

| Report to be read in conjunction with the Decision Notice. |          |    |       |            |          |    |       |         |
|------------------------------------------------------------|----------|----|-------|------------|----------|----|-------|---------|
| Signed:                                                    | Officer: | EP | Date: | 25/08/2026 | Manager: | LH | Date: | 26/8/26 |

|                                    |           |                     |     |                                                                                                                                                                                                                       |
|------------------------------------|-----------|---------------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Ref:</b>            | 2026/0499 |                     |     |  <div>Ribble Valley<br/>Borough Council</div> <hr/> <div><a href="http://www.ribblevalley.gov.uk">www.ribblevalley.gov.uk</a></div> |
| <b>Date Inspected:</b>             | N/A       | <b>Site Notice:</b> | N/A |                                                                                                                                                                                                                       |
| <b>Officer:</b>                    | EP        |                     |     |                                                                                                                                                                                                                       |
| <b>DELEGATED ITEM FILE REPORT:</b> |           |                     |     | <b>APPROVAL</b>                                                                                                                                                                                                       |

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|--------------------------|----------------------------------------------------------------------------------|
| Development Description: | Removal of condition 7 (Permitted development rights) on permission 3/1993/0817. |
| Site Address/Location:   | High Beech House 8a Crow Trees Brow Chatburn Clitheroe BB7 4AA.                  |

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|---------------------------------------------|---------------------|
| CONSULTATIONS:                              | Parish/Town Council |
| Chatburn parish Council raise no objection. |                     |

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|-----------------------|---------------------------------------|
| CONSULTATIONS:        | Highways/Water Authority/Other Bodies |
| LCC Highways:         | N/A                                   |
| CONSULTATIONS:        | Additional Representations.           |
| No comments received. |                                       |

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| <b>RELEVANT POLICIES AND SITE PLANNING HISTORY:</b>                                                                                                                                                                                                                   |
| <b>Ribble Valley Core Strategy:</b><br><br>Key Statement DS1: Development Strategy<br>Key Statement DS2: Sustainable Development<br><br>Policy DMG1: General Considerations<br>Policy DMG2: Strategic Considerations<br><br>National Planning Policy Framework (NPPF) |
| <b>Relevant Planning History:</b><br><br>2026/0231: Regularisation of use of land as garden, construction of summerhouse, greenhouse and hard standing.<br><br>2026/0229: Proposed single storey rear extension.                                                      |

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| <b>ASSESSMENT OF PROPOSED DEVELOPMENT:</b>                                                                                                                                                                                                                                                                                                                                        |
| <b>Site Description and Surrounding Area:</b><br><br>The application relates to a detached property accessed via Crow trees Brow in Chatburn. The application dwelling is positioned within a large curtilage and the site itself does not fall on any designated land. The surrounding area is predominately residential in nature being typified of varying styles of property. |

**Proposed Development for which consent is sought:**

The application seeks to remove condition 7 from consent 3/1993/0817 which removed permitted development rights as follows

*Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any order revoking or re-enacting that order) any future extensions, external alterations to the dwelling including any development within the curtilage as defined in Schedule 2 Part 1 Classes A to E shall not be carried out without the formal consent of the local planning authority.*

*Reason: In view of the restricted size of the site the local planning authority wished to retain effective control over any extensions any future occupier may propose.*

Taking account of the above reasoning for the imposition of the condition, it is clear that the condition was imposed to solely limit development within the curtilage that would result in the loss of amenity space, and potential overdevelopment, given the limited size of the curtilage.

**Principle of Development:**

Given the application seeks the removal of condition 7 of planning permission 3/1993/0817, consideration must be given in respect of the requirements of the National Planning Policy Framework.

Policy DM6 of the NPPF states that *planning conditions should only be attached to planning permissions and other associated consents for development where they are:*

- a. Necessary to make the development acceptable in planning terms;*
- b. Relevant to the development and to planning considerations generally;*
- c. Sufficiently precise to make them capable of being complied with and enforced; and*
- d. Reasonable in all other respects.*

It also stipulates that planning conditions should not be used to *restrict national permitted development rights unless there is clear justification to do so.*

Given the condition was enforced due to the scale of the curtilage, as opposed to being a protective condition with respect to amenities of the area, it is not considered reasonable to maintain the condition in line with updated legalisation. Removal of the condition is not likely to result in development that is unacceptable in planning terms taking into account the nature of development allowed utilising PD rights. Furthermore, a recent application (3/2026/0231) granted consent for the extension of the residential curtilage at High Beech House, meaning the same restrictions in respect to limited space no longer apply.

In respect of the above matters and given the recent changes to the extents of the lawful residential curtilage, the retained imposition of condition 7 is no longer considered 'justified' or 'necessary'.

**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 is recommended for approval.

**RECOMMENDATION:**

That planning consent be granted subject to the imposition of conditions.