
Appeal Decision

Site visit made on 27 January 2014

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 February 2014

Appeal Ref: APP/T2350/A/13/2204516

Bleak House, Stonyhurst, Clitheroe, Lancashire BB7 9QY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs P Kok against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2013/0447, dated 8 May 2013, was refused by notice dated 19 July 2013.
 - The development proposed is conversion and extension of house to create two dwellings.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is whether or not the proposal would represent a sustainable form of development.

Reasons

3. The appeal property is a detached house set within a large garden area, located within the Forest of Bowland Area of Outstanding Natural Beauty (AONB). The property has two vehicular accesses, one onto Birdy Brow and the other onto Kemple End. A small number of other dwellings are located within the immediate vicinity.
4. In order to protect the character and appearance of the countryside both national and local policies seek to restrain new development in areas of open countryside unless it meets specific criteria. Policy G5 of the *Ribble Valley Districtwide Local Plan (adopted June 1998)* (RVLP) sets out the broad types of small scale developments that are likely to be acceptable in such areas and Policy H2 sets out the specific circumstances when new housing is acceptable. These are developments essential for the purposes of agriculture or forestry, the conversion of existing buildings and residential development specifically intended to meet a proven local need.
5. It is no part of the appellant's case that the proposed new dwelling would meet an essential need for agriculture or forestry or that it meets a proven local need. The parties disagree as to whether the proposal represents the conversion of the building or its sub-division. However, even if it is a conversion, the policy indicates that such proposals are only acceptable where they are suitably located. This is in accordance with the guidance within

paragraph 55 of the *National Planning Policy Framework* (the Framework) on avoiding isolated new houses in the countryside in the interest of sustainable development. This paragraph in the Framework highlights that new housing in rural areas should be located where it would enhance or maintain the vitality of rural communities.

6. Although there are a small number of other dwellings in the immediate vicinity, the appeal property lies outside any settlement boundary as defined by the RVLP. I observed during my site visit that the surrounding area contained few facilities or services and that future residents of the dwelling would be likely to have to travel to Clitheroe (about 5 km away) to meet their day to day needs, as even the nearest village of Hurst Green only had limited services and facilities.
7. I note the desire of the appellants to remain part of the local community and that the appeal scheme would provide them with the smaller dwelling that they now seek. However, despite this, given the lack of facilities and services in the immediate area and the fact that the proposal would only create one additional dwelling, it would, at best, only marginally enhance the vitality of the rural community.
8. In addition, the lack of any nearby public transport means that future residents would be very likely to rely on the private car for the majority of their daily journeys. This would be contrary to one of the core planning principles in the Framework (paragraph 17) of making the fullest possible use of public transport, walking and cycling.
9. As such, notwithstanding the fact that there may be daily deliveries of post, papers and milk and dairy products and that 3 of the nearby dwellings also operate as businesses, the proposed dwelling would be in a remote and unsustainable location. Whilst its location may be no more unsustainable than the neighbouring properties, rural isolation and unsustainable service delivery should not be perpetuated through development in areas with few or no facilities.
10. The majority of work required to create the new dwelling would be internal. Extant permission exists for a first floor extension which would be built as part of the proposal. Other than this, the only external alterations would be the demolition of a small part of the rear conservatory and the provision of the boundary treatment necessary to divide the garden and each property would utilise one of the existing accesses. In this way it is agreed by both parties that the proposal would not have any adverse impact on the AONB.
11. Whilst I accept that the proposal would provide some work for local contractors, other than this temporary construction employment, the proposal would not contribute to the economic dimension of sustainable development as set out in the Framework.
12. As a result, I consider the proposed dwelling would add unnecessarily to the sporadic development in the countryside and, due to its remote and unsustainable location, it would not represent the sustainable form of development promoted by the Framework. In addition, it would not represent a suitable location for residential development as required by Policy H2 of the RVLP, and so it would be contrary to both this and Policy G5 of the RVLP.

Other Matters

13. In support of the appeal I have been referred to a number of recent decisions within the borough to allow the conversion of outbuildings to residential use or to remove occupancy conditions and so allow the conversion of residential outbuildings / annexes to separate dwellings. Whilst I have been provided with some information regarding these proposals I do not know the full details of each scheme. Moreover, although the outcome of these decisions may have been the creation of a new dwelling as would be the case here, as they relate to outbuildings and residential annexes they are not the same as the appeal situation. Consequently their circumstances are not directly comparable with those which apply in this appeal. I have, in any case, reached my own conclusion on the appeal proposal on the basis of the evidence before me.
14. Similarly, reference has been made to land for sale on Longridge Fell that states it has planning permission for residential. The details of this case are not before me and I have determined the appeal on its own merits.
15. I note that is agreed by both parties that the proposal would have no impact on the living conditions of the occupiers of the neighbouring properties and that it would provide adequate living conditions for the future occupiers of the dwellings that would be created. Whilst these factors favour the proposal they do not outweigh the harm that I have identified it would cause.

Conclusion

16. For the reasons set out above, and having regard to all other matters including the lack of objection from both the Highways Authority and the Parish Council and the letters of support from local residents, I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR