

DELEGATED ITEM FILE REPORT - APPROVAL

Ref: GT

Application No:

3/2013/0520/P

Development Proposed:

Application for the modification of a S.106 agreement. Weatherheads Barn – Agricultural tie through S.106 (3/2000/0862/P). Remove tie and create new covenant linking the ownership of Weatherheads to Woodhouse Gate Farm. The Old Stables – full residential occupancy through Certificate of Lawfulness (3/2012/0470/P). Transfer agricultural tie to The Old Stables via modification to S.106 agreement. Woodhouse Gate Farm, Slaidburn, Clitheroe, Lancashire, BB7 3AQ.

CONSULTATIONS: Parish/Town Council

N/A

CONSULTATIONS: Highway/Water Authority/Other Bodies

N/A

CONSULTATIONS: Additional Representations

N/A

RELEVANT POLICIES:

NPPF.

Policy G1 – Development Control.

Policy H2 – Dwellings in the Open Countryside.

Policy H6 – Removal of Occupancy Conditions.

Policy ENV1 – Area of Outstanding Natural Beauty.

Core Strategy 2008/2028 – A Local Plan for Ribble Valley Regulation 22 Submission Draft

Policy DMG1 – General Considerations.

COMMENTS/ENVIRONMENTAL/AONB/HUMAN RIGHTS ISSUES/RECOMMENDATION:

The site of Weatherheads Barn is located 1km north of Slaidburn within the Forest of Bowland Area of Outstanding Natural Beauty. Woodhouse Gate Farm is located 1.4km north of Slaidburn. Permission was granted in 2000 for the conversion of Weatherheads Barn into an agricultural workers dwelling in association with Woodhouse Gate Farm. When consent was granted for this new property, a condition and a section 106 were placed on the property limiting its occupation to one for agricultural workers only. The same limitation was also placed upon Woodhouse Gate Farm.

This application seeks permission to modify the S106 referred to in Condition no. 2 of planning consent 3/2000/0862/P, in order to lift the occupancy restriction on Weatherheads Barn to enable the applicant to sell it without any other restrictions. The applicant also seeks a modification to the S.106 to add an agricultural tie to The Old Stables, a property granted a lawful development certificate for use as a dwelling in 2012 (3/2012/0470/P). An additional Agricultural workers dwelling is still required on the farm, however there is a greater need for this to be ON the site as apposed to 450m down the road. In addition, the financial reward for selling Weatherheads Barn on the open market would be significantly more beneficial to the applicant in the running of his business than selling The Old Stables. Ultimately, there is

no net change in the type of dwellings in this location, as there would still be one market dwelling and one agricultural workers dwelling in this vicinity. The Applicant still requires the agricultural tie on Woodhouse Gate Farm itself.

The site is less than a mile from Slaidburn itself, a village with a shop, a school, a church and a public house, and on this basis the site is considered a sustainable one in line with guidance contained within the NPPF. As such, the principle of that proposed by the Applicant is therefore considered acceptable in acceptable and I recommend the modification of the S106 referred to in Condition 2 of 3/2000/0862/P.

SUMMARY OF REASONS FOR APPROVAL:

As there is no net change in the type of dwellings in this locality, and the sites are considered to be in sustainable location (paragraph 55 of the NPPF), there is no objection to the modifications proposed.

RECOMMENDATION: That the S106 referred to in Condition no. 2 of 3/2000/0862/P be modified as requested.
