

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: 3/2024/0615

DECISION DATE: 06 January 2025

DATE RECEIVED: 11/11/2024

APPLICANT:

Mr T McSorley
C/o Agent

AGENT:

Mrs Cora Younger
Studio Charrette
50 Grosvenor Hill
London
W1K 3QT

DEVELOPMENT PROPOSED: Proposed change of use from agricultural building to single residential dwelling and associated residential curtilage together with hardstanding/parking area (part retrospective)

AT: Land at Pendleton Road Wiswell BB7 9BZ

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 A residential dwelling in this countryside location, outside of a settlement boundary and with poor accessibility and connectivity to local services and facilities, would result in an inappropriate and unsustainable form of development in a rural area. The application building would not be in keeping with its immediate rural surroundings with respect to its form or design and as such is not considered to be worthy of retention, nor does it benefit from a genuine history of use for agriculture or other rural enterprise. The proposal fails to meet any of the relevant exceptions for permissible development within such areas, and it would be dependent on use of private motor vehicle(s). The proposal therefore fails to satisfy the requirements of Policies DMH3, DMH4, DMG2 and DMG3 of the Ribble Valley Core Strategy as well as the NPPF by failing to deliver a sustainable development.
- 2 The proposal fails to provide an acceptable standard of amenity for future occupiers of the residential dwelling with respect to its provision of natural light and outlook which in turn is considered harmful to the amenity of existing and future occupants of the building. For this reason, the proposed development would therefore fail to satisfy the requirements of Paragraph 135 (f) of the NPPF and Policy DMG1 of the Ribble Valley Core Strategy.

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- 3 The proposed retention of the application building as a single dwellinghouse in its existing form, in addition to the use of land as a sizeable area of domestic curtilage, is considered to be harmful to the visual amenities of the area, and is not considered to constitute a sympathetic or proportionate form of development within the context of a rural site within the open countryside whereby the introduction of residential development, associated domestic paraphernalia, landscaped areas and overall extent of encroachment into the surrounding open countryside should be kept to a minimum and implemented in a sensitive manner. The proposal would therefore fail to satisfy the requirements of Paragraphs 135 (c) of the NPPF and Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.
- 4 The application has failed to demonstrate that the necessary sightlines and access arrangements required to serve the proposed development would be achievable within the application site. In light of this, it is not considered that the application as submitted fully assesses the highways impact of the proposed development nor demonstrates that a safe access could be achieved for the development. As such, the proposal would fail to satisfy the requirements of Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

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.
- 2 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.
- 3 This Decision Notice should be read in conjunction with the officer's report which is available to view on the website.

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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 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.

RIBBLE VALLEY BOROUGH COUNCIL
REFUSAL OF PLANNING PERMISSION CONTINUED

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