

RIBBLE VALLEY BOROUGH COUNCIL

Development Department

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

Telephone: 01200 425111

Town and Country Planning Act 1990



Ribble Valley
Borough Council
www.ribblevalley.gov.uk

Class Q (Agricultural Buildings to Class C3 Dwellinghouses) of Part 3 of Schedule 2 of the Town and Country Planning (England) (General Permitted Development) Order 2015

APPLICATION NO: 3/2023/0226

DECISION DATE: 05 May 2023

DATE RECEIVED: 15/03/2023

APPLICANT:

AGENT:

Mr Tom Procter
Moor End Head Farm
Moor Lane
Whalley
BB7 9SE

PARTICULARS OF DEVELOPMENT: Prior approval application for the proposed conversion/redevelopment of two agricultural buildings into two dwellings.(Resubmission of 3/2022/0436)

AT: Land adjacent to Miles Hill Moor Lane Billington BB7 9JH

Ribble Valley Borough Council hereby give notice the prior approval of the authority is **REFUSED** for the carrying out of the above proposal for the following reason(s):

1. The development fails to satisfy Schedule 2 Part 3 Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in so far as the development consists of building operations that are not considered reasonably necessary to convert the buildings, namely the provision of retaining wall structures and change in land levels shown to the front of the buildings.
2. The design and external appearance of the development would adversely affect the character and appearance of the buildings and the surrounding countryside. The proposal would fail to comply with paragraph 130 of the National Planning Policy Framework and policy DMG1 of the Ribble Valley Core Strategy. It would therefore fail to satisfy Schedule 2 Part 3 Class Q 2 (1) (f) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
3. Insufficient evidence has been submitted to assess the potential impact of the development on protected species, in particular badgers. In the absence of such information, the likelihood that the proposed works would adversely impact on protected wildlife within or adjacent to the site cannot be determined. The development would therefore fail to satisfy the requirements of Schedule 2 Part 3 Paragraph W of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and paragraphs 174 and 180 of the National Planning Policy Framework.

Nicola Hopkins

**NICOLA HOPKINS
DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING**

Note(s)

- 1 For rights of appeal in respect of any condition(s)/or reason(s) attached to the consent see the attached notes.

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/appeal-planning-decision>. 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.