

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: 3/2020/1069

DECISION DATE: 09 February 2021

DATE RECEIVED: 16/12/2020

APPLICANT:

Mr John Foley
Holden Clough Nursery
Bolton-by-Bowland Road
Bolton-by-Bowland
Clitheroe
BB7 4PF

AGENT:

Mr John Metcalfe
Rural Futures
78a Main Street
Warton
Carnforth
LA5 9PG

DEVELOPMENT PROPOSED: Proposed erection of a poly tunnel for plant growing.

AT: Holden Clough Nursery Bolton-by-Bowland Road Bolton-by-Bowland Clitheroe BB7 4PF

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 proposed development, due to its permanence, scale and location, isolated from other buildings, will have a harmful impact upon the landscape character and scenic beauty of the Forest of Bowland Area of Outstanding Beauty and the Borough's development strategy because it is a prominent and incongruous intrusion into the open countryside beyond the established settlement boundary. It will be prominent from a number of vantage points and does not conserve the distinctive setting of Holden and its characteristic clustered form of settlement. In the absence of any convincing justification to outweigh this harm the proposal is contrary to Key Statements DS1, EN2 and EN5 and Policies DMG2, DME4 and DMG1 of the Ribble Valley Core Strategy.
- 2 The proposed development will have a harmful impact upon the setting of Holden Chapel and House because it will result in visual intrusion into the open fields between the elevated listed building and Holden. This will impact on the tranquillity of the countryside and compounds the modern incremental visual disconnection of the chapel from the historic hamlet and community it served. This is contrary to Policies DME4 and DMG1 of the Ribble Valley Core Strategy.

**RIBBLE VALLEY BOROUGH COUNCIL
REFUSAL OF PLANNING PERMISSION CONTINUED**

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Note(s)

1 The Local Planning Authority operates a pre-planning application advice service which applicants are encouraged to use. 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 and it was therefore not possible to approve the application.

John Macholc

**pp 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/planning-inspectorate>. 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

**RIBBLE VALLEY BOROUGH COUNCIL
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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.