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| RIBBLE VALLEY BOROUGH COUNCIL | | | |  |  |
| Department of Development | |  |  |  |  |
| 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:** | 3/2022/0500 | |  |  |  |
| **DECISION DATE:** | 16 June 2023 | |  |  |  |
| **DATE RECEIVED:** | 20/05/2022 | |  |  |  |
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| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Mr Ronald Jackson  c/o Agent | |  | Mr Neil Andrews  Stanton Andrews  44 York Street  Clitheroe  BB7 2DL | | |
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| **DEVELOPMENT PROPOSED:** | | Technical Details Consent for residential development of up to 9 dwellings following Permission in Principle application 3/2018/0582 and appeal APP/T2350/W/19/3223816. |
| **AT:** | Land to the south of Chatburn Old Road Chatburn | |
| 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): | | |
|  | The proposal is considered to be in direct conflict of Key Statement H2 and H3 and Policy DMH1 of the Ribble Valley Core Strategy and Paragraph 64 of the National Planning Policy Framework by virtue of a failure to provide a policy compliant level of affordable housing provision (within a designated rural area as designated under Section 157 of the Housing Act 1985).  Furthermore the proposal would fail to provide a suitable mix of housing that reflects local needs or result in the creation of a development with a well-integrated mix of homes of different types and tenures to support a range of household sizes, age-groups and community groups that would achieve or encourage a balanced, inclusive, or cohesive sense of community, contrary to the aims and provisions of Paragraphs 8(b) and 130(f) of the National Planning Policy Framework.  Even if a viability justification was accepted, the significant harm caused by the development in failing to provide any affordable housing or encourage a balanced / inclusive community, would outweigh any benefits to development. Therefore the proposal is considered to form an unsustainable development contrary to the overarching objective(s) of the development plan and National Planning Policy Framework. | |
|  | The proposal is considered to be in direct conflict with Policy DMG1 of the Ribble Valley Core Strategy insofar that the outlook of Plot 07 will result in significant elevated overlooking of the private garden area of number 26 Crow Trees brow, being of significant detriment to the sense of privacy and residential amenities enjoyed by current/future occupiers of the affected dwelling. | |

P.T.O.

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| **Note(s)** |  |  |  |  |  |
| 1  2 | |  | | --- | | 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. | |  | | | | | |

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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.