

RIBBLE VALLEY BOROUGH COUNCIL

Development Department

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

Telephone: 01200 425111 www.ribblevalley.gov.uk planning@ribblevalley.gov.uk

Town and Country Planning Act 1990

REFUSAL OF PLANNING PERMISSION

APPLICATION NO: 3/2020/0677

DECISION DATE: 01 February 2021

DATE RECEIVED: 07/12/2020

APPLICANT:

Mr and Mrs Hindle
C/o Agent

AGENT:

Mr Joshua Hellawell
PWA Planning
2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

DEVELOPMENT PROPOSED: Proposed erection of one new, two-storey, three-bedroom dwelling.

AT: Land to the rear of 16 Whiteacre Lane Barrow BB7 9BJ

Ribble Valley Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission **has been refused** for the carrying out of the above development for the following reason(s):

- 1 The proposal is considered contrary to Policies DMG2 and DMH3 of the Ribble Valley Core Strategy in that approval would lead to the creation of a new residential dwelling in the defined open countryside, located outside of a defined settlement boundary, without sufficient justification.
- 2 The proposal is considered contrary to Key Statement EN2 and Policies DMG1, DMG2 and DMH3 of the Ribble Valley Core Strategy as it would lead to the creation of a new residential dwelling in the defined open countryside that would be injurious to the character and visual amenities of the area and would result the outward expansion of development.
- 3 The proposal, by virtue of its design, external appearance, scale and elevational language would result in an incongruous form of development that fails to respond positively to or enhance the immediate context, being of detriment to the visual amenity of the area contrary to Policy DMG1 of the Ribble Valley Core Strategy.

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REFUSAL OF PLANNING PERMISSION CONTINUED**

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- 4 The proposal is in direct conflict with policies DME1 and DME2 of the Ribble Valley Core Strategy insofar that the proposal will result in the unacceptable loss of trees protected by a Tree Preservation Order that are considered to be of landscape amenity value without sufficient justification or adequate mitigation having being proposed.
- 5 Insufficient evidence has been submitted to assess the potential impact of the development on protected species, namely bats. In the absence of such information therefore, the likelihood that the proposed works will cause disturbance to bats, result in the loss of a bat roost or cause injury or death to bats cannot be determined.

Note(s)

- 1 The Local Planning Authority operates a pre-planning application advice service which applicants are encouraged to use. The proposal does not comprise sustainable development and there were no amendments to the scheme, or conditions that could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

John Macholc

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DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

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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.