

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: 3/2024/0753

DECISION DATE: 4 November 2024

DATE RECEIVED: 19/09/2024

APPLICANT:

Miss Laura Howe
Pewter House Farm
Commons Lane
Balderstone
Blackburn
BB2 7LN

AGENT:

Mr Josh Harling
C49 Architecture Ltd
1-2 Town Hall Buildings
Elland
HX5 9AJ

PARTICULARS OF DEVELOPMENT: Prior approval under Class Q (a) and (b) for the proposed change of use of three adjoining steel portal frame agricultural structures to five dwellings.

AT: Pewter House Farm Commons Lane Balderstone BB2 7LN

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 building operations proposed as part of the development would go beyond what is "reasonably necessary" to change the use of the buildings and would include the construction of new structural elements for the buildings. The proposal therefore fails to satisfy Class Q.1 (i) and (ii) of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
2. The proposal would result in the creation of an overtly domestic development that would be largely incongruous with the agricultural character of the application site and rural vernacular of buildings within the immediate and surrounding area. The proposal therefore fails to satisfy Class Q.2 (f) of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as it conflicts with the National Planning Policy Framework (2023) in respect of design and external appearance.
3. The suggested mitigation with respect to implementation of the proposed vehicle passing place would be beyond the remit of Class Q and as such could not be satisfactorily or reasonably secured through the prior approval process in this instance. The proposal therefore fails to satisfy Class Q.2(a) of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as it conflicts with Paragraph 115 of the National Planning Policy Framework (2023) in respect of highway safety.
4. The application fails to provide adequate information to allow the Local Planning Authority to assess the impact of the proposed development upon protected species of conservation concern. As such, the proposal fails to meet the requirements of Class Q of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and The Conservation of Habitats and Species Regulations 2017.

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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.
- 2 The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.
- 3 This Decision Notice should be read in conjunction with the officer's report which is available to view on the website.

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

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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.