

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal and essential supporting documents must reach the Inspectorate within the appeal period.
If your appeal and essential supporting documents are not received in time, we will not accept the appeal.

Appeal Ref: APP/T2350/W/14/3001147

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	Mr Derek Hamilton Clegg
Company/Group Name	
Address	Talbot Fold Barn, Talbot Bridge Bashall Eaves CLITHEROE Lancashire BB7 3NA
Phone no.	07989999270
Fax no.	
Email	lindahamiltonclegg@gmail.com
I prefer to be contacted by:	
Email <input checked="" type="checkbox"/>	Post <input type="checkbox"/>

B. AGENT DETAILS (if any)

Name	
Company/Group Name	
Address	
Phone no.	
Fax no.	
Email	
Your reference	
I prefer to be contacted by:	
Email <input type="checkbox"/>	Post <input type="checkbox"/>

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	Ribble Valley Borough Council
LPA reference number	3/2014/0793
Date of the application	22/08/2014
Did the LPA validate and register your application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Did the LPA issue a decision?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Date of LPA's decision	09/10/2014

D. APPEAL SITE ADDRESS

Address

Talbot Fold Barn, Talbot Bridge
Bashall Eaves
CLITHEROE
Lancashire
BB7 3NA
Grid Ref Easting:
Grid Ref Northing:

Is the appeal site within a Green Belt?

Yes ☐ No ☒

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?

Yes ☐ No ☒

Please describe the health and safety issues

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?

Yes ☐ No ☒

Please enter details of the proposed development. This should normally be taken from the planning application form.

Removal of condition 8 of Planning Permission 3/2006/0427 so that the granny annex can be used as a separate residential unit to the main house (resubmission). Talbot Fold Barn, Talbot Bridge, Bashall Eaves. BB7 3NA

Area (in hectares) of the whole appeal site [e.g. 1234.56]

0.45

Area of floor space of proposed development (in square metres)

104

Does the proposal include demolition of non-listed buildings within a conservation area?

Yes ☐ No ☒

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission. ☐
2. Refused permission to vary a condition(s). ☐
3. Refused prior approval of permitted development rights. ☐
4. Granted planning permission for the development subject to conditions to which you object. ☐
5. Refused approval of the matters reserved under an outline planning permission. ☐
6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object. ☐
7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above). ☒
8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval. ☐
9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation. ☐

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations

☒

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes ☐ No ☒

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes ☒ No ☐

Please explain.

The property is only entered by electric gates controlled from within.

2. Hearing ☐

You must give detailed reasons below or in a separate document why you think a hearing is necessary. The reasons are set out in

- ☐ the box below
☐ see 'Appeal Documents' section

(a) Preferred date

Alternative date

(b) Is there any further information relevant to the hearing which you need to tell us about?

3. Inquiry ☐

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

- ☐ the box below
☐ see 'Appeal Documents' section

Please enter your text here

(a) How many witnesses do you intend to call?

(b) How long do they need to give their evidence?

(c) How long do you estimate the inquiry will last?

(d) Preferred date

Alternative date

(e) Is there any further information relevant to the inquiry which you need to tell us about?

H. FULL STATEMENT OF CASE

The full statement of case is set out in

- ☒ the box below
☐ see 'Appeal Documents' section

Statement of Case in relation to removal of Condition 8 of Planning Permission 3/2014/0793
The property in question, referred to in all existing and previous correspondence as "the annexe," is in point of fact the original Marsdens Farmhouse dating back to circa 1750 and at one time accommodating the farmer, his wife and nine children. We chose to restore this property and preserve its independent appearance and relevance to local heritage. We would make reference to two items in policy 55 stating:

where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets or

where the development would reuse redundant or disused buildings and lead to an enhancement to the immediate setting.

Upon our purchase of the entire site some nine years ago the barn and original farmhouse were deemed redundant and planning permission had previously been sought and granted for the barn, including the former farmhouse designated as "the annexe" giving no reference to its heritage.

It is referred to by the LPA numerous times as being "an isolated and remote site". We hope to demonstrate that this is not the case.

Family members frequently walk to and from our local market town of Clitheroe some 3 miles distance for shopping, leisure and swimming facilities. We are encircled by circa 30 properties within a quarter of a mile distance of ourselves and share common boundaries with two farmhouses and a bungalow. The replacement Marsdens farmhouse, Robin Hill and Clough Bottom Farm, where recent approvals have been granted from 106 educational use to full domestic use. The local bus service is a ten minute walk away along with a village hall, post office and country pub/restaurant. These amenities sit astride the original road from Clitheroe through the Trough of Bowland to the county town of Lancaster.

According to the 2001 census, the parish of Bashall Eaves had a population of 162. It covers an area of almost 4000 acres. The village is home to The Red Pump Inn, a post office, a telephone box and a selection of farms. One mile to the east of the village is Bashall Town farm, now home to "Bashall Barn"- a farm shop/restaurant and also "Bowland Brewery" Close by Bashall Town farm is Bashall Hall....quote from Wikipedia.

Separate Council Tax from the main barn has been paid on the annex at the designated band for a two bedroomed property for the last eight years.

- (a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? Yes ☐ No ☒
- (b) Have you made a costs application with this appeal? Yes ☐ No ☒

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates; ☒

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below: ☐

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below. ☐

- ☐ to follow
- ☐ see 'Appeal Documents' section

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

- (a) - None of the land to which the appeal relates is, or is part of, an agricultural holding; ☒
- (b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant; ☐
- (b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days ☐

before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.

J. SUPPORTING DOCUMENTS

- 01. A copy of the original application form sent to the LPA. ☒
- 02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (these are usually part of the LPA's planning application form). ☒
- 03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application. ☒
- 04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue. ☒
- 05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. ☒
- 05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA. ☒
- 06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes). ☐
- 06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application. ☐
- 07. A copy of the design and access statement sent to the LPA (if required). ☐
- 08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure. ☐
- 09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion. ☒
- 09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA. ☒
- 10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements. ☐
- 11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:
 - (a) the relevant outline application; ☐
 - (b) all plans sent at outline application stage; ☐
 - (c) the original outline planning permission. ☐
- 12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached. ☒
- 13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐
- 14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application. ☐

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided?

Yes ☐ No ☒

Please give details, including our reference number(s), if known.

L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature Mr Derek Hamilton Clegg

Date 09/12/2014 17:37:41

Name Mr Derek Hamilton Clegg

On behalf of (if applicable)

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our website under Privacy Statement.

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form.
- locating your local planning authority's email address -
<http://www.planningportal.gov.uk/planning/appeals/online/tutorialshelp/appeal/sendingacopytothecouncil>
- attaching the saved appeal form including any supporting documents.

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received. Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@pins.gsi.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to PO Box 3035, Bristol, BS1 9AY.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

The documents listed below were uploaded with this appeal form:

The documents listed below were already attached elsewhere with this appeal form:

The documents listed below are to follow by post:

A copy of the original application sent to the LPA.

A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (these are usually part of the LPA's planning application form).

A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.

A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.

Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.

A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.

Copies of additional plans, drawings or documents relating to the application not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.

A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.

A copy of the original permission with the condition attached if the appeal is against the LPA's refusal or failure to decide an application which relates to a condition.

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US.

Completed by

MR DEREK HAMILTON CLEGG

Date

09/12/2014 17:37:41