



Appeal Decision

Site visit made on 24 September 2019

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th October 2019

Appeal Ref: APP/T2350/W/19/3229136

Susie Cottage, Rimmington Lane, Rimmington BB7 4DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approve details required by a condition of a planning permission.
 - The appeal is made by Mr Ian Procter against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2019/0117, dated 8 February 2019, sought approval of details pursuant to condition No 3 of a planning permission Ref 3/2018/0745, granted on 9 November 2018.
 - The application was refused by notice dated 27 March 2019.
 - The development proposed is the demolition and erection of a replacement two-storey dwelling.
 - The details for which approval is sought are: 'Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved'.
- Reason: To ensure that the materials used are visually appropriate to the locality.
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Decision

1. The appeal is allowed, and the details submitted pursuant to condition No. 3 attached to planning permission Ref 3/2018/0745 granted on 9 November 2018 in accordance with application 3/2019/0117 dated 8 February 2019 are approved.

Procedural Matters

2. The application form lists Condition No 3 of application 3/2018/1125 with a decision date of 5 February 2019. However, the appeal statement confirms that this was an earlier application to discharge numerous conditions that was itself discharged by the Council. The correct details are confirmed by the appellant as those listed in the banner, which correspond with the original decision notice submitted with this appeal. I have dealt with the appeal on this basis.
3. With regard to the Council's decision notice, I note that no Development Plan Policies have been cited. I have therefore had regard to those listed in the Officer Report and the general provisions of the National Planning Policy Framework (the Framework) on this matter, as appropriate.

Application for costs

4. An application for costs was made by Mr Ian Procter against Ribble Valley Borough Council. This application is the subject of a separate Decision.

Background and Main Issue

5. This appeal follows the refusal by the Council to approve details required by condition attached to a planning permission.
6. Consequently, I consider that the main issue in this case is whether the details submitted in respect of the roof material of the development meets the requirements of condition No 3 with regard to the character and appearance of the appeal site and surrounding area.

Reasons

7. This appeal relates to a replacement dwelling on Rimmington Lane that was granted permission¹ in 2018 (the original application), which has already been implemented as details to discharge conditions on the original application² was approved earlier this year. The appeal site now comprises a modern vernacular dwelling with contemporary design cues, not the subject of any statutory designations.
8. The details submitted pursuant to this condition comprise various documents³ from Aggregate Industries surrounding 'Bradstone Old Quarried Slates'. I note the assertion from the appellant that they have always desired the material subject of this appeal for their new dwelling, and only supplied a different roof material on the previous submission in order to allow them to commence construction works. A sample panel was displayed at the site with the proposed roof material attached to it. The slates were embossed with 'Bradstone Old Quarried' on the top edge, which left no doubt that they were the material subject of this appeal.
9. On my site visit, I noted that Rimmington is an attractive settlement with a variety of dwelling types, mainly in the form of ribbon development along Rimmington Lane, which includes a number of more recent developments. On these properties, it was evident that a range of roofing materials was present in the locality, which included artificial tiles, as well as natural roof coverings, such as slate. It was also noticeable that the more recent developments used modern materials in their construction. This makes for a distinctive feature of the street scene, as the modern materials are in a location and of sufficient number to have a material effect on the character of the road on which the appeal property is located.
10. Therefore, I attach significant weight to the properties that already have artificial materials covering their roof slopes, as they are prominent in the street scene, forming part of its prevailing character. Additionally, I find that due to the topography of the road and the proximity of the dwelling to the road, its roof would not be clearly visible to passers-by. Furthermore, I viewed the site from a nearby Public Right of Way between Stoops Lane/Newby Lane and Rimmington Lane. However, due to the overall distance from the site, the views were somewhat limited.
11. The appellant has referenced various properties⁴ with similar roof materials in support of their submission. However, in all instances, relatively little detail has

¹ 3/2018/0745

² 3/2018/1125

³ Bradstone Roofing – technical data; Bradstone – Reconstituted stone roofing portfolio and a fact sheet

⁴ Higher Gazegill Farm; Howgill Barn; Manor House and the former De Tabley Arms

been provided regarding the particular planning backgrounds to these schemes. Consequently, I cannot be sure that these are entirely representative of the circumstances in the appeal before me. In any event all appeals are judged on their own individual merits. Accordingly, that is how I have assessed this appeal scheme.

12. For the reasons above, I conclude that the submitted details would not have a significantly detrimental impact on the character and appearance of the appeal site or surrounding area and hence that it would accord with the design, character and appearance aims of Policies DMG1, DME2, DMH5 of the Ribble Valley Borough Council Core Strategy 2008-2028, a Local Plan for Ribble Valley 2014 (LP), and the Framework.
13. LP Key Statement EN5 and LP Policies DME4 and DMG3 have been referenced by the Council in the Officer Report. However, these policies and key statement appear to relate to heritage assets and transport and mobility and therefore I find they are not directly applicable to the case before me.

Conclusion

14. For the reasons set out above, I conclude that the appeal should be allowed.

W Johnson

INSPECTOR