

Appeal against the refusal by Ribble Valley Borough Council for a proposed stable block and an all-weather menage for private use.

Land at Kitchens, Cross Lane, Bashall Eaves, Lancs BB7 3NA

Appeal statement

Planning application no 3/2021/0697

The above application, dated 1 July 2021, on behalf of Mrs Suzanne Howard, was refused by Ribble Valley Borough Council on 25 August 2021.

Planning history

An identical application was submitted under Ref 3/2020/0482 and refused for the same reasons (though with a slight variance regarding highway matters) on 28 August 2020. No appeal was submitted.

The current appeal application was submitted to address the earlier reasons for refusal and as contained in our Planning Statement.

The Main Issues

The main issues are the effect upon (i) the character and appearance of the area (ii) the biological heritage site, Braddup Wood South and (iii) the proposed means of access and highway safety.

Character and appearance

The proposed development would be located in a field used for the grazing of horses and adjoining the public highway. The site lies within the Forest of Bowland Area of Outstanding Natural Beauty (AOANB). Mature hedging borders the field against the highway.

The site is located opposite existing dwellings and buildings.

The proposed development is for domestic stabling for 6 loose boxes, a tack room plus a feed store, and a sand paddock measuring 20 metres by 60 metres. The stable block would be 11.1 metres by 15.1 metres, with 3 metres to the eaves and 4.4 metres to the ridge of the double pitch roof. Walls would be dark stained timber boarding and the roof would be black cement fibre boarding.

Access from the public highway would be via an existing gated opening (and which would be widened to meet the requirements of the highway authority

The open field is used for horse grazing.

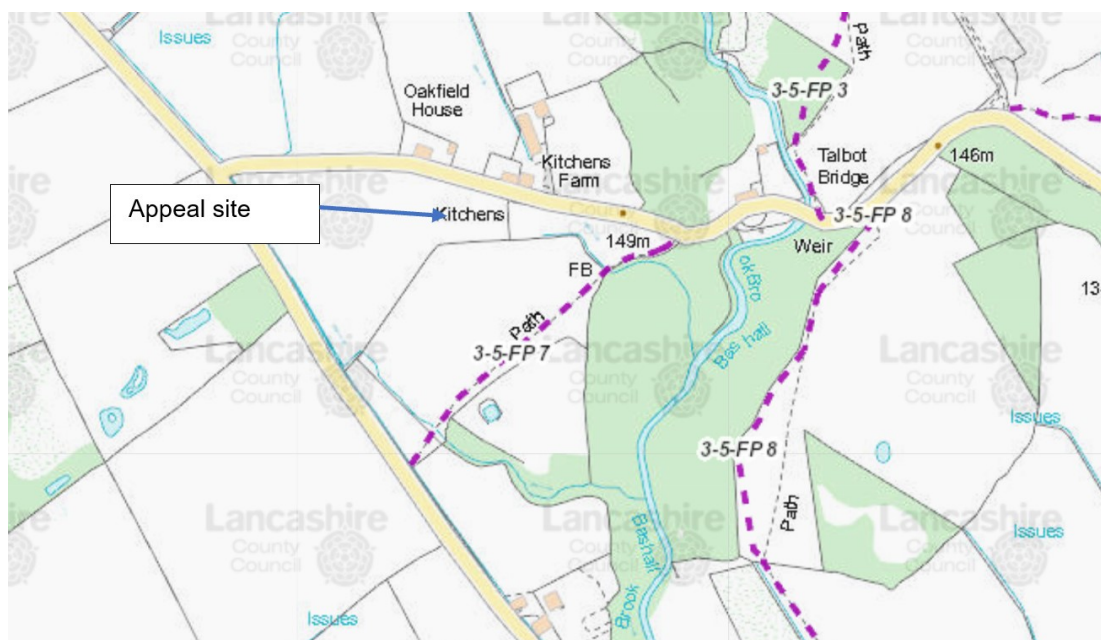
While the local planning authority (LPA) objects to the proposed development because of its scale, required access improvements and associated paraphernalia, it would not be unduly large with a footprint of some 167m² and a ridge height of 4.4 metres. By its limited overall size and height (including the menage) and the proposed external materials, the proposed development would be appropriate to its rural location within the AOANB). The proposed hardstanding would be no more than is reasonably required for associated vehicles.

The proposed location is close to existing development (and is positioned so as to minimise any effect upon the visual amenities of adjoining householders) and is largely hidden from the public highway by a high, dense hedge. Whilst it might be necessary to remove a small amount of hedging to meet the requirements of the highway authority regarding the access, the remaining hedging would remain. The appellant has no reason or desire to remove it, and in any event, hedging removal requires separate consent, meaning that the LPA retains such control.(Hedgerows Regulations 1997.SI No 1160).

Photo of existing hedgerow: -



Moreover, the proposed development would have a limited visual impact when seen from public footpaths: -



There is no local planning policy or anything in the National Planning Policy Framework 2021 (the Framework) which requires demonstrable public benefits to be shown to outweigh any alleged harm. The site is not within a Conservation Area.

In view of the nature of the proposal, its limited height, screening from the highway and its distance from the nearest footpath, the proposed development would not adversely affect the character and appearance of the AOANB and would therefore accord with policy EN2 of the Ribble Valley Core Strategy 2014 (CS) which aims to protect and conserve the AOANB by ensuring that development is in keeping with the character of the landscape. It would be consistent with CS policy DMG1 where proposed development must be sympathetic to the existing land uses in the area, and with CS policy DMG2 in that it would meet the criteria of a small-scale recreational development which would be appropriate to the rural area.

The biological heritage site, Braddup Wood South

The application site is an open field used for horse grazing purposes and is at some distance from the Braddup Wood South biological heritage site (BHS) (where its description as a wood denotes its very different character and location, away from the application site).

The proposed development is sufficiently far away from the BHS (and separated by a public footpath) so as not to have any adverse impact upon it.

The LPA, in its officer report, considers that the adverse impact upon the BHS would be the removal of hedging to improve the existing access point and in so doing, this would disrupt a wildlife corridor. However, any such hedgerow removal would be minimal and could be controlled by way of a condition. Its likely impact upon a wildlife corridor linked to the distant BHS would be likewise minimal, especially when there is already an existing access point.

Therefore, the proposed development would not contradict the aims of CS policy ENV4 which seeks to conserve and enhance the area's biodiversity. It would not lead to any fragmentation of the BHS or to the isolation of natural habitats.

Access and highway safety

The Highway Authority does not object to the proposed development in principle and suggests conditions. We would accept such conditions which are contained within the submitted highway authority comments. Any such conditions do not have to give the proposed development an urbanising effect.

As the highway matters can be dealt with by way of conditions there would be no conflict with policy DMG1 of the CS which aims to ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.

Proposed conditions

- i. The development hereby permitted shall begin no later than three years from the date of this decision.
- ii. The development hereby permitted shall be carried out in accordance with the following approved plans, submitted to the LPA on 1 July 2021: Plans and elevations; location plan.

Reason: in the interests of certainty

- iii. Prior to the commencement of development, details of the proposed access shall be submitted to and approved in writing by the local planning authority and which shall include (i) a minimum width of 5.5 metres where it adjoins the public highway (plus a further 1 metre when bound on both sides by a hedge or fence and (ii) a minimum width of 5.5 metres

Reason: in the interests of highway safety

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