



JUDITH DOUGLAS TOWN PLANNING LIMITED

Kelrydding House, Station Road, Rimington. Clitheroe
Lancs.BB7 4DR

Removal of an agreement under section 52 of the Town
and Country Planning Act 1971

Planning Statement JDTPL0502

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PLANNING STATEMENT IN SUPPORT OF AN APPLICATION FOR THE REMOVAL OF A SECTION 52 AGREEMENT UNDER THE TOWN AND COUNTRY PLANNING ACT 1971

1 INTRODUCTION

- 1.1 This planning statement has been prepared by Judith Douglas Town Planning Ltd to provide information to support an application to remove a section 52 agreement on the property Kelrydding House, Station Road, Rimington Clitheroe BB7 4DR.
- 1.2 This statement provides a description of the site, details of the section 52 agreement and a justification for its removal. It should be read in conjunction with the accompanying information:
Location plan 1:2500 Kelrydding House Rimington
Section 52 Agreement dated 21st September 1987

2.0 THE APPLICATION SITE

- 2.1 Kelrydding is a large, detached house set within a substantial garden. The main elevation faces northeast towards Station Road. To the rear is a former agricultural barn which is attached to the house by a single storey extension. There is a date stone over the wagon entrance to the barn giving a construction date of 1900. See image 1



1 Northeast elevation of the barn

- 2.2 Entering the barn through the wagon entrance on the left is a brick structure, and traditional wooden cattle stalls with a hay loft above. The walls are exposed stone and the floor is concrete. The majority of the internal space is open to the roof which has exposed trusses, purlins and rafters. The barn retains its original features and has not been adapted for use as a residential dwelling and does not contain facilities for day-to-day living such as a living area, kitchen, bathroom or bedroom.



3.0 SITE HISTORY

- 3.1 The planning history of the site includes:
3/2004/0664 Link Block and domestic accommodation in former barn. Approved with conditions 26.08.2004
- 3.2 Planning permission 3/2004/0664 was partly implemented in that the link block was constructed see image 1. The conversion of the barn to additional domestic accommodation did not however take place and there is no internal connection between the single storey extension and the barn. This work was carried out by the current owner.

4.0 THE SECTION 52 AGREEMENT

- 4.1 The section 52 agreement dated 21/09/1987 (the agreement) refers to the property as *“Kellridding House, Station Road, Rimington”*. Kellridding is a variation of the current spelling of the property now known as Kelrydding House. The ordnance survey plan attached to the agreement on page 2, which is stamped amended plans received 29/6/87 shows the location of the property which is the same as the property now known as Kelrydding House. The title of the plan says, *“Outline planning permission for conversion of barn into 2 dwellings for Mr and Mrs C Walmsley”*.
- 4.2 On the third page of the agreement it states at section (3) *“The owners have by written application dated the 8th day of June One thousand nine hundred and eighty-seven applied to the Council for permission to develop the said property by the conversion of an existing barn to form two holiday dwellings as detailed in the plans and particulars deposited with the Council”*.
- 4.3 The schedule on page 4 of the agreement sets out the restriction imposed by the covenant which is being agreed between the Council and the Owners. The restriction is:
“Not to allow the dwellings which are the subject of the development to be occupied as permanent residential dwellings or to be occupied other than as holiday accommodation”.

5.0 REASONS FOR THE REMOVAL OF THE SECTION 52 AGREEMENT

- 5.1 The section 52 agreement refers to a proposed development to convert the barn which is to the rear of Kelrydding House into two holiday dwellings. The purpose of the agreement was to prevent the holiday dwellings being used as permanent residential dwellings.
- 5.2 The development described in the section 52 agreement was not carried out. The barn has not been converted into holiday accommodation or any other type of self-contained dwelling. The section 52 agreement serves no useful purpose and as such can be removed.