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6th July 2023

Our Reference: 23-1555

Dear Sir/Madam,

VARIATION OF CONDITION 12 ATTACHED TO OUTLINE PLANNING CONSENT (APPLICATION REFERENCE: 3/2016/1082 – APPEAL REF: APP/T2350/W/17/3186969) FOR RESIDENTIAL DEVELOPMENT FOR UP TO 123 HOUSES; DEMOLITION OF AN EXISTING HOUSE (74 HIGHER ROAD) AND FORMATION OF ACCESS TO HIGHER ROAD.

AND

VARIATION OF CONDITIONS 10 AND 11 ATTACHED TO RESERVED MATTERS PLANNING CONSENT (APPLICATION REFERENCE: 3/2021/0556) FOR RESERVED MATTERS CONSENT (APPEARANCE, SCALE, LANDSCAPING AND LAYOUT) PURSUANT TO OUTLINE PLANNING CONSENT (REF 3/2016/1082) FOR THE DEMOLITION OF 74 HIGHER ROAD AND CONSTRUCTION OF UP TO 123 HOUSES ON LAND TO THE REAR.

PWA Planning, on behalf of Onward Homes, have today submitted two applications in relation to 74 Higher Road Longridge PR3 3SY and land to the rear. The applications are looking to vary the trigger point for all three aforementioned conditions to allow for specified works to be undertaken.

Presently all the noted conditions are to be satisfied prior to the commencement of development, this application looks to vary that so that the conditions allow for the demolition of the existing property and associated garage, but no other works. In each case the relevant conditions all relate to final highways works, namely to Section 38 road adoption and also Section 278 highway works. The works required to satisfy these conditions are ongoing, however the process of gaining the relevant technical approvals for highway works can prove lengthy and the presence of the existing dwelling is precluding other pre-commencement works from taking place. The applicant is attempting to organise the next phase of site investigation works, and are unable to access the site with the necessary machinery, whilst the dwelling and garage remain in situ.



It's prudent to note that the demolition works could be allowable under permitted development rights, via the prior notification route and hence, alongside the extant planning consent, the principle of losing the buildings is generally accepted. However the applicant prefers to seek a formal variation on account of it representing a more holistic, clean approach to development. Something, no doubt, the Council would concur with.

With regard to the suggested wording of the conditions for the outline condition (12) we would suggest as follows:

*12) Notwithstanding the submitted details, no development, including any site preparation, demolition (**other than the demolition of the existing dwellinghouse and garage**), scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until a scheme for the construction of the pedestrian and vehicular site accesses, together with a retaining structure adjacent to the site access, has been submitted to, and approved in writing by the local planning authority in consultation with the Highway Authority. The development shall be carried out in strict accordance with the approved details prior to the first occupation of any dwelling.*

For the avoidance of doubt, the submitted details shall also include the precise nature and design of all pedestrian/cycleway accesses into and out of the site including details of their interface with existing pedestrian/cycle routes or networks.

Whilst for the Reserved Matters consent we would simply seek to the following alteration to the start of each condition:

*No development shall be commenced, **other than the demolition of the existing dwellinghouse and garage**, until...*

In the case of the outline condition (number 12) the works required by the condition are not to be implemented until pre-occupation and so the delay in approving the details until after demolition should have no consequence at all. In the case of the Reserved Matters approval, conditions 10 and 11 concern details entirely related to future adoption of the internal streets / lighting etc. and again delay in approval of these details should have no consequence.

For the avoidance of doubt, other pre-commencement conditions will be satisfied, and details have been submitted in respect of those. This includes a CEMP which will cover the works involved in the demolition of the bungalow.

I trust that you will find the application to be in order but if you have any problems, or should you require any clarification or additional information, please do not hesitate to contact me using the contact details provided within the application submission. I look forward to confirmation that the applications have been made valid.

Yours faithfully,

Joshua Hellawell | Associate

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