

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

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Town and Country Planning Act 1990

LISTED BUILDING CONSENT

**APPLICATION NO:** 3/2020/0763

**DECISION DATE:** 16 April 2021

**DATE RECEIVED:** 17/12/2020

**APPLICANT:**

Mrs Catherine Fleming  
Brabins Trust  
21 Kirklands  
Chipping  
Preston  
PR3 2GN

**AGENT:**

Mr Luke McKevit  
JYM Partnership LLP  
28 Sceptre Way  
Bamber Bridge  
PR5 6AW

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**PARTICULARS OF PROPOSED WORKS:** Application for listed building consent to undertake structural and damp repair works to the building, insertion of replacement windows (like for like), replacement of roof coverings and the erection of new rainwater goods.

**AT:** 20-22 Talbot Street Chipping PR3 2QE

Ribble Valley Borough Council hereby give notice that **Listed Building Consent has been granted** for the execution of the works referred to above in accordance with the application and plans submitted subject to the following condition(s):

1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 18 March 2021 (interior works) and 5 February 2021 (extent of window replacement).

Reason: For the avoidance of doubt since the proposal was the subject of agreed amendments.

3 Precise specifications and samples of proposed materials and details of any surface materials to be used, including their colour and texture, shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works. The development thereafter shall be completed utilising the approved materials.

Reason : In order to safeguard the special architectural and historic interest and setting of the listed building.

- 4 Precise specifications (drawings and method statement) identifying how the new steel channels will interact with and support the historic wattle and daub partition shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works. The development thereafter shall be completed in accordance with the approved specifications.

Reason : In order to safeguard the special architectural and historic interest and setting of the listed building.

- 5 Precise specifications of any proposed strengthening of existing lintels shall have been submitted to and approved in writing by the Local Planning Authority before its implementation in the proposed works. The development thereafter shall be completed in accordance with the approved specifications.

Reason : In order to safeguard the special architectural and historic interest and setting of the listed building.

- 6 A record of the first floor structure shall be made by an appropriately qualified and experienced professional contractor via a programme of photographic recording (as set out in "Understanding Historic Buildings" (Historic England 2016). The first recording shall be undertaken prior to works commencing on site. This recording shall be submitted to and approved in writing by the Local Planning Authority within 30 days of the recording and shall include a timetable for further recordings during the works hereby approved. The development thereafter shall be carried out in accordance with the approved timetable of recording.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.

- 7 Precise specifications of the means by which the existing render and plaster will be removed (in the form of a method statement) and showing the impact of existing render and plaster removal on the historic fabric (in the form of a sample panel) shall have been submitted to and approved by the Local Planning Authority before the commencement of this element of the works. The development thereafter shall be completed in accordance with the approved method statement.

Reason : In order to safeguard the special architectural and historic interest and setting of the listed building.

- 8 An assessment of the need for a traditional wall cover application to the kitchen extension shall be submitted to and approved in writing by the Local Planning Authority within six months of the commencement of render removal.

In the event that a traditional wall cover application is identified as necessary the wall cover shall be implemented within six months of the approval of the details by the Local Planning Authority.

Reason : In order to safeguard the special architectural and historic interest and setting of the listed building.

- 9 No replacement of windows shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of photographic recording of the windows as set out in "Understanding Historic Buildings" (Historic England 2016). This must be carried out by an appropriately qualified and experienced professional contractor to the standards set out by the Chartered Institute for Archaeologists and in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The windows shall thereafter be recorded in accordance with the approved written scheme of investigation and submitted to the Local Planning Authority within one month of the completion of the investigation.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site".

- 10 Precise specifications (scaled elevation and sectional drawings) of replacement windows shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works. The replacement windows shall thereafter accord with the approved details.

Reason : In order to safeguard the special architectural and historic interest and setting of the listed building.

- 11 The development shall be carried out in strict accordance with the recommendations of the bat survey report dated 19th of October 2020 [5.1 - 5.6] submitted with the application.

Reason: To ensure that no species/habitat protected by the Wildlife and Countryside Act 1981 is destroyed and no adverse effects on the favourable conservation status of a bat population. To protect the bat population from damaging activities and reduce or remove the impact of development and to comply with Policy DME3 of the Ribble Valley Core Strategy Adopted Version.

**Note(s)**

- 1 For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
- 2 The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.
- 3 The Local Planning Authority operates a pre-planning application advice service which applicants are encouraged to use. Whether or not this was used, the Local Planning Authority has endeavoured to work proactively and positively to resolve issues and considered the imposition of appropriate conditions and amendments to the application to deliver a sustainable form of development

4 The Environment Agency advise:

Environmental permit - advice to applicant

The works to the house are approximately 10 metres from the Main River, the barn however, is within 4 metres. We would therefore like to remind the applicant that an environmental permit may be required.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

on or within 8 metres of a main river (16 metres if tidal)

on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)

on or within 16 metres of a sea defence

involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert

in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Lancashire County Council Archaeology advise:

Relevant archaeological standards and lists of potential contractors can be found on the ClfA web pages: <http://www.archaeologists.net> and the BAJR Directory: <http://www.bajr.org/whoseWho/>. "Understanding Historic Buildings" can be accessed online at <https://historicengland.org.uk/images-books/publications/understanding-historic-buildings/>.

5 **PLEASE NOTE:** In the event that the render or plaster removal results in the loss of or damage to historic fabric, work should cease to these areas and further advice should be sought from the Local Planning Authority.

6 **PLEASE NOTE:** The site lies partially in an area of Flood Zone 3, which is land defined in the planning practice guidance as being at risk of flooding, on the Environment Agency's Flood Map. It is also adjacent to Chipping Brook which is designated as a Main River. The proposed works are restricted to replacements and repairs to the existing structure of the house and barn and as such, constitute minor development as defined in the Planning Practice Guidance.

The Environment Agencies Flood Risk Standing Advice (FRSA) can be viewed at <https://www.gov.uk/guidance/flood-risk-assessment-for-planningapplications#when-to-follow-standing-advice>.

It is advised that the guidance is reviewed in advance of works commencing on site and it is ensured that the floor levels are either no lower than existing floor levels or 300 millimetres (mm) above the estimated flood level. Alternatively, the need to consider extra flood resistance and resilience measures should be considered.

*John Machole*

pp NICOLA HOPKINS  
DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

## Notes

### Right of Appeal

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision to refuse planning permission, or approve with conditions, a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission, or approve with conditions, a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

## Purchase Notices

If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Council of the county borough or county district in which the land is situated a purchase notice requiring that Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.