

Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	BT	Date:	10/6/25	Manager:	LH	Date:	11/6/25
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Application Ref:	3/2025/0320	 Ribble Valley Borough Council www.ribblevalley.gov.uk
Date Inspected:	N/A	
Officer:	BT	
DELEGATED ITEM FILE REPORT:		APPROVAL

Development Description:	Certificate of Lawfulness for proposed installation of low profile wet system underfloor heating to kitchen/utility room.
Site Address/Location:	Green End, Sawley Road, Grindleton, BB7 4RS.

CONSULTATIONS:	Parish/Town Council
N/A	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
N/A	

CONSULTATIONS:	Additional Representations.
None.	

RELEVANT POLICIES AND SITE PLANNING HISTORY:

The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014: Statutory Instrument No. 552

Planning (Listed Buildings and Conservation Areas) Act 1990: Sections 26H & 26L

National Planning Practice Guidance: Lawful Development Certificates

Relevant Planning History:

3/2025/0322:

Certificate of Lawfulness for proposed installation of bathroom floor tiles and bathroom fittings (Ongoing)

3/2025/0321:

Certificate of Lawfulness for proposed installation of kitchen floor tiles and kitchen units (Ongoing)

3/2025/0010:

Certificate of Lawfulness of proposed re-pointing of external walls including chimney stacks (Approved)

3/2013/0016:

Application for the modification of a S.106 agreement relating to application 3/2004/1184P (Approved)

3/2012/0912:

Application to remove condition no. 2 of planning permission 3/2004/1184P, to allow the annex to be used as an independent dwelling (Approved)

3/2007/1117:

Erection of domestic garage to replace existing car port (Approved)

3/2004/1184:

Adaptation of existing garage to form granny annexe (Approved)

3/1996/0016:

First floor extension over conservatory (LBC) (Approved)

3/1996/0115:

First floor extension over existing conservatory (PP) (Approved)

3/1990/0177:

Detached garage (LBC) (Approved)

3/1990/0173:

Detached garage (PP) (Approved)

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application relates to a detached property situated on the North-western outskirts of Sawley. Access to the application site is from Sawley Road via a single track driveway which also serves as the access for the properties of Green End Cottage and Friends Meeting House. The application property comprises a two storey cross gabled roof design constructed from sandstone rubble with a stone slate roof. The area surrounding the application site comprises a mixture of woodland, agricultural land and open countryside. Green End holds Grade II Listed Building status with the official Historic England listing description reading as follows:

'House, possibly late C17th, altered. Sandstone rubble with stone slate roof. 2 storeys. To the right of the modern gabled stone porch is a 2-light window having C17th jambs with inner cyma and outer chamfer, a plain lintel, and square mullion. To the left of the porch is a tripartite window with plain stone surround and square mullions. At the far left is a circular one-light chamfered window. On the 1st floor are 2 2-light mullioned windows. The left-hand one has a plain stone surround and square mullion. The right-hand one has an inner cyma moulding and outer chamfer. The left-hand gable has imitation chamfered quoins in render and a projecting stack.'

Proposed Development for which consent is sought:

This is an application for a Certificate of Lawfulness to establish the lawfulness of works proposed to the application property which comprise the installation of low profile wet system underfloor heating to the application property's kitchen / utility room. It is the applicant's claim that these works would not require the provision of any external pipework, services or vents, or any disturbances to the application property's historic building fabric and as such do not require Listed

Building Consent. As such, the applicant seeks confirmation in the form of a Lawful Development Certificate to establish the proposed works as lawful development.

Assessment of proposal:

Section 26H of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the 1990 Act”) provides that anyone who wishes to ascertain whether proposed works for the alteration or extension of a listed building would be lawful (i.e. that the works would not affect the character of the listed building as a building of special architectural or historic interest) may make an application to the local planning authority, describing the works, in order to receive a formal response (a certificate of lawfulness of proposed works). Section 26H of the Act broadly mirrors the provisions of section 192 of the Town and Country Planning Act 1990 (“the 1990 Act”) in respect of certificates of lawfulness of proposed use or development in the planning system.

In this instance, the proposed underfloor heating system would be installed within the property’s kitchen / dining room which is located within a later modern extension to the rear of the historic building. As such, installation of the proposed underfloor heating system would not involve any disturbance to historic floorspaces within the application property. The new pipework of the underfloor heating system would be directed through existing pipework routes which previously accommodated radiator pipework therefore installation of the new pipework would not involve any disturbances to the application property’s building fabric. In addition, no external pipework, vents or services would be installed as part of the works proposed. Furthermore, there is no evidence to suggest that the proposed works could not be implemented as stated.

National Planning Practice Guidance states:

‘The applicant is responsible for providing sufficient information to support an application...if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant’s version of events less than probable, there is no good reason to refuse the application, provided the applicant’s evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.’

Taking into account the submitted supporting information, it is considered that the works proposed would not affect the character or appearance of the Listed Building as a building of special architectural or historic interest.

Observations/Consideration of Matters Raised/Conclusion:

The applicant has provided sufficient evidence to satisfy the Local Planning Authority that the proposed works would not affect the character or appearance of the application property as a building of special architectural or historic interest. The works proposed to the Listed Building are therefore considered to be lawful and as such would not require Listed Building Consent.

Section 26H (3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the 1990 Act”) states:

‘If on an application under this section the local planning authority are provided with information satisfying them that the works described in the application would be lawful at the time of the application, they must issue a certificate to that effect; and in any other case they must refuse the application.’

As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for approval.

RECOMMENDATION:

To approve the application for a Certificate of Lawfulness.