



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 or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

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.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Tree Tops

Address Line 1

Springfield Close

Address Line 2

Address Line 3

Lancashire

Town/city

Whalley

Postcode

BB7 9AF

Description of site location must be completed if postcode is not known:

Easting (x)

373690

Northing (y)

436913

Description

Applicant Details

Name/Company

Title

Mrs

First name

Helen

Surname

Eastham

Company Name

Address

Address line 1

Tree Tops

Address line 2

Springfield Close

Address line 3

Town/City

Whalley

County

Lancashire

Country

Postcode

BB7 9AF

Are you an agent acting on behalf of the applicant?

- ☒ Yes
- ☐ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Agent Details

Name/Company

Title

Mr

First name

Ian

Surname

Banks RIBA

Company Name

Atoll Ltd

Address

Address line 1

Atoll Ltd

Address line 2

73 Manchester Road

Address line 3

Town/City

Knutsford

County

Country

United Kingdom

Postcode

WA16 0LX

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of the Proposal

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

Proposed new sustainable detached house on an existing development strip of land adjacent to Treetops.

Reference number

3/2021/0998

Date of decision (date must be pre-application submission)

04/03/2022

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

Condition number(s)

Condition 2. The permission shall relate to the development as shown on Plan References

Note proposed revisions to the following approved / conditional drawings:

Proposed Site Plan 354-PL04C

Condition 5. The fenestration alterations shown on drawing No 354-PL08 shall be implemented prior to the occupation of the new dwelling and the precise details of the obscenity levels shall be submitted to and agreed in writing by the LPA and thereafter retained to such a level in perpetuity.

Note proposed revisions to the following approved / conditional drawings:

354-PL08

Condition 6. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with drawing number 354-PL04C. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Note proposed revisions to the following approved / conditional drawings:

Proposed Site Plan 354-PL04C

Has the development already started?

- ☒ Yes
☐ No

If Yes, please state when the development was started (date must be pre-application submission)

13/09/2023

Has the development been completed?

- ☐ Yes
☒ No

Condition(s) - Variation/Removal

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

Proposed revision to relative drawing to Condition 2 simply reflects a required correction and update to the site plan revision following the subsequent legal subdivision of the site via Land Registry into two separate domestic curtilages - so sub-dividing the original Tree Tops now from the approved new housholder dwelling now being called 'Magnolias'. This revision also includes a slight adaptation now to straighten the rear portion of the party wall fence boundary line. Area revisions to approved planning Design and Access Statement (Section 5.3 Area & Volume Considerations) as well as on approved proposed site plan 354 PL04B the total pre existing site area was confirmed as being 1903m2 (i.e. excluding Springfield Close area) and with a site subdivision of 1287m2 for Treetops and 616m2 for Magnolias. Now, a more accurate measure on updated drawing 354 PL04E confirms a site area of 1942 m2 and with a new subdivision site area of 1305m2 for Treetops and 637m2 Magnolias.

Proposed revision to relative drawing to Condition 5 are requested the relaxing of fenestration conditions that are seen as being unnecessary and unreasonably onerous on existing house Tree Tops - given slight adaptations now to the party wall fence boundary, current dense boundary landscape screening in place (as backed-up with photographic evidence study supplied), as well as future intent to build a screening garage structure via permitted development. All this when considered against existing (and constructed) house orientations of both Tree Tops and Magnolias.

Proposed revision to relative drawings to Condition 6 (and by default also again Condition 1) are required because of recent gated installation to effectivley close-off access to the upper stretch of Springfield Close - immediately adjacent to the approved site entry on the north east site corner. (i.e. This new gate has already been installed by neighbouring property 'The Bungalow' effectively closing the upper stretch of the unadopted Springfield Close running all the way up to White Lees). As such, there is now a design neccessity to revise the site entry and vehicular manoeuvring by pulling the position of the proposed site gate entry to Magnolias slightly southward. This revision is being proposed without any significant change to any of the rest of the house design, hard landscaping or tree works around Magnolias.

Note that Conditions 3, 9 and 10 are unaffected. Refer also to: 3/2023/0592 Approval of details reserved by condition 3 (external materials) and 9 (surface water drainage scheme) of planning permission 3/2021/0998.

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

The following revised drawings or additional photo evidence are proposed and are confirmed against their relative approved conditional drawings:

Condition 2: New proposed site drawing 354_PL04E_ProposedSitePlan_A1 (including updated site curtilage areas) replaces previously approved / conditional drawing 354-PL04C plus current Land Registry Site Sub Division drawing 538 BR323C is also supplied for information;
Condition 5: New Tree Tops fenestration drawing 354_PL08A_ProposedTreeTopsElevations and attached photo evidence report Party Wall Boundary Photo Evidence 07Nov24 are proposed to replace previously approved / conditional drawing 354-PL08;
Condion 6: New site drawing 354_PL04E_ProposedSitePlan_A1 and current Land Registry Site Sub Division drawing 538 BR323C replaces previously approved / conditional drawing 354-PL04C;

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?

- ☒ The agent
☐ The applicant
☐ Other person

Pre-application Advice

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

- ☐ Yes
☒ No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- ☒ Yes
☐ No

Is any of the land to which the application relates part of an Agricultural Holding?

- ☐ Yes
☒ No

Certificate Of Ownership - Certificate A

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* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural holding" has the meaning given by reference to the definition of “agricultural tenant” in section 65(8) of the Act.

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- ☐ The Applicant
☒ The Agent

Title

Mr

First Name

Ian

Surname

Banks RIBA

Declaration Date

07/11/2024

☒ Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, 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.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Ian Banks RIBA

Date

18/11/2024

Amendments Summary

Amendment made as requested to incorrect Condition references - see validation email below: