

RIBBLE VALLEY BOROUGH COUNCIL



Ribble Valley
Borough Council

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APPEAL STATEMENT

TOWN & COUNTRY PLANNING ACT 1990

Planning Inspectorate Reference:	APP/T2350/W/22/3304318
LPA Application Reference:	3/2022/0144

Appeal By:	Ms Anne Walsh
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Against the refusal by Ribble Valley Borough Council to grant planning permission for:
Proposed erection of a random stone single residential dwelling within the rear curtilage of Pimlico House. Land to the rear of Pimlico House Gisburn Road Gisburn BB7 4ES

**WRITTEN REPRESENTATIONS SUBMITTED ON BEHALF OF
THE LOCAL PLANNING AUTHORITY**

Introduction

- 1.1 This appeal is against the decision of Ribble Valley Borough Council to refuse planning permission for the proposed erection of a random stone single residential dwelling within the rear curtilage of Pimlico House. Land to the rear of Pimlico House Gisburn Road Gisburn BB7 4ES.
- 1.2 The application was refused by delegated powers on the 21st of March 2022 for the following reason(s):
 1. The proposal is considered contrary to Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy insofar that approval would result in the introduction of an anomalous, discordant, incongruous, poorly designed and unsympathetic form of development that fails to respond positively to the inherent character of the area, also resulting in injurious and harmful impacts upon the setting of, and views into the defined Gisburn Conservation Area.
 2. The proposals considered to be in direct conflict with Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy insofar that approval would result in a form of development, that by virtue of its design, external appearance and overall configuration would result in significant harm to the setting of nearby listed buildings.

Appeal Site and Surrounding Context

- 2.1 The appeal relates to an area of land located to the south of number 1 Gisburn Road, being located to the rear of Pimlico Barn. The eastern side of the Gisburn Road frontage is predominantly residential in nature with the western-side of the road being largely dominated by the Gisburn Cattle Market Building. The site is bounded directly to the south by the western extents of the Gisburn Conservation Area.
- 2.2 The site is within the immediate setting of 'Pimlico House' and 'Barn adjoining to east of Pimlico House'. The extent of this listed range shown on the Gisburn Conservation Area Appraisal map does not appear consistent with the photographs of the front of the listed buildings on the Historic England website – however, much of this range appears to make a

positive contribution to conservation area agricultural character and appearance. The site is also within the setting of '1 Park Road' and 'The Dower House' (all Grade II listed).

Proposed Development for which consent is sought:

- 3.1 The appeal seeks consent for the erection of a detached two-storey dwelling with associated parking. The proposed site plan proposes that vehicular parking will be accommodated to the south of the dwelling in an area that currently acts as a 'service yard' for the properties to the south.
- 3.2 The submitted details do not define clearly the area which is intended to be private garden area associated with the dwelling, but it is assumed to be a small strip of land to the north of the dwelling adjacent the curtilage with number 1 Gisburn Road.

Relevant Planning Policy & Guidance

- 4.1 The planning policy context for the appeal site is set out at a national level by the National Planning Policy Framework (NPPF) and at a local level by the Ribble Valley Core Strategy (Adopted 16th December 2014).

National Policy Context

- 5.1 The National Planning Policy Framework (July 2021) provides the most up to date national planning policy context for the determination of the appeal and is therefore a material consideration in planning decisions.
- 5.2 The NPPF (Para.2) reaffirms that the planning system is plan-led and that Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

Local Policy Context

- 6.1 The Inspector's final report into the examination of the Core Strategy is dated 25th November 2014 and was made public at 9.00am on Tuesday 2nd December 2014. The Inspector (Simon Berkeley) concluded that, with the recommended main modifications set out in the Appendix to the Inspector's report, the Ribble Valley Core Strategy satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework. The formal adoption of the Core Strategy (including the Inspector's modifications) was considered and adopted at a Meeting of Full Council on Tuesday 16th December 2014.
- 6.2 In view of the Inspector's conclusions and the subsequent formal adoption of the Core Strategy the local planning authority considers that full weight can now be given to the Core Strategy which fully supersedes the Districtwide Local Plan (1998) and is therefore the starting point for decision making within the Borough.

Assessment of Proposed Development

- 7.1 Given the sites location within close-proximity to defined Gisburn Conservation Area consideration must be given to the potential for the development to result in undue impacts upon the setting of the designation and views into and out of the defined area.
- 7.2 In this respect Key Statement EN5 of the Ribble Valley Core Strategy (RVCS) states that *'the Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits'*.
- 7.3 With Policy DME4 of the RVCS setting out a presumption in favour of the conservation and enhancement of heritage assets and their settings, with the policy stating that:

'Proposals within, or affecting views into and out of, or affecting the setting of a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves and enhances the special architectural and historic character of the area as set out in the relevant conservation area appraisal. development which makes a positive contribution and conserves and enhances the character, appearance and

significance of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported.'

- 7.4 The submitted details propose that the dwelling will be two-storeys in nature, being of a pitched roof appearance, faced in natural random stone with 'grey tile' roof and white Upvc windows and doors.
- 7.5 It is respectfully requested that the Inspector note that the submitted details contain a number of significant inconsistencies in that the proposed floorplans fails to correspond to that of the proposed elevations. The front elevation appears to be a 'mirror' of the proposed floorplan and a such fails to correspond. Additionally, the rear elevational details show one single door opening and an opening for what is assumed to be a double bi-fold door arrangement; however, the corresponding floorplan only shows a singular opening.
- 7.6 Further anomalies are present on the south elevation which appears to show a centrally located door, which when taking account of the proposed site-plan, would open on to an area of land that appears to be outside the extents of the application site and potentially the applicants ownership.
- 7.7 Notwithstanding the above referenced anomalies and inconsistencies, the submitted elevational details propose a shallow roof-pitch that would appear entirely inconsistent and incongruous when read in context with the surrounding roofscape.
- 7.8 The exaggerated roof overhangs proposed on the side elevations (north and south) would only exacerbate the discordant appearance of this element which would also appear at odds with the surrounding roofscape which is largely defined by eaves that terminate tile-to-verge.
- 7.9 The overall proportioning and detailing of the elevations, in particular the front elevation, fails to benefit from a clear visual ordering or hierarchy - with the openings on this elevation appearing visually skewed towards the northern extents of the building resulting in a somewhat unbalanced appearance of the primary elevation fronting the streetscene.
- 7.10 Taking account of the above, the dwelling, when read as a whole, fails to benefit from any form of positive visual relationship with adjacent built form and as such would be read as being a significantly discordant an anomalous addition.

- 7.11 The south elevation of the proposed dwelling will also be afforded a high level of visibility upon approach from the south, in this respect, taking account of the overtly horizontal proportioning of the side elevation, in concert with the shallow roof-pitch, will result in the dwelling appearing both visually 'squat' disproportionate in relation to nearby residential built-form.
- 7.12 A such, taking account of the above it is considered that the proposal fails to comply with the requirements of Key Statement EN5 and Policy DME4 in that it fails to conserve or enhance the character or appearance of the designated Gisburn Conservation Area. The proposal is further considered to be in direct conflict with Policy DMG1 in that it fails to *'be of a high standard of building design which considers the 8 building in context principles (from the CABE/English Heritage building on context toolkit' additionally failing to be 'sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.'*
- 7.13 The proposal will also affect the setting of the listed buildings 'Pimlico House' and 'Barn adjoining to east of Pimlico House', which make up the northern section of the adjoining building range. As such, given the above identified visual harm it is also considered that the proposal, by virtue of its overall, design and external appearance, will result in significant harm to the setting of these designated heritage assets. As such, the proposal results in further conflict with Key Statement EN5 and Policy DME4 in these respects.

Other Matters

- 8.1 The Inspector is respectfully requested to note that during the course of the application the Local Highways Authority responded to the proposal as follows:

Lancashire County Council acting as the Local Highway Authority does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required as set out in this response. Without this information the Local Highway Authority is unable to provide final highway advice on this application.

The LHA are aware that the dwelling will be accessed off Mill Lane which is a C classified road subject to a 30mph speed limit. The LHA have reviewed the drawing titled "Location and Site Plan" and understands that the site will use the same access as the one which serves Pimlico

House. The LHA have reviewed the access and are satisfied that it complies with the LHAs guidance and so the LHA have no further comments to make.

The LHA have reviewed the drawing titled "Location and Site Plan" and understands that the site will provide 2 car parking spaces for the 3-bed dwelling which complies with the parking standards as defined in the Joint Lancashire Structure Plan. However, the LHA have reviewed the parking spaces and require the spaces to be provided at the back of the site. This is because currently they are located too close to the site access which could obstruct the occupants of Pimlico House accessing their parking area. The closeness to the access will also mean that vehicles are likely to reverse onto the highway when they are exiting the spaces. Therefore, the positioning of the spaces should be relocated to the rear and shown on a revised plan.

Conclusion

- 9.1 Notwithstanding the significant inconsistencies in the submitted drawing information, taking account of the above, it is considered that the proposal would result in an unsympathetic poorly designed, incongruous form of development that fails to respond positively to or enhance the character of the designated Gisburn Conservation Area and would result in a form a development that would cause significant measurable harm to the character and visual amenities of the locality.
- 9.2 As such the proposal is considered to result in significant direct conflict with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy insofar that approval would result in the introduction of an anomalous, discordant, incongruous, poorly designed and unsympathetic form of development that fails to respond positively to the inherent character of the area, also resulting in injurious and harmful impacts upon the setting of, and views into the defined Gisburn Conservation Area
- 9.3 It is further considered that the proposal results in direct significant conflict with Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy insofar that approval would result in a form of development, that by virtue of its design, external appearance and overall configuration would result in significant harm to the setting of nearby listed buildings.
- 9.4 For the reasons outlined above, whilst having regard to all material matters raised, that the Inspector is respectfully requested to dismiss the appeal insofar that approval would result in

significant harm to the character and visual amenities of the area, cause significant harm to the setting of the defined Conservation Area and that of the setting of nearby designated heritage assets.