

Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	BT	Date:	22/10/25	Manager:	LH	Date:	23/10/25
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Application Ref:	3/2025/0691			 Ribble Valley Borough Council www.ribblevalley.gov.uk
Date Inspected:	13/12/23	Site Notice:	N/A	
Officer:	BT			
DELEGATED ITEM FILE REPORT:				APPROVAL

Development Description:	Removal of the Section 52 agreement under Town and Country Planning Act 1971 dated 21st September 1987 relating to application 3/1987/0381 which secured the dwellings as holiday accommodation.
Site Address/Location:	Kelrydding House, Station Road Rimington, Lancs. BB7 4DR.

CONSULTATIONS:	Parish/Town Council
N/A	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
None.	
CONSULTATIONS:	Additional Representations.
None.	

RELEVANT POLICIES AND SITE PLANNING HISTORY:**Ribble Valley Core Strategy:**

Key Statement DS1: Development Strategy
Key Statement DS2: Sustainable Development
Key Statement EC3: Visitor Economy
Key Statement DMI1: Planning Obligations
Key Statement DMI2: Transport Considerations
Policy DMG1: General Considerations
Policy DMG2: Strategic Considerations
Policy DMG3: Transport & Mobility
Policy DMH4: The Conversion Of Barns And Other Buildings To Dwellings
Policy DMB3: Recreation And Tourism Development

National Planning Policy Framework (NPPF)

Town and Country Planning Act 1971, Section 52

Relevant Planning History:**3/2005/0358:**

Replacement Garage (change from planning application 3/2004/1116P) (Approved)

3/2004/1116:

New garage outbuilding (Approved)

3/2004/0664:

Link block and domestic accommodation in former barn (Approved)

3/1993/0068:

Single storey extensions to side & rear elevations and the raising of the roof to an existing garage to provide first floor accommodation (Approved)

3/1990/0618:

Change of use of part of detached garage to an office (Refused)

3/1987/0381:

Conversion of barn to two holiday dwellings (Approved)

ASSESSMENT OF PROPOSED DEVELOPMENT:**Site Description and Surrounding Area:**

The application relates to a barn building situated on the North-western outskirts of Rimington. Access to the application site is from the South-east from Rimington Lane via Station Road. The application site accommodates a detached two storey dwelling known as Kelrydding which is set within a sizeable curtilage area and adjoined to a traditional barn building by way of a single storey link extension, with the aforementioned barn building forming the subject matter of this application. A detached garage building lies directly adjacent to the South-east of the site's dwellinghouse, with an open fronted storage building lying approximately 50 metres away to the South-west of the dwellinghouse. The neighbouring properties of Kelrydding Cottage and Station House lie to the South-west and North-east of the application site respectively, with the defined settlement area of Rimington lying approximately 350 metres away to the South-east of the application site. The wider surrounding area comprises a mixture of woodland, agricultural land and open countryside.

Proposed Development for which consent is sought:

Consent is sought to revoke a legal agreement which relates to the development of the barn building adjoining Kelrydding for use as two units of holiday let accommodation as approved under planning application ref: 3/1987/0381. The legal agreement in question stipulates that the two units of holiday let accommodation are not to be occupied as permanent residential dwellings or occupied for any other use other than as holiday let accommodation.

Principle of Development:

Historic planning application ref: 3/1987/0381 granted outline consent for the conversion of the barn building adjoining Kelrydding for use as two units of holiday let accommodation. As conveyed above, planning consent 3/1987/0381 was subject to a legal agreement under Section 52 of the Town And Country Planning Act 1971 (a pre-cursor to Section 106 of the Town And Country Planning Act 1990) which prevents the two units of holiday let accommodation from being used as permanent residential dwellings or for any other use other than as holiday let accommodation.

Notwithstanding the restriction imposed under the legal agreement, no aspect of the development the subject of the Section 52 agreement has been implemented to date and therefore this is not an extant permission. Accordingly, the covenants within the schedule of the Section 52 agreement dated 21st September 1987 are considered to be redundant insofar that the planning consent granted under application 3/1987/0381 has since lapsed. Consequently, the legal agreement no longer serves a useful purpose and its revocation raises no direct implications in respect of conflict with the Ribble Valley Core Strategy.

Observations/Consideration of Matters Raised/Conclusion:

Taking account of all of the above, it is considered that there are sufficient grounds for the revocation of the Section 52 agreement.

RECOMMENDATION:

That the Section 52 agreement relating to planning application number 3/1987/0381 be revoked.