


**Report to be read in conjunction with the Decision Notice.**

<b>Signed:</b>	<b>Officer:</b>	BT	<b>Date:</b>	10/6/25	<b>Manager:</b>	LH	<b>Date:</b>	11/6/25
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<b>Application Ref:</b>	3/2025/0321	 Ribble Valley Borough Council <a href="http://www.ribblevalley.gov.uk">www.ribblevalley.gov.uk</a>
<b>Date Inspected:</b>	N/A	
<b>Officer:</b>	BT	
<b>DELEGATED ITEM FILE REPORT:</b>	<b>APPROVAL</b>	

<b>Development Description:</b>	Certificate of Lawfulness for proposed installation of kitchen floor tiles and kitchen units.
<b>Site Address/Location:</b>	Green End, Sawley Road, Grindleton, BB7 4RS.

<b>CONSULTATIONS:</b>	<b>Parish/Town Council</b>
N/A	

<b>CONSULTATIONS:</b>	<b>Highways/Water Authority/Other Bodies</b>
N/A	

<b>CONSULTATIONS:</b>	<b>Additional Representations.</b>
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)

**3/2025/0320:**

Certificate of Lawfulness for proposed installation of low profile wet system underfloor heating to kitchen/utility room (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 floor tiles and units to the application property's kitchen. It is the applicant's claim that the proposed works would involve the removal of modern kitchen floor tiles and units which would be replaced with traditional kitchen floor tiles and units, both of which would subsequently enhance the character of the application property. Consequently, the applicant contends that the proposed works would 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 existing kitchen floor tiles and units to be removed are modern features located within a later modern extension to the rear of the historic building. As such, the proposed works would not involve any disturbance to historic floorspaces within the application property, nor would these works result in the loss of any historic fittings or fixtures. In addition, no external or internal pipework, vents or services would be installed as part of the works proposed. Furthermore, the proposed use of traditional stone flooring and shaker style units would be more in keeping with the historic aspects of the application property in comparison to the existing grey porcelain kitchen tiles and modern grey gloss kitchen units currently in place.

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.