratorium in existence in Ribble Valley which restricted the usage of the unit to 'local need', which in this instance was a person employed by Stonyhurst Collage. As you are aware, this moratorium has now been lifted and whilst Ribble Valley is now able to demonstrate a 5-year supply of housing land, we would consider the proposals in terms of the location and its suitability and sustainability. As touched upon, the Council is now dealing with barn conversions differently to when the application's approval was renewed and therefore policy H15, H16 and H17 is now applicable, which deals with the appropriate conversion of buildings to dwellings. These policies outline that providing the building is capable of conversion and would lead to no damaging affect on the landscape, proposals for the conversion of barns to dwellings are acceptable in principle. In assessing the suitability of the location of the conversion, national planning policy needs to be considered in addition to the DWLP policies outlined above.

Paragraph 55 of the National Planning Policy Framework (NPPF) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. NPPF states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances. The special circumstances listed in the NPPF include:

- the essential need for a rural worker to live permanently at or near their place of work
- where such development would represent the optimal viable use of a heritage asset
- where development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling.

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In terms of your proposal, I do not consider that the site is overly isolated and is not remote from other built form. I also acknowledge that the site is close to services in the settlement of Hurst Green and I therefore consider this to be a sustainable location for an open market residential unit. This is further supported by paragraph 55 of the NPPF which states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

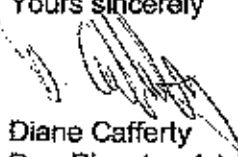
Central to the National Planning Policy Framework (NPPF) is the presumption in favour of sustainable development. I consider that the proposal for open market use would meet this requirement as it is appropriately sustainably located, as I do not consider this to be an isolated location, as previously stated.

Therefore, I advise at this stage that should an application be submitted for the removal of the condition to allow for the conversion of the barn to an open market unit, then I consider this is likely to be approved in line with the DWLP and NPPF policies outlined above, providing that the design of the building is acceptable and in keeping with the AONB location, in line with policies G1, ENV1, G5 and H17 of the DWLP. This would need to be assessed in detail at formal application stage. If however you decide to pursue the removal of the condition to allow for the use of the barn as an agricultural or forestry workers dwelling, whilst the location is acceptable in principle, additional information would be required to ensure policy H5 of the DWLP is satisfied.

Please be mindful of the fact that the above advice has been given on the basis of the level of information submitted as part of the pre-application enquiry, which sought guidance on the principle of the proposals.

I trust that you find the above observations of use and stress that they represent officer opinions only, at the time of writing, given without prejudice to the final determination of any application submitted.

Yours sincerely



Diane Cafferty
Pre- Planning Advice Officer

Emma Winter
Carter Jonas
Regent House
13-15 Albert Street
Harrogate
HG1 1JX

Our Ref. EW/1012939
Your Ref:

320130096P

**CARTER
JONAS**

The Property People

Regent House
13-15 Albert Street
Harrogate HG1 1JX
T: 01423 523423
F: 01423 521373

Planning Department
Ribble Valley Borough Council
Council Offices
Church Walk
Clitheroe
Lancashire

18 January 2013

Dear Sir

**PLANNING APPLICATION: HORROCKS BARN, HORROCKS FARM, STONYHURST
CLITHEROE, LANCASHIRE**

Introduction

We have been instructed by the Stonyhurst Estate to submit a planning application to remove Condition 16 of Planning Permission Ref 3/2005/0543 for the Conversion of Horrocks Barn.

Planning permission for the Barn Conversion was granted in July 2005. The pre-commencement conditions attached were discharged and a start made. Work was then put on hold. The planning permission is therefore extant. The relevant condition states:

Condition 16:

"The occupation of the residential barn conversion hereby approved shall be limited to a person solely or mainly employed by Stonyhurst College or a widow or widower of such a person or any resident dependent. In addition occupancy of the property is liable for a person not employed by Stonyhurst College renting the property for no more than three months in any calendar year."

Reason:

In order that the Local Planning Authority retains effective control over the development since residential permission unrelated to this specific justification would not have been granted.

This letter is provided in support of the application and sets out the reasoned justification for the proposal.

The Planning Application

We enclose a full planning application for the removal of Condition 16 of Planning Permission Ref 3/2005/0543 for the Conversion of Horrocks Barn. We enclose completed planning application forms and certificates together with a location plan, the previously approved plans, a copy of the decision notice and this letter as a form of justification

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Carter Jones LLP is a limited liability partnership
registered in England and Wales no. 00304472.
Reg office: 127 Mount Street, London W1K 3NF

Planning Application Fees

The proposed development attracts a planning application fee of £195. We enclose our client's cheque for this amount.

Background

In July 2001 as part of Phase Two of the College's Strategy to ensure the future of the school by a programme of broadening and improving its facilities to remain competitive, three planning applications were submitted to convert a number of redundant buildings on the wider landholding surrounding the College complex to dwellings to accommodate staff and provide valuable sources of income for the Estate.

One of the applications related to the conversion of Horrocks Farm Barn which is a large traditional character stone barn situated on land to the north west of Stonyhurst College adjacent to Horrocks Farmhouse. Planning permission was originally granted in July 2003 (Ref 3/01/0542/P) for the conversion of Horrocks Barn, Horrocks Farm, Stonyhurst to one dwelling. In 2005 our client applied to renew planning permission 3/2001/0542/P and this renewal was granted planning permission in July 2005 (Ref 3/2005/0543).

In May 2007 our client applied to renew planning permission (Ref 3/2005/0543) as due to economic reasons the Estate has not yet chosen to implement the permission for the barn conversion. However due to delays in registering the application our client also submitted information on 4 July 2007 and 20th July to discharge conditions on planning permission Ref 3/2005/0543 to ensure the permission did not expire. This information was accepted by the council and a letter from Ribble Valley Borough Council dated 24 July 2007 confirms that conditions 5, 6, 9, 11 and 15 were discharged and the submitted information and buildings regulations application for the insertion of the window on the barns constitutes "commencement of development". In other words a start has been made thus ensuring that permission cannot expire. A copy of this letter is attached for reference.

Pre-application Enquiry

When planning permission was granted in 2005 the Council felt the need for a number of housing restraint policies to be applied. Ribble Valley Borough Council therefore imposed a condition on the Horrocks Barn Conversion, Condition 16, detailed below.

Condition 16:

"The occupation of the residential barn conversion hereby approved shall be limited to a person solely or mainly employed by Stonyhurst College or a widow or widower of such a person or any resident dependent. In addition occupancy of the property is liable for a person not employed by Stonyhurst College renting the property for no more than three months in any calendar year."

Reason:

In order that the Local Planning Authority retains effective control over the development since residential permission unrelated to this specific justification would not have been granted.

This condition was appealed at the time but without success.

Nevertheless, despite a 'start' having been made on the conversion, it was not immediately required for staff and the cost of conversion for such a limited use was felt to be prohibitive so no further progress was made.

The reorganisation of the Estates tenanted agricultural holdings in 2012 resulted in this permission being reviewed in 2012 with a view to seeing if this condition could be modified. A Pre-Application Enquiry was therefore submitted to Ribble Valley Borough Council in November 2012 to establish their likely stance to such an application.

A response to our pre-application enquiry was received from Ribble Valley Borough Council on 7th January 2013 and a copy is attached for reference. The response is positive and identifies that the Council are now dealing with barn conversions differently. The letter received from Ribble Valley District Council specifically states in paragraph 10 that the site is a suitable location for an open market dwelling and *"that at this stage that should an application be submitted for the removal of the condition to allow for the conversion of the barn to an open market unit, then I consider this is likely to be approved in line with the DWLP and NPPF policies outlines above, providing that the design of the building is acceptable and in keeping with the ANOB, in line with policies G1, EN1, G5 and H17 of the DWLP"*.

Planning Justification

Since planning permission was granted for the conversion of Horrocks Barn there have been a number of changes in planning policy. The National Planning Policy Framework (NPPF) was formally published by the Department for Communities and Local Government in March 2012 and replaces all the previous Planning Policy Statements including Planning Policy Statements 3 (Housing) and 7 (Sustainable Development in Rural Areas). In addition to this the housing moratorium which was in existence in Ribble Valley when the existing extant permission was renewed in 2005 and restricted the usage of the unit to 'local need' (which in this instance was a person employed by Stonyhurst Collage) has now been lifted. This therefore sets the context for the assessment of the proposed removal of Condition 16 and identifies that the proposal should be considered in terms of location, suitability and sustainability in line with saved local plan policies and the NPPF.

Central to the National Planning Policy Framework (NPPF) is the presumption in favour of sustainable development. Of particular reference to this application is paragraph 55 of the NPPF relates to sustainable development in rural areas and states, *"local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:*

- *The essential need for a rural worker to live permanently at or near their place of work in the countryside; or*
- *Where such development would represent the optimal use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
- *Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or*
- *The exceptional quality or innovative nature of the dwelling".*

It is therefore clear from the above that there is support at national planning policy level for sustainable housing development in the countryside. In terms of its location Horrocks Barn is not overly isolated and is not remote from other built form. It is also close to services in the settlement of Hurst Green and can therefore be considered to be a sustainable location for an open market residential unit. This has also been confirmed within the pre-application response from Ribble Valley Borough Council.

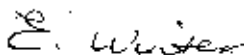
With regards to local planning policy the pre-application response also confirmed that Ribble Valley Borough Council is now dealing with barn conversions differently to when the application was renewed in 2005 and therefore saved local plan policies H15, H16 and H17 are now applicable to this application, which deal with the appropriate conversion of buildings to dwellings. These policies outline that providing the building is capable of conversion and would lead to no damaging affect on the landscape, proposals for the conversion of barns to dwellings are acceptable in principle. Given that the residential use of Horrocks Barn has already been established through the grant of planning permission for use as dwelling (Ref 3/2005/0543) albeit restricted by the Stonyhurst College employee Condition no 16, the site and building has therefore already been assessed against and satisfied saved local plan policy H15, H16 and H17 and also saved policies G1, G5, and EN1. The conversion of the barn to a dwelling was only restricted to use by a Stonyhurst College employee because of a Moratorium on unrestricted residential development that was in place at the time of the planning application. The variation of the Condition 16 will therefore not result in any changes to the physical appearance of the building and as a result we see no reason why permission should not be granted for the Removal of Condition 16 to allow Horrocks Barn to be used as an open market dwelling.

Conclusion

The requested removal of the Condition 16 is therefore in accordance with the presently applicable policies (saved local plan policies H15, H16, 17, G1, G5, and EN1) and the NPPF and would not result in any changes to the physical appearance of the building.

I trust that this letter and the attached information is sufficient for you to be able to come to an appropriate conclusion and by all means call me if you require any further information.

Yours sincerely



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