

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: 3/2023/0274

DECISION DATE: 4 August 2023

DATE RECEIVED: 05/06/2023

APPLICANT:

Millbrook Developments Ltd
41 Market Street
Bacup
OL13 0AJ

AGENT:

Mrs Claire Wilkinson
Steven Abbott Associates LLP
Balmoral House
Ackhurst Business Park
Foxglove Road
Chorley
PR7 1NY

DEVELOPMENT PROPOSED: Proposed demolition of the existing agricultural building and erection of one new detached dwelling.

AT: Laneside Barn Grindleton Road Grindleton Clitheroe BB7 4QH

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 would amount to the creation of a new dwelling outside of the settlement boundary, which fails to meet the relevant criteria with regards to the creation of new dwellings within areas defined as open countryside. As such, the proposal is considered to be unacceptable in principle as it would fail to comply with Policies DS1, DMG2 and DMH3 of the Ribble Borough Valley Core Strategy which seek to direct open-market new build housing towards the existing settlements. There are no material considerations in this instance to justify allowing the proposal which is in conflict with these policies.
- 2 The proposed development would result in the loss of a non-designated heritage asset and in this instance there no public benefits identified that would outweigh the harm caused. As such, the proposal fails to meet the requirements of Paragraph 202 of the National Planning Policy Framework and Policy DME4 of the Core Strategy. There are no material considerations in this instance to justify allowing the proposal which is in conflict with these policies.

APPLICATION NO: 3/2023/0274

DECISION DATE: 04/08/2023

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- 3 The proposed development would result in the loss of a rural building which contributes to the areas character and setting and introduce an incongruous and unsympathetic form of development that would fail to assimilate within the surrounding open countryside, resulting in undue harm to the visual amenities of the immediate area and setting of the wider AONB landscape. The proposal is therefore considered to be in conflict with Paragraphs 130 and 176 of the National Planning Policy Framework and Key Statement EN2 and Policy DMG1 of the Ribble Valley Core Strategy. There are no material considerations in this instance to justify allowing the proposal which is in conflict with these policies.
- 4 The building's age, structure and rural location makes the application site a likely habitat for protected species. The proposal is in conflict with Policy DME3 of the Ribble Valley Core Strategy insofar that the applicant has failed to provide adequate information in relation to the potential impact of the proposed development upon protected species. There are no material considerations in this instance to justify allowing the proposal which is in conflict with this policy.

Note(s)

- 1 Applications for planning permission are assessed against the National Planning Policy Framework and the policies within the Core Strategy for the Ribble Valley. The Local Planning Authority adopts a positive and proactive manner and will consider representations, liaise with consultees, and seek amendments to proposals where appropriate within statutory timescales.

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. It was therefore not possible to approve the application.

Nicola Hopkins

NICOLA HOPKINS
DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

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 it is a householder appeal it can be made online at: <https://www.gov.uk/appeal-householder-planning-decision> . If you are unable to access the online

APPLICATION NO: 3/2023/0274

DECISION DATE: 04/08/2023

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.