



Ribble Valley  
Borough Council

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## **APPEAL STATEMENT**

### **TOWN & COUNTRY PLANNING ACT 1990**

Appeal by Donelan Trading Ltd  
against the refusal of planning permission by  
Ribble Valley Borough Council for  
Change of use of land to create a 15-pitch static caravan  
holiday park at land to the rear of the former Punch Bowl  
Inn

at Longridge Road Hurst Green

**Planning Inspectorate Reference:  
APP/T2350/W/22/3300693**

**STATEMENT OF CASE SUBMITTED ON BEHALF OF  
THE LOCAL PLANNING AUTHORITY**

## **1. INTRODUCTION**

1.1 The appeal relates to the refusal of planning permission issued by Ribble Valley Borough Council on 11 March 2022 for change of use of land to create a 15-pitch static caravan holiday park at land to the rear of the former Punch Bowl Inn at Longridge Road Hurst Green

1.2 Planning permission was refused on 11 March 2022 for the following reasons:

*The proposed development is harmful to the setting of the listed building because it is unduly prominent, incongruous, conspicuous, discordant, and dominant in location, scale, form, and materials. This is contrary to Key Statement EN5 and Policy DME4 and DMG1 of the Ribble Valley Core Strategy.*

*The proposed development is harmful to the character of the open countryside in the immediate setting of the Forest of Bowland AONB because it is unduly prominent, incongruous, conspicuous, and discordant in the landscape. This is contrary to Key Statement EN2 and Policy DMG2 and DMG1 of the Ribble Valley Core Strategy.*

## **2. Appeal Site and Surrounding Context**

2.1 The appeal site forms part of the curtilage of the former Punch Bowl Inn (listed Grade II) which was demolished in 2021. Whilst the component materials of the building are retained in situ the demolition of the building has resulted in the loss of an important heritage asset recognised by its listed status.

2.2 The site is within open countryside immediately adjacent the Forest of Bowland Area of Outstanding Natural Beauty.

2.3 The site is at a nodal point in respect to the public rights of way network. Public footpath FP13 runs north-south following the west site boundary (and coinciding with the tree-lined Bailey Brook). Bridleway BW5 and footpath FP15 (within the AONB) run north-south and end at the Longridge Road near to the site.

2.4 Trees lining the Bailey Brook are an Ancient Woodland (Ribble Valley Core Strategy DME1).

## **3. Relevant Planning Policy and Guidance**

3.1 Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DMI2 – Transport Considerations

Key Statement EC1 – Business and Employment Development

Key Statement EN5 – Heritage Assets

Key Statement EC3: Visitor Economy

Policy DME4 – Protecting Heritage Assets

Policy DMB1 – Supporting Business Growth and the Local Economy

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME1 - Protecting Trees and Woodlands

Policy DME2 – Landscape and Townscape Protection  
Policy DME3 – Site and Species Protection and Conservation  
Policy DME6 – Water Management  
Policy DMB5 – Footpaths and Bridleways  
Policy DMB3 - Tourism and Visitor Facilities

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)

#### **4. Planning History**

- 4.1 3/2019/0470- Removal of unsafe roof and replace with new truss and slate roof. Removal of defective render to assess the quality of stonework beneath. If good quality stonework to be cleaned and kept. If not suitable rendered areas to renewed with K render. Refused 24/03/2020.
- 4.2 3/2019/0260- Application for the discharge of condition 3 (details of the Proposed Elevations of the South Elevation and First Floor Plan), 4 (storage area), 5 (revised parking layout), 6 (Heritage Statement), 7 (specifications of proposed windows and doors including elevations cross - sections, glazing type, opening mechanism and surface finish) and 8 (phasing plan) from planning permission 3/2018/0363.
- 4.3 3/2018/0363- Conversion of the former Punch Bowl Inn (Grade II listed building) into 5 Holiday Lets and Café, including demolition and extensions. New pitch holiday lodge park with 15 units within curtilage. Listed Building Consent Granted
- 4.4 3/2018/0362- Conversion of the former Punch Bowl Inn (Grade II listed) into five holiday lets and cafe including demolition and extensions. New pitch static caravan holiday park with 15 units with curtilage. Permitted 11/10/2018.
- 4.5 3/2017/0607- Conversion of the former Punch Bowl Inn (Grade II listed building) into 5 Holiday Lets and Café, including demolition and extensions. New pitch holiday lodge park with 15No units within curtilage. Withdrawn 14/09/2017.
- 4.6 3/2017/0294- Conversion of former Punch Bowl Inn into five holiday lets and cafe including demolition and extensions. Creation of new caravan park with fifteen units. Withdrawn 19/06/2017.
- 4.7 3/2016/0056- Conversion of the former Punch Bowl Inn (Grade II Listed) into 5 no. holiday lets and cafe including demolition and extensions. New pitch static caravan holiday park with 20 units. Refused 26/05/2016.

**5. CASE FOR THE LOCAL AUTHORITY**

- 5.1 An assessment of the application proposals and justification for the Council's decision is provided in the committee report enclosed as Appendix 1. This statement will respond to the Appellant's statement and grounds of appeal and suggest conditions in the event that the Planning Inspector decides to allow the appeal

## **6. COMMENTS ON THE APPELLANTS GROUNDS FOR APPEAL**

- 6.1 The Appellant asserts at paragraph 5.5 of its statement that topography and boundary treatment played a large role in a previous scheme at the site being considered 'less than significant harm'. However, the Council would contend that the Committee report should properly be read as a whole and all material considerations were assessed.
- 6.2 The Appellant asserts at paragraph 5.13 that the appeal remains exactly as per the 3/2018/0362 scheme. However, the Local Planning Authority contends that this is not and cannot be correct. In particular, the site boundary for 3/2018/0362 includes within its outline the listed building (the Development Description includes conversion of part of the listed building), whilst the site boundary for this appeal excludes it. As such the appeal proposals relate to a different development and a different application site to that considered in 3/2018/0362 with different material planning considerations.
- 6.3 The Appellant asserts at paragraph 5.14 that the listed building is no longer present on the site and the Local Planning Authority should have granted planning permission. It is questioned how there can be any harm to a heritage asset which no longer exists. The Local Planning Authority's position is that this building was unlawfully demolished and therefore has been treated as if it remains in situ. The Appellant asserts that even if the listed building is rebuilt, the same conclusions ought to be reached. However, it should not be presumed that the same conclusions should be reached in respect to a different future planning application.
- 6.4 The Appellant asserts at paragraph 5.15 that if the listed building is rebuilt then the site circumstances will be exactly as they existed on the site at the time planning permission and listed building consent were granted in 2018. The Local Planning Authority contends that it is not possible to assume that a future planning application will be granted.
- 6.5 The Appellant asserts at paragraph 5.16 that the same conclusions should have been reached as the holiday park remains compliant with the relevant policies in the Core Strategy. However, the development which is the subject of this appeal is materially different to the development considered in 2018 and the same conclusions could not be reached.
- 6.6 The Appellant asserts at paragraph 5.17 that there is a lack of consistency in the Local Planning Authority's decision making. However, the appeal proposals are materially different to the proposals considered in 2018 and as such the case cited (although not appended as suggested) at paragraph 5.17 is not relevant.
- 6.7 In conclusion, the Local Planning Authority assessed the appeal proposals in accordance with national and local planning policies. The appeal proposals are materially different to previous development proposals at the site and due to the fact that the listed building was unlawfully demolished it is treated as in situ.
- 6.8 The Appellant asserts at paragraph 5.23 that the absence of the listed building should not make a material difference in terms of the impact of proposed development upon the Open Countryside in relation to the setting of the AONB. The Local Planning Authority agree and have treated the listed building as still standing in considering the appeal proposals.

6.9 The Appellant asserts at paragraph 5.24 a lack of consistency in decision making. However, the Local Planning Authority reiterates that the appeal proposals are materially different than the proposals cited within the Appellant's statement particularly in respect to the level of development proposed. The appeal proposals were assessed in accordance with national and local planning policy.

## **7. CONCLUSION**

- 7.1 The Inspector is asked to note that when planning permission and listed building consent were granted at this site in 2018 the decision was finely balanced with significant weight afforded to the fact that the development resulted in a vacant listed building being brought back into active use. This was also reflected in the conditions attached to both consents.
- 7.2 In respect of the appeal proposals and having regard to all the above it is respectfully requested that the appeal be dismissed.
- 7.3 If the Inspector is minded to allow the appeal the following conditions are suggested:

## **8. CONDITIONS**

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.
- 2) The permission shall relate to the development as shown on Plan Reference:  
  
Location Plan L/32/01  
Proposed Site Plan SK/32/03J  
Indicative Layout Plan: Lodge Type 1: Lodge Type 2
- 3) No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Bramley-Pate and Partners drawing number SK/32/03J have been implemented in full.
- 4) Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 0.9 metres above the nearside carriageway level which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.
- 5) The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 6 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.
- 6) The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Bramley-Pate and Partners drawing number SK/32/03J. Thereafter the onsite parking provision shall be so maintained in perpetuity.
- 7) For the full period of construction facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud, stones and debris being carried onto the highway. Provision to sweep the surrounding highway network by mechanical means will be available and the roads adjacent to the site shall be mechanically swept as required during the full construction period.

- 8) Notwithstanding the submitted information and before the commencement of development, full details of hard and soft landscaping works and boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority in writing. For the avoidance of doubt the submitted details shall include:
- i) planting details (including species, numbers, planting distances/densities and plant sizes);
  - ii) surfacing including full details of the colour, form and texture of all hard landscaping (ground surfacing materials);
  - iii) street furniture;
  - iv) boundary treatments;
  - v) a programme for the implementation of the landscaping works including all boundary treatments.

The development shall be implemented in accordance with the approved details.

- 9) The landscaping proposals hereby approved shall be implemented in the first planting season following occupation or use of the development and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.
- 10) Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site unless and until a scheme for protective fencing for trees within and adjacent to the site, has been submitted to and approved in writing by the Local Planning Authority.

Such fencing shall be in accordance with BS5837 (2012): 'Trees in Relation to Construction'. Such fencing shall be erected in its entirety prior to any other operations taking place on the site. This fencing should not be breached or removed during development. Furthermore, within the areas so fenced the existing ground level shall be neither raised nor lowered and there shall be no development or development-related activity of any description including the deposit of spoil or the storage of materials.

- 11) Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in National Planning Practice Guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.
- 12) No static caravans and lodges shall be occupied until a management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The site shall be operated at all times in accordance with the approved plan. As a minimum, the management plan shall provide details of:
- Access arrangements
  - Security arrangements
  - Site maintenance arrangements
  - Site rules and regulations for residents
  - Booking in and arrival arrangements.

- 13) The static caravans and lodges shall be used and occupied as holiday accommodation only and shall not be occupied as a person's sole or primary place of residence. The site operator shall maintain an up-to-date register of the names of all owners / occupiers of individual static caravans and lodges on the site and of their main home addresses at all times and shall make this information available to the Local Planning Authority upon request.

#### Suggested Informatives

The Appellant's attention is drawn to the advice of the Lancashire Fire and Rescue Service of 13 December 2021.

The Appellant's attention is drawn to the advice of the Environment Agency of 14 December 2021.

The Appellant's attention is drawn to the advice of United Utilities of 10 December 2021.

