



10 September 2018

Ref: Dra/867/2478&2482/Resubmissions/CS

The Director of Planning & Development
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Dear Sir

Re: Our Clients Mr and Mrs M Drake, Mere Syke Farm, Wigglesworth BD23 4SN. Full Planning Applications for the conversion of the existing approved residential accommodation in the former attached barn into a separate dwelling (PP- 07261640) and the sub-division of the existing dwelling (the original farmhouse) into two dwellings to be used as holiday lets (PP- 07261788) at Mere Syke Farm.

This letter relates to two planning applications, as described above, that we have submitted via the planning portal. The first application is the resubmission of previous application 3/2018/0278 and the second application is the resubmission of previous application 3/2018/0279 both of which were refused by the Council on 22 May 2018. No application fee is therefore required for either of the applications.

Following the refusal of the original applications there has been email correspondence, telephone conversations and a meeting between ourselves and the case officer for the applications, Adam Birkett. The most recent item of correspondence was an email from Gary Hoerty to Adam Birkett on 24 August 2018 in which Gary referred to recent conversations that he had had with Adam regarding the possible ways forward in connection with the two applications. Gary stated that Adam had indicated to the applicants when he did his site visit that the Council would probably look favourably upon the conversion of the original farmhouse into two holiday cottages and allow what was originally the barn as a stand-alone residential dwelling as this would only leave one unrestricted residential dwelling at the property and not increase the number of unrestricted dwellings in this rural location.

Gary added in the email that this approach had been confirmed by Adam in a meeting with Gary in the Council Offices on Thursday 9 August 2018 and that, during that meeting, they had spoken briefly about how such applications might be progressed. At the meeting Gary had indicated that we should be able to just resubmit both applications on the basis that the application to subdivide the original dwelling would



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be approved with a condition restricting the use of the proposed dwellings to holiday use only. This, of course, could have been the outcome of the determination of the original application if it had been raised at the time and the applicants had been agreeable at the time then the applications as submitted could have been approved.

During a more recent conversation, Adam confirmed again that the principle of the subdivision of the original dwelling into two holiday cottages was in policy terms acceptable, but he considered that the applicants should submit a new single planning application to cover the combined development proposal. However, from the applicants' point of view this would incur an additional planning application fee of £1,386 which is clearly a cost that they would like to avoid incurring.

In our email, we made the point that, technically, holiday cottages are dwellings, but with a restriction on their occupancy and therefore, provided we made it clear in any resubmission application that our clients are willing to accept a holiday occupancy condition on the proposed dwellings, we couldn't see any reason why the Council would be precluded from dealing with the proposal on this basis.

By way of an example, we advised Adam of a recent experience that we had with Craven District Council in which an application to convert a shippon into a dwelling was refused but, subsequently, permission was granted for the retention of the building and its conversion into a holiday cottage; and it was clear from the enforcement proceedings which followed that the Council could have approved the original application with the imposition of a holiday occupancy condition rather than refusing it.

We therefore asked in the email if Adam would reconsider this matter and that, in the event that the Council were still insistent upon a complete new application, if they could please provide a clear explanation as to why this is required. As we have not received a response to the email, we therefore assume that the Council has now accepted our contention that the two applications can both be resubmitted without the need for an application fee, subject to our confirmation that the applicants would have no objections to the sub-division application being subject to a holiday occupancy condition. We therefore give such confirmation and have submitted the two applications on this basis.

We trust that we have submitted everything that you need for the applications to be validated but, if you need anything further, no doubt you will let us know. Also if you need anything further, or require any amendments in order for the applications to be approved, will you please give us the opportunity to address the same prior to the determination of the applications.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'C. Sharpe', written in a cursive style.

Colin Sharpe.