



RIBBLE VALLEY
BOROUGH COUNCIL

320130150P

PUBLIC

For office use only

Application No.

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

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:	Mr	First name:		Surname:	Atherton
Company name:					
Street address:	C/o Agent				
Town/City:					
County:					
Country:					
Postcode:					
Telephone number:					
Mobile number:					
Fax number:					
Email address:					
Are you an agent acting on behalf of the applicant? <input checked="" type="radio"/> Yes <input type="radio"/> No					

2. Agent Name, Address and Contact Details

Title:	Mr	First Name:	Alan	Surname:	Kinder
Company name:	Avalon Town Planning Ltd				
Street address:	2 Reedley Business Centre Redman Road				
	Reedley				
Town/City:	Burnley				
County:	Lancashire				
Country:	United Kingdom				
Postcode:	BB10 2TY				
Telephone number:					
Mobile number:					
Fax number:					
Email address:					planning@avalontp.co.uk

3. Site Address Details

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

House: 4 Suffix:
House name: Moorgill
Street address: Wisewell Lane
Town/City: Whalley
County:
Postcode: BB7 9AF

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

Easting: 377294
Northing: 446715

Description:

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☐ Yes ☒ No

5. Description of Proposal

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

Creation of attached granny annex accommodation and slight adjustment to residential curtilage

Application reference number: 3/2006/0570

Date of decision: 10/10/2006

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

Condition number(s):

No 3

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

01/11/2006

Has the development been completed? ☒ Yes ☐ No If Yes, please state when the development was completed:

01/05/2006

6. Condition(s) - Removal

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

To allow greater flexibility of use

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

N/a

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)

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: Mr First name: A Surname: Kinder
Person role: Agent Declaration date: 21/01/2013 ☒ 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: First Name: Surname:
Person role: Declaration date: ☒ Declaration Made

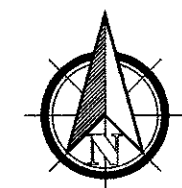
9. Declaration

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

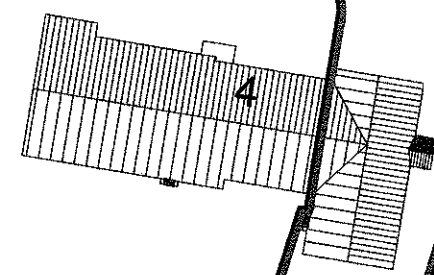
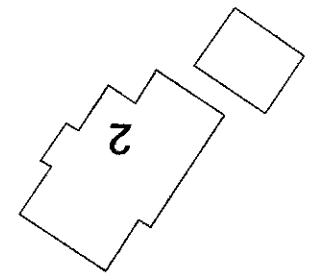


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SITE PLAN
1:500

320130150P



SITE PLAN

Site: Moorgill,
4 Wiswell Lane
Whalley

Client: Mr Atherton									
Drawn: NYB									
Date: 22.01.12									
Scale: 1:500 @ A4									
Project No: AT/ 02A Dwg 03									
Amendments:									

Notes:
 All work is to be carried out to the latest current British standards Codes of Practice and recognised working practices.
 All work and materials should comply with Health and Safety legislation and to be approved by the Local Authority Planning / Building Control Officer.
 All dimensions are in millimetres unless where explicitly shown otherwise. The contractor should check and clarify all dimensions as work proceeds and notify the design team of any discrepancies. Do not scale off the drawings, if in doubt ask.
 Avalon Chartered Town Planning are not liable for work undertaken prior to Full Planning Consent and/or Building Regulations Approval

Avalon  RTPI

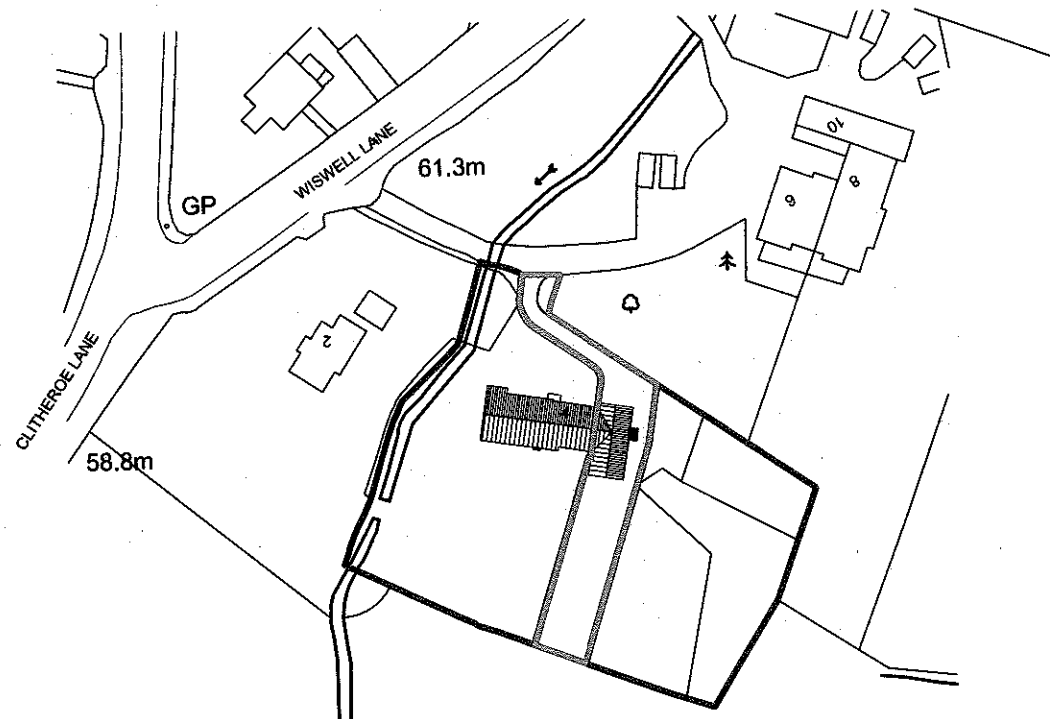
Chartered Town Planning

Town Planning - Architectural Design - Building Regulations - Surveying

Phone: 01282 834834 **Fax:** 01282 451666

Web: www.avalontp.co.uk Email: planning@avalontp.co.uk
 2 Reedley Business Centre, Redman Road, Burnley, Lancashire, BB10 2TY

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LOCATION PLAN
1:1250

LOCATION PLAN

Site: Moorgill,
4 Wiswell Lane
Whalley

Client: Mr Atherton

Drawn: NYB

Date: 22.01.12

Scale: 1:1250 @ A4

Project No: AT/ 02A Dwg 02

Amendments:

Notes:

All work is to be carried out to the latest current British standards Codes of Practice and recognised working practices.
All work and materials should comply with Health and Safety legislation and to be approved by the Local Authority Planning / Building Control Officer.
All dimensions are in millimetres unless where explicitly shown otherwise. The contractor should check and clarify all dimensions as work proceeds and notify the design team of any discrepancies. Do not scale off the drawings, if in doubt ask.
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Avalon



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PLANNING STATEMENT**SITE: MOORGILL, 4 WISWELL LANE, WHALLEY****PROPOSAL: USE OF ANNEX ACCOMMODATION AS AN INDEPENDENT DWELLING**1. ASSESSMENT

- 1.1 Moorgill is situated to the North of Whalley centre and accessed from the Southern end of Wiswell Lane. The original dwelling on site consisted of a 4-bed bungalow with dining kitchen, lounge, study and integral garage set within a substantial garden area.

2. Moorgill is situated just outside the northern edge of the defined settlement boundary of Whalley

3. PLANNING HISTORY

- 3.1 Planning consent was granted on 10th October 2006 under application 3/2006/0570 for the creation of an extension to the eastern elevation of the existing bungalow to provide a 2-bed granny annex.

4. INVOLVEMENT

- 4.1 Given the relatively minor nature of the application then pre-application advice has not been sought.

5. PLANNING POLICY

- 5.1 The following policies saved from the Ribble Valley Districtwide Local Plan are relevant to this proposal:

Policy G1 - Development Control

Policy ENV3 - Development in Open Countryside

Policy H2 - Dwellings in the Open Countryside

National Planning Policy Framework

6. EVALUATION

- 6.1 The application is in respect to the removal of Condition No. 3 on planning consent 3/2006/0570 which states *"the proposed development shall only be occupied as an extended family unit in conjunction with the property to which it is attached or related to and it shall not be used as a separate unit."* The occupancy restriction was enforced by condition only and not by way of an accompanying Section 106 Agreement.
- 6.2 Policy G1 requires development to be sympathetic to existing and proposed land uses. The use of the annex will not change as it has already been used for residential purposes.
- 6.3 Policy ENV3 controls development within the open countryside outside the AONB. The use of this annex extension as a dwelling will have no adverse impact on the character of the landscape features of the area.
- 6.4 Policy H2 restrict development outside identified settlement boundaries. The emerging Core Strategy acknowledges that in order to meet the Borough's future housing requirements housing development will have to occur outside settlement boundaries. Policy H2 allows for the conversion of buildings to dwellings provided they are suitably located and their form, bulk and general design are in keeping with their surroundings.
- 6.5 The annex in its built form would provide for a semi-detached bungalow to the existing main bungalow and is sited off Wiswell Lane which forms a ribbon development of properties leading from its junction with Clitheroe Road to the A671. No external alterations to the built form would be required, with only the blocking up of an internal door required to segregate both properties. Both properties would continue to utilise the existing access onto Wiswell Lane.
- 6.6 The National Planning Policy Framework (NPPF) came into force in March 2012 and states a presumption in favour of sustainable development and states *"For decision taking this means;*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless;*
 - *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or*

- *Specific policies in this framework indicate development should be restricted.*

6.7 The property is in a sustainable location being close to Whalley village centre with its vibrant community of shops, restaurants, health centre, pharmacies public houses and junior school; Whalley bus station and the not too distant Whalley train station providing easy access to Clitheroe, Blackburn and Manchester.

6.8 We would cite two similar applications which have recently been granted consent to allow an annex accommodation to be used as a separate dwelling:

3/2012/0453 – Proposed use of annex as a separate dwelling at The Conkers, Dewhurst Road, Langho – Approved 9 August 2012

3/2012/0912 - Application to remove condition no.2 of planning permission 3/2004/1184 to allow the annex to be used as an independent dwelling at Green End, Sawley – Approved 3 December 2012

January 2013