

Ref: 533/01 LA
Date: 22nd September 2023

GYPSY COTTAGE – VARIATION OF CONDITION APPLICATION

SUPPORTING STATEMENT

Gypsy Cottage was granted permission to be a permanent residence from a holiday let via a change of use application on the 16th of September 2011 (3/2011/0457). At this time condition 2 of the approval removed permitted development rights from the dwelling “*in accordance with Policies G1, ENV3 and H17 and of the Ribble Valley Districtwide Local Plan*”. The property is currently in the process of being sold and the prospective new owner is seeking to have these rights reinstated to allow for the extension of the property as well as the construction of new structure within the domestic curtilage. The blanket removal of Permitted Development rights in this instance seems unreasonable particularly with regard to the fact that the quoted policies in condition 2 of the approval do not refer to the removal of these rights. This document is intended to outline the grounds for this Variation of Condition application.

- The building now known as Gypsy Cottage was constructed in the late 1990’s as a stable block with loft storage above. In 2003, permission was granted to convert the stables into a dwelling for holiday letting (3/2003/0871). Subsequent to this, permission was granted in 2011 to change the use of the building from a holiday let to a permanent residence (3/2011/0457).
- At no point were permitted development rights used to justify the creation of the dwelling and the removal of all such rights on granting permission for a permanent residence seems unreasonable. Other nearby properties benefit from such rights which allow the owners to extend or otherwise alter them without requiring full planning permission.
- The policies referred to in the wording of condition 2 of the approval do not refer to the removal Permitted Development rights, rather they are policies which seek to protect the character of the countryside particularly in relation to traditional rural buildings. The property in question, whilst clearly being a rural building, is of modern construction and is not part of any historic property or settlement.
- No justification has been provided for the removal of Permitted Development rights and their reinstatement should be allowed. There are now a number of cases where the reinstatement of such rights have been allowed at appeal where no justification has been provided for their removal.