


Report to be read in conjunction with the Decision Notice.

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| Signed: | Officer: | MC | Date: | 05/06/2025 | Manager: | LH | Date: | 6/6/25 |
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| Application Ref: | 3/2025/0088 | | |  <div>Ribble Valley Borough Council</div> <div>www.ribblevalley.gov.uk</div> |
| Date Inspected: | 02/04/2025 | Site Notice: | 26/02/2025 | |
| Officer: | MC | | | |
| DELEGATED ITEM FILE REPORT: | | | | APPROVAL |

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| Development Description: | Variation of condition 2 (approved plans) of planning permission 3/2022/1165 for proposed refurbishment of existing farm house, conversion of existing attached and detached barns to create three new dwellings, conversion of outbuildings for associated residential use and external works. |
| Site Address/Location: | Lower Reaps Farm, Whinney Lane, Mellor, BB2 7EL |

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| CONSULTATIONS: | Parish/Town Council |
| No response received. | |

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| CONSULTATIONS: | Highways/Water Authority/Other Bodies |
| LCC Highways: | No objection subject to the inclusion of a condition ensuring the development is implemented in accordance with the approved plans. |
| LCC Archaeology: | LCC Archaeology consider the buildings are of considerable interest and therefore advise that a record be made of the buildings in advance of any alterations or conversion, and that an archaeological watching brief should be maintained on the building works proposed for the interior of the house to enable recording of evidence for changes that are currently concealed beneath wall plaster etc. This proposed work can be secured by a planning condition. |
| Growth Lancashire (comments on associated LBC application): | <p>Growth Lancashire considered that the proposal currently represents a low level of less than substantial harm. As such the proposal fails to meet the duty to preserve under the Act and would need to be considered by the LPA under P215 of the NPPF. Public benefits must be more than a private benefit (P018 of the Planning Practice Guide). If in undertaking that weighing exercise a positive balance cannot be achieved then the scheme would remain contrary to Chapter 16 of the NPPF, and local policies DME1 and DME4.</p> <p>Further information has been submitted in relation to amendments and an addendum to the structural appraisal. Their objections have since been withdrawn and they consider the amendments to be acceptable.</p> |

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| CONSULTATIONS: | Additional Representations. |
| No additional representations received. | |

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| RELEVANT POLICIES AND SITE PLANNING HISTORY: |
| Ribble Valley Core Strategy: Key Statement DS1 – Development Strategy |

Key Statement DS2 – Sustainable Development
Key Statement EN1 – Green Belt
Key Statement EN5 – Heritage Assets
Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME3 – Site and Species Protection and Conservation
Policy DME4 – Protecting Heritage Assets
Policy DMH4 – The Conversion of Barns and Other Buildings to Dwellings

Planning (Listed Buildings and Conservation Areas) Act
National Planning Policy Framework (NPPF) 2024

Relevant Planning History:

3/2025/0271

Approval of details reserved by conditions 3 (materials), 4 (window and door specifications), 5 (details of roof lights), 6 (sections), 7 (building recording and analysis), 8 (external meter boxes) of listed building consent 3/2022/1166.

- Materials condition refused to discharge condition
- Remaining conditions are partially discharged

3/2025/0270

Approval of details reserved by conditions 3 (materials), 4 (window and door specifications), 5 (details of roof lights), 7 (building recording and analysis), 11 (electric vehicle charging point), 13 (landscaping) and 17 (drainage) of planning permission 3/2022/1165.

- Materials condition refused to discharge condition
- Remaining conditions are partially discharged

3/2022/1166

LBC for the proposed refurbishment of existing farm house, conversion of existing attached and detached barns to create three new dwellings, conversion of outbuildings for associated residential use and external works. Resubmission of 3/2022/0729.

Approved with Conditions

3/2022/1165

Application for Planning Permission for proposed refurbishment of existing farm house, conversion of existing attached and detached barns to create three new dwellings, conversion of outbuildings for associated residential use and external works. Resubmission of 3/2022/0727.

Approved with Conditions

3/2022/0729

Listed Building Consent for the proposed refurbishment of existing farm house, conversion of existing attached and detached barns to create three new dwellings, conversion of outbuildings for associated residential use and external works.

Withdrawn

3/2022/0727

Proposed refurbishment of existing farm house, conversion of existing attached and detached barns to create three new dwellings, conversion of outbuildings for associated residential use and external works.

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

Lower Reaps Farmhouse is a Grade II listed building dating to the 17th century with the barn opposite considered to be a curtilage listed structure with nearby outbuildings sited within land.

The site is located within the Green Belt, in an isolated location outside the settlement boundary of Mellor. Public footpaths FP41, FP43, FP44 and FP48 all pass through the site and as such, the site is considered to be located in a prominent position from the public realm.

Part of the site is also at high risk of surface water flooding.

Proposed Development for which consent is sought:

The Section 73 application seeks to vary condition 2 (plans) in relation to extant permission 3/2020/0498. Specifically, it seeks to:

- Changes to the curtilages of Units 3 and 4
- Internal alterations to stud walls of Units 3 and 4 where Unit no.3 would comprise the hayloft and historic farmhouse extension, and unit no.4 will be the original farmhouse
- The staircase to unit no.4 (the farmhouse) would be relocated
- Removal of chimney to the eastern elevation
- Take-down and rebuild of part of the farmhouse
- Addition of rooflight and alteration to window design on south elevation of farmhouse
- Insertion of new window to first floor north elevation and creation of doorways to ground floor
- Alterations to location of rooflights to outbuilding
- Insertion of large windows to west elevation of outbuilding
- Re-location of door to east elevation of outbuilding and insertion of window

It should be noted that following comments received from Growth Lancashire, amendments have been received in relation to providing amended proposed plans in clarifying external materials, and providing window/door amendments, as well as the submission of further information on the demolition of the chimney and the take-down and re-build of the rear wall.

Principle of Development:

The application is made under Section 73 of the Town and Country Planning Act 1990 which seeks to vary condition 2 (plans) of planning permission granted under application reference 3/2022/1165. As such the principle of development (that being the variation of a condition) is accepted subject to further detailed assessment on the remaining material considerations.

Notwithstanding the above, the site is located within the Green Belt where Key Statement EN1 seeks to preserve the openness of the Green Belt which is also a fundamental objective of the NPPF which states that the re-use of buildings is not an inappropriate form of development provided that the buildings are of permanent and substantial construction and preserve the openness. When the Planning Officer visited the site, it was noted that the buildings are still considered to be permanent and of substantial construction and as such, the conversions still fall within the scope of paragraph 154 (h)(iv) of the NPPF. In addition, the proposed curtilages of units 3 and 4 would be altered, these changes are still considered to preserve the openness of the Green Belt and would not have any greater impact than the extant permission.

An updated structural survey has been submitted which identifies that the rear wall of the building is required to be removed and re-built as it is no longer structurally sound.

The conversion of the building has been previously assessed under Policy DMH4 of the Ribble Valley Cote Strategy which allows for the conversion of rural buildings where:

- *The building is not isolated in the landscape i.e. it is within a defined settlement or forms part of an already group of buildings; and*
- *There is no unnecessary expenditure by public authorities and utilities on the provision of infrastructure; and*
- *There would be no materially damaging effect on the landscape qualities of the area or harm to nature conservations interests; and*
- *There would be no detrimental effect on rural economy; and*
- *The proposals are consistent with the conservation of the natural beauty of the area;*
- *That any existing nature conservation aspects of the existing structure are properly surveyed and where judged to be significant preserved or, if this is not possible, then any loss adequately mitigated.*

The building to be converted must:

- *Be structurally sound and capable of conversion for the proposed use without the need for extensive building or major alteration which would adversely affect the character or appearance of the building. The council will require a structural survey to be submitted and plans of any rebuilding proposed;*
- *Be of sufficient size to provide necessary living accommodation without the need for further extensions which would harm the character and appearance of the building; and*
- *The character of the building and its materials are appropriate to its surroundings and the building and its materials are worthy of retention because of its intrinsic interest or potential or its contribution to its setting; and*
- *The building has a genuine history of use for agriculture or another rural enterprise.*

The conversion should be of a high standard and should not harm the appearance or function of the area. Access should be safe and capable of improvement without harming the appearance of the area.

A full assessment of the above criteria shall be made later in this report. However, having regard to the latter part of Policy DMH4 which relates to the building being structural sound and capable for conversion, it is noted that the works would involve the demolition and re-build of the rear wall of the farmhouse. Whilst information has been provided as part of the application which indicates that the wall is required to be re-built due to stability issues, it is not entirely unreasonable to allow some demolition works to occur where re-build is required. This would relate to the rear wall only as well as the replacement of the roof and internal floors and as such, giving weight to the extant permission and the level of demolition required, on balance, the proposal is considered to be capable of conversion without extensive building or major alteration.

Impact on Listed Buildings(s) and Setting:

In assessing the proposal, regard must be given to the statutory duties imposed on the authority in respect of the preservation and enhancement of such assets. In this respect, at a local level, Key Statement EN5 and Policy DME4 are primarily, but not solely, engaged for the purposes of assessing likely impacts upon designated heritage assets resultant from the proposed development.

Key Statement EN5 states that:

“There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.

This will be achieved through:

- *Recognising that the best way of ensuring the long term protection of heritage assets is to ensure a viable use that optimises opportunities for sustaining and enhancing its significance.*
- *Keeping Conservation Area Appraisals under review to ensure that any development proposals respect and safeguard the character, appearance and significance of the area.*
- *Considering any development proposals which may impact on a heritage asset or their setting through seeking benefits that conserve and enhance their significance and avoids any substantial harm to the heritage asset.*
- *Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place.*
- *The consideration of Article 4 Directions to restrict permitted development rights where the exercise of such rights would harm the historic environment.”*

With Policy DME4 stating, in respect of development within conservation areas or those affecting the listed buildings or their setting, that development will be assessed on the following basis:

“Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported. Any proposals involving the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist.”

Planning (Listed Building and Conservation Areas) Act 1990:

Given the proposal relates to a Grade II Designated Heritage Asset, special regard must also be given to the statutory duties imposed on the authority, pursuant to national legislation, particularly in respect of the preservation and enhancement of such assets.

The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 (as amended by s.58B (1) of Levelling-up and Regeneration Act 2023) is to preserve or enhance the special character of heritage assets, including their setting. As such, in determining applications that affect designated heritage assets, the authority must consider the duties contained within the principle Act which states the following;

Listed buildings - Section 16 (2) (as amended by s.58B of Levelling-up and Regeneration Act 2023):

In considering whether to grant listed building consent for any works to a listed building the local planning authority shall have special regard to the desirability of preserving or enhancing the building. Under s.58B (2) this includes preserving or enhancing any feature, quality or characteristic of the asset or setting that contributes to the significance of the asset.

National Planning Policy Framework (December 2024):

The National planning Policy Framework (NPPF) sets out further duties in respect of determining proposals that affect heritage assets stating that *‘in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include,*

heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation’.

The Framework sets out further duties in respect of considering potential impacts upon designated heritage assets with Paragraphs 212 – 221 reading as follows:

212: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

213: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214: Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

215: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

216: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

217: Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

218: Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

219: Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

221: Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Having regard to the impact on the setting of the adjacent Listed and curtilage Listed Buildings, it is considered that when compared to the extant permission, the proposed amendments would have a neutral impact on the setting of the designated heritage assets.

Growth Lancashire have provided updated heritage comments on the scheme in relation to the impact on the listed buildings themselves. They note that the proposals would re-establish the original farmhouse plan size to create two similarly sized houses.

They raise no objection to the internal alterations which would be minimal and would mainly affect recent stud partitions, and the staircase would be relocated, which they consider would be returning it to its original position. Growth Lancashire consider that the proposed internal amendments now address the historic entrance area which allow the original rooms to be re-established.

To the north elevation, the two window openings that are to be lengthened to form doors would now have doors containing less glazing. Whilst the Heritage Officer has stated they would prefer that there was no glazing in these doors, they accept that the reduced amount of glazing is a more appropriate solution that will not result in any discernible harm and will help preserve the character of the listed building.

The proposed drawings now identify that the lean-to addition on the south elevation to the farmhouse (unit 4) will be finished in stone to match the farmhouse (walls to existing lobby to be finished in stone to match farmhouse). The Heritage Officer now finds this acceptable subject to a condition which requires a sample of the proposed stone to be submitted and approved by the LPA. In addition, the Heritage Officer notes that the additional proposed door to the west elevation of the outbuilding now appears to be proposed as partially glazed. Whilst the preference would be no glazing to the door, they accept the reduction in the amount of glazing as it is considered to be more appropriate that would not result in any discernible harm and is the same design put forward elsewhere on the farmhouse.

An additional opening proposed to unit 3 on the north elevation, appeared to be overly large in comparison with the host building. It has since been clarified that the openings are former openings. Therefore, the size of the proposed opening is determined by the original opening. As such, the Heritage Officer is satisfied that this is acceptable; however, any material details, should be secured via a suitably worded Condition.

In regard to the taking down and re-building of part of the farmhouse and removal of the chimney, there was a structural report provided however, originally there was no evidence to support the large-scale take-down and rebuild and further information including photographs were required as a means of justifying the work. A further Supplementary Report on North Wall to Farmhouse, has been provided which further highlights the lateral deformations and notes that 'for a wall to be stable the extent of deformation is required to be within the middle third of the overall thickness of the wall, subsequently for a wall of 410mm the allowable lateral deformation would be 68mm and for a wall of 550mm thick the allowable extremity of deformation would be 92mm. The thickness of the wall measured is between 478mm and 818mm, this suggests that the outer leaf has bowed to such an extent that the cavity has increased possibly in excess of 300mm. With a projection of 197mm with a thickness of 806mm the extent of lateral deformation is well outside of what is considered to be acceptable stability. Considering such extensive deformation, the Heritage Officer considers that strapping or tying of the walls back to the floor is unsuitable and it would therefore be necessary for the whole of the wall to be taken down and rebuilt and accepts that the taking down and rebuilding of the wall is required and adequately justified. In regard to the rebuilding of the north elevation, a detailed methodology of how the works will be sensitively undertaken, including how it will be taken down, stored and any additional materials needs to be provided or secured via a suitably worded Condition, to ensure the integrity of the listed building is retained. Furthermore, the existing stonework should be retained and reused. It is considered that these can be secured by way of planning condition.

In respect of the chimney, the Heritage Officer is satisfied that this is a later addition, which does not match in materiality to the rest of the building and as such, it is acceptable for this not to be rebuilt.

The Heritage Officer considers that subject to conditions including the submission of a detailed and acceptable methodology statement, the proposed works would not result in any substantive harm to the significance of the listed building and will in fact secure its long-term future. As such, the proposed amendments accord with Chapter 16 of the NPPF, Key Statement EN5 and Policies DME1 and DME4 of the Ribble Valley Core Strategy.

Impact Upon Residential Amenity:

Policy DMG1 of the Ribble Valley Core Strategy states that, development must:

1. Not adversely affect the amenities of the surrounding area.
2. Provide adequate day lighting and privacy distances.
3. Have regard to public safety and secured by design principles.
4. Consider air quality and mitigate adverse impacts where possible.

The nearest residential properties are Middle Reaps Farm and Barn which lie approximately 90m to the east of the site and would not be unduly affected in terms of privacy and amenity. In terms of privacy the nearest western gable elevation of Middle Reap to the nearest eastern gable elevation of Lower Reap would be approximately 90m and as such, it is not considered that the development would result in any adverse overlooking.

The proposed amendments would not increase the number of residential units and it was previously considered that whilst there would be vehicle movements associated with the new dwellings, any increase in noise levels would not result in an unacceptable impact on residential amenity and whilst construction traffic would bring more vehicles to the site, this would only be for a temporary period.

As such, the proposal is considered to accord with Policy DMG1 of the Ribble Valley Core Strategy.

Visual Amenity/Design:

Paragraph 135 of the NPPF states:

‘Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting’.

Policy DMG1 also states that all development must:

1. *be of a high standard of building design which considers the 8 building in context principles (from the CABE/english heritage building in context toolkit).*
2. *be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.*
3. *consider the density, layout and relationship between buildings, which is of major importance. particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.*
4. *use sustainable construction techniques where possible and provide evidence that energy efficiency, as described within policy dme5, has been incorporated into schemes where possible.*
5. *the code for sustainable homes and lifetime homes, or any subsequent nationally recognised equivalent standards, should be incorporated into schemes.*

In addition, Policy DMG2 also states that:

“Within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting.

Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build”.

The alterations to the size of the curtilages of Units 3 and 4 are considered to be acceptable and would not result in harm to the visual amenities of the area.

No changes are proposed to the barn when compared to the approved scheme, however part of the farmhouse would be re-built and the chimney would be removed. Other external alterations are proposed to both the farmhouse and the outbuilding which would serve an office/playroom which include the re-instatement of windows, the insertion of new doors and an insertion of a rooflight to the rear elevation of the farmhouse.

Notwithstanding the concerns raised on heritage grounds, it is considered that the proposed amendments would have no greater impact on the visual amenities of the surrounding area than the approved scheme. Whilst some of the external materials details and window details have already been discharged in part on the approved scheme, it would not be unreasonable to request updated window details and external materials for the lean-to addition on the south elevation to the farmhouse to ensure that they are appropriate to the character and appearance of the area, in accordance with Policy DMG1 and DMG2 of the Ribble Valley Core Strategy.

Highways/Parking:

The previous parking provisions were considered to be acceptable and subject to an electric vehicle charging point and cycle storage provision. The amended scheme would increase the number of bedrooms at unit 3 by two, however units 3 would still have three parking spaces remaining which is considered to be acceptable.

The Local Highway Authority (LHA) have provided comments on the scheme and raise no objection, subject to the development being implemented in accordance with the amended plans.

The previous delegated report noted that Public Footpaths 3-25-PF41, 3-25-FP43, 3-25-PF44, 3-25-FP48 pass through the site but none of the footpaths were considered to be obstructed physically and no proposal has been made to formally divert these routes within the site. The report concluded the improvements and re-use proposed are considered to enhance the users experience and whilst some of the public footpaths would pass close to or within residential curtilage, this was not considered unusual in a rural setting such as this and no proposals to enclose or affect these have been made.

This application does not propose to alter the footpaths and the site layout would be mostly as previously approved.

Other matters:

With regards to Biodiversity Net-Gain, the development is exempt from having to achieve the mandatory Biodiversity Net Gain requirement as it is a S73 variation of a previous permission granted before April 2024.

With regards to the potential impact on bats, whilst the previous bat survey was from September 2022 and therefore should be updated, as it is older than two years, the permission is extant and could be implemented once all pre-commencement conditions are fully discharged. The findings of the previous report were that the buildings have a moderate to high bat roost potential with a roost within the eastern gable of the farmhouse and foraging to the trees on the east of the site. A Natural England EPS licence was required.

In order for an EPS license to be granted, NE requires 3 tests for the development to be met: (a) Preserving public health or public safety or other imperative reasons of overriding public interest; (b) there is no satisfactory alternative; and (c) the action will not be detrimental to maintaining the population of the species concerned at a favourable conservation status in its natural range. As competent authority the Habitats

Directive places a duty on local planning authorities to consider whether there is a reasonable prospect of a licence being granted and apply the three tests.

In terms of the first test, as per the approved scheme, the proposal to re-use existing buildings to create new housing and sustain the future of heritage assets provides overriding public interest. In terms of the second test, the works are required to restore and sustain the future of a heritage building and so there is no satisfactory alternative. The final test is an ecological one, which is satisfied as appropriate compensation / mitigation is possible in the form of compensatory bat boxes on trees within the site.

Having regard to the extant permission, the development is considered to meet the test and satisfy Policy DME3 of the Ribble Valley Core Strategy subject to the inclusion of a bat box and swallow box within the site to enhance the roosting potential in the area, as per condition 15 of planning ref: 3/2022/1165.

With regards to Archaeology, this condition has already been partially discharged and a WSI has been submitted and approved in writing by the LPA. This condition cannot be fully discharged until the Building Recording Report is submitted. This could be secured by way of an updated planning condition.

Observations/Consideration of Matters Raised/Conclusion:

As such, for the above reasons and having regard to all material considerations and matters raised that the application, the proposed amendments would not result in any substantive harm to the significance of the listed building and will secure its long-term future. The proposal is therefore considered to accord with the relevant Policies in the Ribble Valley Core Strategy and the NPPF and is recommended for approval subject to conditions.

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| RECOMMENDATION: | That planning consent be granted subject to conditions. |
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