



Appeal Decision

Site visit made on 30 November 2021

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2021

Appeal Ref: APP/T2350/W/21/3277956

The Old Barn, Bowfields Lane, Balderstone, LANCASHIRE, BB2 7LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Dr & Dr Nicholas & Teresa Roberts against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2021/0287, dated 16 March 2021, was refused by notice dated 20 April 2021.
 - The development proposed is 1no. dwelling within garden boundary of existing dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the Council made its decision, a revised version of the National Planning Policy Framework (the Framework) has been issued. However, the sections relating to rural housing and the promotion of sustainable transport remain substantially unaltered, and I am satisfied that the changes to national planning policy do not materially affect this appeal.
3. The proposal seeks permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and the second (technical details consent) stage is when the detailed development proposals are assessed. This appeal relates to the first of these stages.
4. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of the subsequent technical details consent application, if permission in principle is granted. I have determined the appeal accordingly.

Main Issue

5. The appeal site forms part of a domestic garden, and the construction of an additional dwelling on the site would be compatible with surrounding land uses. It is therefore unnecessary to consider the matter of land use any further. As the appeal site is of an appropriate size to accommodate the proposed single dwelling, the amount of development needs no further consideration either.

6. Consequently, the appeal centres around the third permission in principle consideration, that of location. The main issue, therefore, is whether the site is suitable for residential development, having regard to its location.

Reasons

7. The Old Barn is one of a group of dwellings which were formerly agricultural buildings associated with Balderston Grange Farm. The cluster of converted buildings forms part of the small, dispersed settlement of Balderstone, which has a small number of local facilities but is not a defined settlement within the Ribble Valley Core Strategy 2014 (Core Strategy). For the purpose of the development plan, the appeal site is outside of any defined settlement and is treated as open countryside.
8. Key Statement DS1 of the Core Strategy sets out the development strategy for the area. The strategy promotes a sustainable pattern of development by directing the majority of new housing to the principal settlements of Clitheroe, Longridge and Whalley and a number of larger 'Tier 1' Villages. Core Strategy Policy DMG2 provides further detail as to how the overall development strategy will be implemented. Within the smaller 'Tier 2' villages and in areas outside of the defined settlement boundaries, new development must meet at least one of the criteria listed in the policy. However, the proposed dwelling would not meet an identified local need, or any of the other criteria, so would not comply with Policy DMG2.
9. In order to promote sustainable patterns of development and to protect the countryside from sporadic or visually harmful development, Core Strategy Policy DMH3 sets out further criteria relating to new dwellings in the open countryside. Again, none of the criteria apply to the proposed house, so the scheme does not meet the requirements of this policy either.
10. The appellant has suggested that, as it forms part of a domestic garden, the appeal site is not open countryside. However, the policies in the Core Strategy make no such distinction, and the extract of the Proposals Map supplied by the Council shows open countryside as a blanket designation which covers a wide area. In any case, The Old Barn and adjacent converted farm buildings form a distinct cluster which the appeal site falls outside of, separated by the shared access road. Although it forms part of a large domestic garden, the site is nonetheless open, with views of the adjacent agricultural land beyond. Whilst it is not in an isolated location, the site contributes to the open, rural character of the area, which would be eroded by the proposed development, despite any screening which existing trees may provide.
11. The appellant has referred to a recently allowed appeal, (ref APP/T2350/W/21/3269165), where the Inspector concluded that the proposed development would 'round off' the developed area of the village of Barrow. However, unlike the appeal before me, that case concerned development on the edge of a Tier 1 settlement, where such 'rounding off' is provided for under Policy DMG2. The appeal before me does not 'round off' the dispersed settlement of Balderstone, and in any case, no provision is made for such 'rounding off' of settlements within areas of open countryside, either within Policy DMG2 or DMH3.
12. The provisions of Framework paragraph 149e (formerly 145e) regarding limited infilling in villages do not apply here, as the site is not within the Green Belt.

13. Key Statement DMI2 of the Core Strategy requires that development be located so as to minimise the need to travel, with good access by foot, cycle and public transport. This approach, which aims to protect the local environment and encourage the use of sustainable modes of transport, is consistent with guidance in Framework paragraph 105.
14. Whilst detailed highway matters would be beyond the scope of this first 'in principle' stage, the suitability of the proposed location, in terms of its access to services and facilities by various transport modes, is a relevant consideration, which links to the development strategy for the area.
15. The small settlement of Balderstone has a primary school and church, both of which are a short distance from the appeal site, but to reach other local services it is necessary to travel further afield, to one of the surrounding towns or villages. The appellant has commented that there is a convenience store and bus stop with an hourly service some 1.9km away, but to reach these limited facilities it is necessary to travel along Commons Lane, a narrow rural road with no pavement or lighting. The nature of the route, combined with the distance involved, means that it is unlikely to be an attractive or safe option for future residents to walk or cycle. It is highly likely that the vast majority of day-to-day trips would be made by private car.
16. I note the lack of objections from the Council's highways department, but the appeal site does not have good access by foot or cycle, or convenient links to public transport. In terms of its accessibility to local services and facilities by alternative modes of transport, the appeal scheme is very different to the situation in appeal ref APP/T2350/W/20/3253310, which concerned a site on the edge of Clitheroe. In that case, the Inspector found that local services could be accessed using the wide Chatburn Road corridor, a route which, albeit a 'reasonable length walk away' was described as being broadly level, continuous with well-lit pavements.
17. The site is capable of accommodating a single house which, if otherwise acceptable, could be appropriately designed and landscaped to respect the rural character of the area, and avoid causing harm to the living conditions of neighbouring occupiers. However, these are detailed matters which do not form part of this first stage assessment.
18. I conclude that, having regard to its location, the appeal site is not suitable for housing. The proposal fails to comply with the requirements for development outside of settlements and in the open countryside contained within Core Strategy Policies DMG2 and DMH3. There is further conflict with Key Statement DMI2 and Policy DMG3, concerning the need for development to minimise the need to travel, with considerable weight to be given to the availability and adequacy of public transport and the provision for access by pedestrians, cyclists and those of reduced mobility.

Conclusion

19. The proposal conflicts with the development plan and there are no other matters which outweigh this finding. The appeal is therefore dismissed.

R Morgan

INSPECTOR