

Planning appeal for the non-determination of an application for a proposed stable block and manege for private use at Kitchens, Cross Lane, Bashall Eaves, Ribble Valley, Lancs BB7 3NA.

Application no 3/2023/0216

Appeal statement

- 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 Ms S. Howard against the non determination by Ribble Valley Borough Council of a planning application.
- The application Ref 3-2023-0216, dated 6 March 2023, was validated by the local planning authority (LPA) on 15 May 2023.
- The proposed development is for a proposed stable block and manege for private use.

The local planning authority (LPA) has not issued a decision for the application, even though we sent an email to it dated 17 December 2023, pointing out that if a decision was not made by 14 January 2024, and by that date no appeal has been submitted, we would lose the right of appeal through the passage of time. The LPA was asked if it was able to determine the application before the Christmas break. No reply has been received and so, regrettably, we have had to resort to an appeal.

No extensions of time for the determination of the appeal have been sought by the LPA or agreed by us.

Brief planning history and proposal

The proposed development is located in a rural area within the Forest of Bowland Area of Outstanding Natural Beauty. (Now to be renamed a National Landscape).

On 25 January 2022, a planning appeal was dismissed following the refusal of application 3/2021/0697 for a new stable block comprising 6 stables, plus a tack

room, a feed/bedding store, all arranged with a corridor down the middle, plus a sand paddock¹. The application was for domestic use only.

The Inspector, while acknowledging that the proposal was *'befitting a rural location,'* nevertheless considered that the building would comprise *'a building of not insignificant scale'* which *'would be read as a prominent and incongruous addition, reducing the spatial qualities of the area. Not only would this result in harm to the character and appearance of the countryside, but also the special qualities of the AONB'* which would be read as a prominent and incongruous addition not in keeping with the character of the landscape.

Furthermore, the inspector concluded that *'a portion of hedgerow removal may be required to facilitate a safe access. While this would impact a limited amount of the hedgerow it nonetheless could have the potential to result in habitat fragmentation or loss, impacting the BHS'* (Braddup Wood South Biological Heritage Site which lies to the East of the appeal site and from which it is detached). The Inspector concluded that *'The appellant has stated that any impacts would be minimal but no assessment has been provided in this regard. The appeal documentation is therefore deficient in its assessment of any impacts that the proposal may have on the BHS and on how such impacts would be managed.'*

The current application aims to address the Inspector's concerns.

The proposed stable block is now much smaller, both in floor area and height and would comprise 4 stables, tack room and a food store, plus a manege. The comparison with the earlier proposal is as follows:

¹ APP/T2350/W/21/32818360

	No of stables	Height to eaves Metres	Height to ridge Metres	Floor area of stable block.(M2)
Proposal dismissed on appeal	6 stables plus tack plus feed/straw bedding store	3m	4.4	167 (external)
Current proposal	4 stables plus tack plus feed store	2.3	3.22	92.8(internal) 55% of the proposal dismissed on appeal

In addition, the current application is accompanied by an ecological assessment and also a biological enhancement proposal.

The Main issues

The main issues are considered to be 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.

These matters are addressed in our Planning Statement submitted with the application.

Suffice it to say that with regard to access, the Highway Authority does not object to the proposed development.

Other Matters

Correspondence is included with United Utilities (UU) with regard to the proximity of the proposed development to its services. While UU initially objected to the development, discussions with it has resulted in the menage being slightly re-sited

such that the concerns of UU have been addressed so far as the planning application is concerned.

While in our Planning Statement we have referred to the National Planning Framework 2023 (the Framework), we have taken into account its revision of December 2023.

Steven Hartley BA(Hons) Dist.TP (Manc) DMS MRTPI MRICS

January 2024