|  |  |  |
| --- | --- | --- |
| 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:** | 3/2023/0246 |  |  |  |
| **DECISION DATE:** | 24 May 2023 |  |  |  |
| **DATE RECEIVED:** | 27/03/2023 |  |  |  |
|  |
| **APPLICANT:** |  |  | **AGENT:** |  |  |
| Mr Adam Turnerc/o Agent |  | Miss Zara MoonZara Moon ArchitectsUnit 37 Mitton Road Business ParkMitton RoadWhalleyBB7 9YE |
|  |
|  |
|  |
|  |

|  |  |
| --- | --- |
| **DEVELOPMENT PROPOSED:**  | Proposed demolition of four existing agricultural buildings and construction of two self-build family eco-homes. |
| **AT:** | Land adjacent to Southport House Hollins Syke Sawley BB7 4LE |
| 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 | The proposal is considered to be in direct conflict with Policies DMG2 and DMH3 of the Adopted Ribble Valley Core Strategy insofar that approval would lead to the creation of new residential dwellings , located outside of a defined settlement boundary, without sufficient justification - insofar that it has not been adequately demonstrated that the proposal is for that of local needs housing that meets a current identified and evidenced outstanding need or that the proposal would meet any of the exception criterion inherently contained within either of the policies. |
| 2 | The proposal would result in the introduction an anomalous, discordant and unsympathetic form of development that fails to positively respond to the inherent character of the area, the immediate and wider historic townscape or the inherent pattern of development of the designated Sawley Conservation Area. As a result, the proposal will result in significant harm to views into and out of the designated Conservation Area, also resulting in measurable harm to the significance and setting of a Grade II Designated Heritage Asset (Southport House). As such the proposal is considered to be in significant direct conflict with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy, Paragraphs 130, 134, 200 and 202 of the National Planning Policy Framework and the Planning (Listed Building and Conservation Areas) Act 1990.P.T.O. |
| 3 | The proposal is considered contrary to Policies DMG1 and DMG2 of the Ribble Valley Core Strategy and Paragraphs 130 and 134 of the National Planning Policy Framework. Particularly insofar that approval of the proposal would result in the introduction of an anomalous and discordant pattern and form of development, that by virtue of their siting (east of Sawley Road), the scale of the proposed dwellings, their inherent footprints, the northern boundary wall and site configuration, would result in a form of development that would fail to respond positively to the inherent pattern of development within the area or the scale of nearby or adjacent built-form, being of significant detriment to the character and visual amenities of the immediate area and that of the defined open countryside. |
| 4 | The creation of new residential dwellings in this location would lead to the perpetuation of an already unsustainable pattern of development, without sufficient or adequate justification, insofar that occupants of the residential dwelling would fail to benefit from adequate walkable access to a wide range of local services or facilities - placing further reliance on the private motor-vehicle contrary to the aims and objectives of Key Statement DMI2 and Policy DMG3 of the adopted Core Strategy and the National Planning Policy Framework presumption in favour of sustainable development. |
|  |  |
| **Note(s)** |  |  |  |  |  |
| 12 |

|  |
| --- |
| 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. |

 |
|  |  |
| Nicola HopkinsNICOLA HOPKINSDIRECTOR 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.