

Planning Appeal Statement of Case

Proposed change of use of land to residential with access track [60m long], gate [2m high] and boundary treatments, bin store and parking area to rear.

**EVESONS FARM
SIMONSTONE LANE
SIMONSTONE
BB12 7NU**

**Trevor Hobday Associates
Author: Trevor Hobday MRTPI**



This statement of case is made in support of a planning appeal submitted by Peter Hitchen Architects Ltd [PHA] for the development as set out in the decision notice [3/2025/0146] dated 10 October 2025 at Evesons Farm, Simonstone Lane, Simonstone. BB12 7NU

1 Site Location

- 1.1 The appeal site lies on Simonstone Lane and approximately 200m from its junction with the main A671 Whalley Road. The barn itself is substantial both in terms of footprint and overall site curtilage; however, such curtilage is compatible with and comparable to the curtilage of dwellings to the north of the site. There is also a terrace of dwellings on the opposite side of Simonstone Lane to the west, together with a further large detached dwelling. The existing vehicular access is effectively directly onto Simonstone Lane albeit from a very short section of track that has clearly served the farm complex for many years.
- 1.2 The whole of the appeal site sits within the Green Belt as defined in the Core Strategy.

2 Planning History

- 2.1 In a pre-application consultation response dated 23 April 2023 under reference RV/2023/ENQ/00013, the LPA concluded that the conversion of Evesons Barn to a private dwelling with the attendant creation of residential curtilage et al, met the requirements of Core Strategy green belt policy and the national Planning Policy Framework [this clearly remains the case following the December 2024 NPPF]. A subsequent detailed planning application for the conversion of said barn to a private dwelling was approved and has been implemented by the appellant.

3 The Appeal Proposal

3.1 The proposal is a detailed planning application submission. In essence, what is proposed [notwithstanding the LPA's interpretation as set out in their decision notice] is:

- The formal use of an established agricultural access, long established, as the main vehicular access to the dwelling; the provision of fencing along the route thereof from the dwelling to the public highway; the continuation of the use of the access to the public highway as demonstrated on plan drw. PHA/830/A1.5 and dated 01/04/02025. It is clearly anoted on said plan that it is proposed to close the current vehicular access currently used by the appellant. It is not proposed to close the existing access for use by those other properties; the reference to this fact, that it is, as made by the case officer in her officer report is incorrect and disingenuous.
- in the immediate vicinity of the dwelling as identified on the submitted plan [referenced above], some cosmetic improvements, to include a 1m stone wall, bin store and parking area to the rear of the dwelling are also proposed.

4 Planning Policy

4.1 Having regard to the application decision notice and the 3 reasons for refusal so presented, it is considered that the following Core Strategy policies are relevant:

Ribble Valley Core Strategy:

Policy EN1 – Green Belt

Policy EN4 – Biodiversity and Geodiversity

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

National Planning Policy Framework (NPPF)

Chapter 2 achieving sustainable development

Chapter 11 making effective use of land

Chapter 12 achieving well designed places

Chapter 13 Protecting Green Belt land

Chapter 15 Conserving and enhancing the natural environment

5 The Case and the Planning Balance

A The Principle of the development

**Proposals affecting the Green Belt–Chapter 13 [The Framework]; Policy EN1
Ribble valley Core Strategy**

- 5.1 The purposes of the green belt are set down in paragraph 143 of the Framework and replicated in Core Strategy policy EN1. To infer, as the case officer does in her officer report and the subsequent first reason for refusal, that the proposal would prejudice the purposes of the green belt by introducing an unnecessary urban form that fails to preserve the openness of the green belt is not true.

Planning permission was granted for the conversion of the substantial barn into a dwelling; in so doing, the planning authority created an entirely appropriate urban form. As a matter of fact therefore it must be acknowledged and accepted that the “purposes” of the green belt as set down in paragraph 143 of the Framework and, de facto, policy EN1 of the Core Strategy are neither compromised nor prejudiced. The green belt remains intact and the urban form of Simonstone is not encroaching outwards so as to remotely bring about any coalescing of towns/villages/communities. The status quo remains as it is

surely. The principle of residential use has been accepted; the creation of residential curtilage with all attendant paraphernalia, cannot in all reality be considered as creating an urban transgression and most certainly in the case of this appeal proposal.

Therefore, it is on this basis that the various components of the application, the subject of this appeal, must now be considered. These are referenced in the officer delegated report and form part of reason 2 in the decision notice.

- A The LPA state that the proposal fails to meet ONE [my capital letters] of the exception criteria for allowing development outside of the settlement boundaries[sic] and would result in an adverse impact on the open and rural character of this countryside location. They go on to state that the proposal amounts to urbanization of an agricultural field by a prominently sited access track and overtly domestic track and boundary features and as such is contrary to Core Strategy policies DMG 1 and DMG2.

All the issues raised in the second reason for refusal could and should have been resolved through discussion and negotiation between the applicant/appellant/Peter Hitchen Architects and the planning case officer. The planning application was received by the LPA on 29 May 2025 and validated; it was determined on 10 October 2025; during the whole of that intervening period the LPA did not engage with the applicant's agent in seeking to address these issues all of which can be resolved irrespective of whether the principle of allowing this form of development within the green belt is acceptable or not. As part of the appeal submission, the Inspector's attention is drawn to a separate and stand-alone submission from the appellant which confirms that a more sensitive access roadway surface to meet the requirements of the LPA can be used; further, the boundary treatment can be modified again to meet LPA requirements [a post/wire fence for example]; again, the "overtly domestic gate" can be replaced with a traditional agricultural 5-bar gate for example. All of

these minor matters should have been resolved through negotiation prior to determination. The submission of an application requires a fee to be paid, it is not a free service and an applicant has the right to expect the planning authority to engage with his agent in resolving such minor matters. That they did not effectively results in an appeal against the original decision, but also the submission of a fresh application that addresses the issues raised in reason 2 on the decision notice! This is this time consuming and expensive for all the parties. In this instance, this whole procedure has been undertaken because the planning authority have intimated possible enforcement action.

The planning authority state that the “prominently sited” access track comprises an urban element. The access track and entrance onto the public high have been in situ for many years and indicated on google maps; it was used by the farmer because of the difficulties of using the existing main access. These specific elements, the track and access cannot be considered as urbanising elements more particularly as the appellant has made it clear that he will change both the surface and the type of fencing; he has also indicated, in this submission that he will alter/amend the type of entrance gate; as he has already indicated in his own personal statement, this will be done now in a fresh planning application submission. He reiterates the point though that such matters should have been resolved prior to the application 3/2025/0146 being determined.

Biodiversity Matters

- B The third reason for refusal relates specifically to this matter. A separate statement is submitted as part of this appeal and it addresses those issues raised. Again, the point is made by the appellant that this specific matter could have been dealt with prior to determination of the application had the LPA chosen to engage with the applicants agent!

6 Conclusions

- 6.1 It is respectfully submitted that the appeal proposal, for the reasons states above and elsewhere in this submission, are fully in compliance with the overall aims and objectives of the Ribble Valley Core Strategy and the National Planning Policy Framework. It is considered that this appeal submission has identified the issues raised in the Core Strategy and addressed them and that no planning, technical or environmental constraints exist which would weigh against the proposal. It is submitted that the development does not prejudice the overall aims and objectives of green belt policy. It is respectfully requested that the appeal is allowed and planning permission granted.

Trevor Hobday MRTPI

November 2025