

Planning Statement of Case

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This statement of case is made in support of a detailed planning application submission by Peter Hitchen Architects Ltd [PHA] to Ribble Valley Borough Council, for conversion of a barn to a residential dwelling, such as is required under Schedule 2, Part 3, Class Q of the Town and Country Planning [General Permitted Development][England] Order 2015 [as amended].

1 Site Location

- 1.1 The appeal site is located on land adjacent to Miles Hill, Moor Lane, Langho. BB7 9JH

2 Material Planning History

- 2.1 It is respectfully submitted that the decision forthcoming in the application now before the Planning Authority must be fully informed by two previous appeal decisions: 1- [APP/T2350/W/22/3304870](#) dated 6 February 2023 and 2- [APP/T2350/W/23/3325434](#) dated 1 November 2023

3 Background

Appeal Decision dated 6 February 2023-APP/T2350/W/22/3304870

- 3.1 In dismissing this appeal, The Inspector sets out the main issues for his consideration. He also sets out clearly the fact that it is **“common ground”** that the appeal scheme meets the requirements of paragraph Q.1 of Part 3, Schedule 2 of the GPDO such that it would constitute development permitted under Class Q, subject to the prior approval of certain matters.
- 3.2 The Inspector then sets down the main issues for his consideration as follows:
- Whether the location or siting of the buildings would make it impractical or undesirable for them to change from agricultural use to a use falling within Class C3;
 - Whether the proposed design would provide adequate living conditions for future occupants, with particular regard to privacy and outdoor amenity space;

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- The effect of the proposed design on the character and appearance of the buildings and the surrounding area;
 - The effect of the proposed development upon protected species.
- 3.3 The appeal was dismissed. However, in so dismissing the appeal the Inspector made it very clear [the first two bullet points above] that the proposal complied with the requirements of the GPDO [paragraphs 5-8 inclusive of the appeal letter-location and siting] and [paragraphs 9-12 inclusive-living conditions]. The proposal failed on two counts [final two bullet points above-Design-character/appearance; and Protected species]. As a direct consequence of the appeal decision and the Inspector's reasoning, a fresh planning application was submitted.
- 3.4 The second planning application [following the above appeal decision] was submitted to the planning authority; it was felt that this application addressed those areas of concern highlighted by the Inspector in his decision letter dated 6 February 2023. The planning authority again refused the proposal.
- 3.5 Following this second refusal, an appeal was lodged which was dealt with by way of an Informal Hearing [10 October 2023- **APP/T2350/W/23/3325434**]. In determining this appeal the Inspector summarized the main issues for consideration as:
1. whether the proposal was permitted development under Schedule 2, Part 3, Class Q[b] of the GPDO with specific regard to the extent of operations required to convert the agricultural buildings to dwellinghouses;
 2. the effect of the proposal on the character and appearance of the area;
 3. the effect of the proposal upon protected species.
- 3.6 In her decision, the Inspector found in favour of the LPA with regard to the 1st and 2nd issues but was satisfied that no harm would be caused to any protected species including badgers; in this regard she had the benefit of an ecology report before her.
- 3.7 For the avoidance of any doubt, at no stage in the determination of either planning appeals did the Inspectors' challenge the voracity of the appellant's position that the proposal, in principle, fell within the scope of Class Q; indeed,

the first Inspector clearly and objectively stated that it is “common ground” that the appeal scheme meets the requirements of paragraph Q.1 of Part 3, Schedule 2 of the GPDO such that it would constitute development permitted under Class Q, subject to the prior approval of certain matters. This position was maintained by the second Inspector in her decision.

4 The Development Plan

4.1 *Ribble Valley Core Strategy*

Development Strategy

Key Statement DMG1-General Considerations

National Planning Policy Framework (The Framework)

5 The Planning Balance

It is respectfully submitted that there are two issues for consideration in the application as now submitted and these are:

- Inappropriate building operations;
- Inappropriate design and external appearance;

Inappropriate Building Operations

5.1 The planning authority’s attention is drawn to the fact that the proposal as now submitted is significantly and materially different to any proposal previously considered; consent is sought for the conversion of a single barn to a dwelling under the relevant provisions of Class Q as set out elsewhere in this statement and in considerably greater detail in the specific submission by Peter Hitchen Architects. One barn and an outbuilding will be demolished. The remaining barn is the subject of the application submission.

5.2 In her decision letter [APP/T2350/W/23/3325434] the specific concern and the reason why it is considered that the proposal fails the requirements of Schedule 2 Part 3 Class Q of the Town and Country Planning [General Permitted Development][England] Order 2015 [as amended] was because the development consisted 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”.

- 5.3 In the interests of clarity and in order that the planning authority has a definitive and detailed understanding of how Peter Hitchen Architects have now addressed this specific matter, they [PHA] have prepared a detailed design brief which is independent of this planning statement. This brief is comprehensive and, when read in conjunction with the submitted plans, can leave the planning authority in absolutely no doubt whatsoever, as to how this matter has been addressed. It is considered that the proposal now meets the requirements of Class Q in this regard.

Inappropriate Design and External Appearance

- 5.4 Peter Hitchen Architects again deal very specifically with this issue in their design brief. They are an extremely experienced Practice and have been involved in the site and its previous planning history from the beginning. They have studied in detail the Inspectors response and Peter Hitchen took an active part in the Hearing in addressing the concerns of the Inspector with regard to this specific matter. They are familiar with the policy criteria set down in Core Strategy DMG1. They set down clearly what parameters they have now looked at, alongside the reasoning put forward by the Inspector in the second appeal decision and have made significant alterations and amendments to the design and external appearance of the proposed conversions. It is respectfully submitted that such amendments bring the conversion well within the overall requirements of Class Q, the Core Strategy policy requirements of DMG1 and chapter 12, paragraph 131 of the National Planning Policy Framework

6 Conclusions

- 6.1 There are two previous appeals decisions relative to this proposal that have informed the scheme as now submitted. Significant and material changes have been made to the application detail. It is submitted that the proposal now complies fully with the requirements of Schedule 2, Part 3, Class Q of the Town and Country Planning [General Permitted Development][England] Order 2015.

6.2 Should there be any matters upon which the planning authority require clarification and prior to any determination thereof, they are formerly requested to ensure that Peter Hitchen Architects, as agents, are duly informed as part of the application process, so that they are fully engaged with the planning case officer in addressing any issues upon which clarity is required.

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