

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: 3/2020/0933

DECISION DATE: 01 February 2021

DATE RECEIVED: 05/11/2020

APPLICANT:

Mr Lewis
Clerk Laithe
Slaidburn Road
Newton
Clitheroe
BB7 3DY

AGENT:

Mr Roger Hines
Peter Hitchen Architects
Marathon House
The Sidings Business Park
Whalley
Clitheroe
BB7 9SE

DEVELOPMENT PROPOSED: Construction of rural farm shop with the inclusion of two retail units.
Resubmission of 3/2020/0444

AT: Clerk Laithe Slaidburn Road Newton BB7 3DY

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 Policy DMR3 insofar that it would represent the creation of retail functions outside of a defined settlement that is not linked to evidenced farm diversification. It is further considered that the proposal is in direct conflict with the requirements of Policy DMR3 insofar that the new building fails to be well related to existing farm buildings and when taking account of the scale of adjacent built-form the proposed building would not be considered to be of a minimal scale.
- 2 The proposal would result in the creation of a new retail unit with integral café, in the Forest of Bowland AONB, in a location that does not benefit from adequate walkable access from or to nearby settlements or public transport infrastructure. As such the proposal will result in a significant and predominant reliance on vehicular trips by the private motor-vehicle contrary to the aims and objectives of Key Statements DS1, DS2, DMI2 and Policy DMG3 of the Ribble Valley Core Strategy and the National Planning Policy Framework presumption in favour of sustainable development.
- 3 The proposed building and extent of parking provision, when read in concert with one another, and taking account of existing built-form, will result in an overtly incongruous, discordant and anomalous form and scale of commercial development that is uncharacteristic of the character of the protected landscape being of significant detriment to the character and visual amenities of the area. As such the proposal is considered to be in direct conflict with Key Statement EN2 and Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

APPLICATION NO: 3/2020/0933

DECISION DATE: 01/02/2021

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- 4 The applicant has failed to demonstrate that adequate vehicular visibility splays can be both provided and maintained at the vehicular access point serving the proposal. As such it is considered that the proposal is contrary to the requirements of Policies DMG1 and DMG3 insofar that it cannot be demonstrated that the proposal will not be of detriment to the safe operation of the immediate highways network.

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 Machole

pp NICOLA HOPKINS

DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

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.

APPLICATION NO: 3/2020/0933

DECISION DATE: 01/02/2021

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- 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.