



Appeal Decision

Site visit made on 6 November 2023

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 November 2023

Appeal Ref: APP/T2350/W/23/3319022

Chipping Farm Shop, Wilsden, Garstang Road, Chipping PR3 2QH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Alan Burton against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2022/0678, dated 13 July 2022, was refused by notice dated 1 November 2022.
 - The development proposed is described as 'To erect (partially retrospective) 2 x timber frame gazebos to the front (roadside) of Chipping Farm Shop. The gazebos will include Perspex windows to the roadside and the end furthest from the car park area. The gazebos are to provide a covered seating area for the consumption of food and drink by the shop's customers'.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of 2 x timber frame gazebos to the front (roadside) of Chipping Farm Shop, at Chipping Farm Shop, Wilsden, Garstang Road, Chipping PR3 2QH in accordance with the terms of the application, Ref 3/2022/0678, dated 13 July 2022, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans; Site Location Plan 1:2500 and Dwg No.LM/5006, except in respect of the windows/elevational coverings shown on Dwg No.LM/5006.

Preliminary Matters

2. At the time of my site visit the gazebos had already been erected to the front of the property. They appear to be in accordance with the submitted plans, except for the Perspex windows which had not been installed. For the avoidance of doubt, and as can be seen in the formal decision above, I have determined this appeal in accordance with the gazebos as erected. I shall return to this matter.
3. I have removed superfluous detail from the description of development in the formal decision above.

Main Issue

4. The effect of the development on the landscape and character of the area, including the Forest of Bowland Area of Outstanding Natural Beauty (the AONB) and the setting of the Chipping Conservation Area (the CCA).

Reasons

5. The appeal building is a single storey farm shop located within the traditional settlement of Chipping. The site falls within the AONB, whose key characteristics appear to include its vast expanses of moorland, enclosed pastures, steep valleys, woodland and distinctive, historic settlements, amongst others.
6. The statutory purpose of AONBs is to conserve and enhance the natural beauty of the area and great weight should be given to conserving and enhancing the landscape and scenic beauty of AONBs.
7. The appeal site also abuts the CCA, whose boundary is immediately to the north of the appeal site. The significance of the CCA is derived from the rural setting of the village, rich architectural and historic buildings and prevalent use of stone, amongst other things.
8. The gazebos are in use as external seating areas for the consumption of food and drink bought in the farm shop. They are of a slimline, timber construction and views through them can be achieved due to their open sides. This ensures a sense of space is retained to this part of the site. The roof is shallow, of limited height and finished in a natural colour which appropriately reflects the predominant building material of local stone.
9. By virtue of these factors, on the approach to the appeal site from the southwest, the gazebos are not overly prominent or dominant features, due also to their setback from the footway and the adjacent planting. When seen up close and from Talbot Street, they are read in association with the commercial appearance of the appeal site.
10. Overall, the scale and extent of the development is very limited and a sensitive design approach has been adopted. The gazebos are therefore inconspicuous features in the street scene which ensures the wider landscape and scenic qualities of the AONB are conserved.
11. Whilst the CCA is experienced from the appeal site given its close visual and physical relationship, the development does not materially detract from the special interest of the CCA for the aforementioned reasons, and thus its significance is also preserved. Further, the small scale and sympathetic design of the gazebos ensures they do not detract from the rural village setting, and the setting of nearby listed buildings and other buildings of townscape merit.
12. I note that the Perspex windows which are proposed, but not yet installed, would significantly draw the eye to the structures given the obtrusive finish of the material, coverage along the highway side and resultant harmful enclosure of the site. However, the appellant is agreeable to their exclusion and a condition could be addressed to control this.
13. Accordingly, the development does not harm the landscape or character of the area and thus it complies with Policy DMG2 of the Ribble Valley Borough Council Core Strategy 2008-2028: A Local Plan for Ribble Valley (December 2014). This aims for developments which are of a high standard of design which are sympathetic to their locality, taking into consideration the built and natural environment.

Conditions

14. A time limit condition is not necessary as the development has already been erected. As noted, whilst I have determined this appeal in accordance with the development as erected, it is nevertheless necessary to attach a condition which specifies the approved plans, with the removal of the window/elevational coverings, given the uncertainty which could arise.

Conclusion

15. The development accords with the development plan as a whole and there are no other considerations of sufficient weight which indicate that a decision should be made other than in accordance with it. Therefore, the appeal should be allowed.

H Ellison

INSPECTOR