

This report needs to be read in conjunction with the
Decision Notice.

Ribble Valley Borough Council

DELEGATED ITEM FILE REPORT - APPROVAL

Ref: SK

Application No:	3/2013/0442
Development Proposed:	Proposed change of use of approved garage, store and office accommodation to reinstate original dwelling at Woodfield Farm Longsight Road, Clayton Le Dale BB2 7JA.

CONSULTATIONS: Parish/Town Council

Parish /Town Council	No comments or observations received.
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CONSULTATIONS: Highway/Water Authority/Other Bodies

LCC Highways	No objections
RVBC Engineers	Desktop study for contaminated land required.

CONSULTATIONS: Additional Representations.

No representations have been received.

RELEVANT POLICIES:

Ribble Valley Districtwide Local Plan:

Policy G1 - Development Control.
Policy G5 – Main Settlements.
Policy H2 – Dwellings Open Countryside
Policy ENV3 – Open Countryside

Ribble Valley Core Strategy (as proposed to be modified):

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMH3 – Dwellings in the Open Countryside
Policy DME2 – Landscape & Townscape Protection
Policy DMB1 – Business Growth & Local Economy
Policy EC1 – Business & Employment Development

COMMENTS/ENVIRONMENTAL/AONB/HUMAN RIGHTS ISSUES/RECOMMENDATION:

Site Location:

The application property is detached farmhouse style building fronting the A59.
The property is currently used for part hay and feed storage and office accommodation. The current application solely relates to the area of the building that is currently utilised for office accommodation.

Proposal:

Consent is sought for the proposed change of use of approved garage, store and office accommodation to reinstate original dwelling at Woodfield Farm, Longsight Road, Clayton Le dale.

The application would result in the creation of a three bedroom dwelling with associated car-parking/garaging. The current submission seeks to return a portion of the farmhouse, which was previously changed from a residential dwelling to office use, back to residential use and the separation of the domestic curtilage to form two individual residential curtilages.

The submitted siteplan indicates that the curtilage of the dwelling will be delineated by 1.8m high close boarded fencing and the dwelling would be served by the access to the south west of the site with the remaining access serving the existing dwelling to the north of the application property.

Relevant History:

3/2014/0101:

Retrospective application for change of use from agriculture to domestic curtilage. (Approved)

3/2006/0688:

Erection of a replacement dwelling to include basement, and the conversion of existing dwelling to provide garaging and office accommodation and the extension of the residential curtilage to include former yard area. (Approved)

3/2006/0343:

Erection of a replacement dwelling and the conversion of the existing dwelling to provide garaging and office accommodation and the extension of the residential curtilage to include the former yard area. Re-submission (Approved)

3/2005/1071:

Erection of a replacement dwelling and the conversion of the existing dwelling to provide garaging and office accommodation, and the extension of the residential curtilage to include the former yard area. Withdrawn 30/03/2006.

3/2005/0766:

Two storey side extension and single storey rear extension to farmhouse.

Principle of Development:

The planning policy context for the application site is set out at a national level by the National Planning Policy Framework (NPPF) and at a local level by the adopted Ribble Valley Districtwide Local Plan (DWLP adopted June 1998) and the emerging Core Strategy (submission version as proposed to be modified).

National Planning Policy Framework was adopted in March 2012. This Framework does not change the legal status of the development plan, but forms a material consideration in the determination of planning applications. The Framework provides a presumption in favour of sustainable development, which has three mutually dependent dimensions - economic, social and environmental. The Framework states that the policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

Paragraph 14 advises that to achieve sustainable development, development proposals that accord with the development plan should be approved without delay; and where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and

demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.

The Ribble Valley Districtwide Local Plan (DWLP) was adopted in 1998 and certain policies within it have been saved until documents comprising the Local Development Framework are adopted to supersede those policies.

Whilst the local plan is dated, policies within it that accord with the Framework and emerging core strategy can be afforded weight in decision making. Policies in the local plan relevant to the current application and that are considered to be consistent with the Framework are:

- Policy G1 - Development Control – Endeavours to ensure that development proposals will be expected to provide a high standard of building design and landscape quality. Development which does so will be permitted, unless it adversely affects the amenities of the surrounding area.
- Policy G5 – Settlement Strategy - Seeks to restrict development located outwith the main settlement and village boundaries, planning consent for new dwellings will only be granted which are for an identified local need.
- Policy H2 – Dwellings in the Open Countryside – Seeks to restrict housing development outside the settlement boundaries unless the residential development is: essential for the purposes of agriculture or forestry or other uses wholly appropriate to the rural area. Involves the appropriate conversion of buildings to dwellings or for residential development specifically intended to meet a proven local need.

The Core Strategy was submitted to the Secretary of State for Examination in September 2012 with the formal Hearing Sessions of the Examination in Public (EiP) taking place between 14 and 22 January 2014.

Following those sessions it was considered that a series of Main Modifications be made for the purposes of soundness with those proposed Modifications out for a six week consultation period from 25th July to 5th September 2014. The Development Strategy put forward in Key Statement DS1 as proposed to be modified (Main Modification 21 & 25) seeks to direct the main focus of new house building to the Strategic Site and the Principal Settlements of Clitheroe, Longridge and Whalley and Tier 1 villages which are considered the more sustainable of the 32 defined settlements.

It further proposes that in the remaining 23 Tier 2 villages development will need to meet proven local needs or deliver regeneration benefits. It is considered the plan is at an advanced stage in the plan making process and the policies within the Core Strategy must therefore be afforded weight in the decision making process.

Policy DMG2 sets out the strategic considerations and states that residential dwellings outside the defined Settlement Areas will be allowed provided that they meet a local identified need.

In respect of dwellings in the open countryside and those located in the Forest of Bowland AONB these are covered by Policies DMH3 which similarly seeks to resist such developments unless they are to meet an identified local need.

The application site is located in the defined open countryside and is located approximately 0.82 miles from the settlement boundary of Osbaldeston (Tier 2 Village) and 1.13 miles from the defined settlement boundary for Copster Green (Tier 2 Village) as originally set out in the Districtwide Local Plan, both of which are the nearest defined settlement to the proposal site.

It is considered that the proposal is located in a relatively remote location in terms of access to services/facilities and that given the location is divorced from any defined settlement that it is correct to assume that the use of the motor vehicle would predominate.

Whilst it could be argued that the aforementioned settlements may be within walking/cycling distance, it is considered that these settlements, identified as Tier 2 Villages, offer access to limited services/facilities when considered both jointly or in isolation and therefore trips to and from services/facilities are likely to exceed that of normal acceptable walking distances.

In respect of the housing requirement for the borough, an annual figure of 280dpa is put forward in the Proposed Main Modifications to the Core Strategy and this has also been adopted for Development Management purposes. In terms of five year land supply, the latest position (July 2014) is that the Council is able to demonstrate a 5.1 year supply using the Sedgfield method of calculation.

The figure of 250dpa was considered at the Hearing Sessions of the EiP and has now increased up to 280dpa as a result of comments made by the Inspector following on from those sessions in January of this year.

Housing provision is a benefit when it is of the right type and in the right location but the ability to demonstrate a five year supply alters the weight to be attributed to this 'benefit' in the planning balance under para 14 of the NPPF when determining applications. This said, the modification in relation to the 280 figure is subject of public consultation and may still attract objections and thus the weight to be attached to this and the emerging Development Strategy must be reflected in the overall planning balance. As a consequence it is considered that whilst the principles of development still remain the in the first instance to be assessed against the provisions of the NPPF (due to the fact the Core Strategy has not yet been adopted) the weight to be attributed to the Core Strategy has increased post the EiP sessions and this, coupled with the ability to demonstrate a 5yr supply of housing, must be reflected in any decision taken.

The social role of the NPPF seeks to support communities by providing the supply of housing required to meet the needs of the present and future generations and by creating a high quality built environment.

It has been determined that the outstanding housing requirement for the 32 'other' settlements in the borough (outside the Principal Settlements of Clitheroe, Longridge and Whalley) will be directed to the most sustainable of these (Tier 1) and that in Tier 2 villages and the open countryside residential development will be restricted to specific categories – none of which apply to this particular proposal for a single market dwelling that lies within open countryside.

Thus, the contribution of this application to this aspect of the social role of the NPPF is considered to be limited.

When assessing the proposals against the Core Strategy policies at this stage, one of the central issues for consideration is whether the proposals would cause harm to the Development Strategy (Key Statement DS1).

Given the application site is located within the defined open countryside with limited access to services and/or facilities. It is considered that there are no identified economic or social benefits associated with the development that would outweigh the harm to the development strategy for the borough and the proposal, as submitted would result in an unsustainable pattern of development in a relatively remote location without adequate access to local services and facilities.

As such, it is for the above reasons that I recommend accordingly.

RECOMMENDATION: Refuse

01	The proposal is considered contrary to Policies G5 and H2 of the Ribble Valley Districtwide Local Plan and key Statement DS1 and policies DMG2 and DMH3 of the Ribble Valley Core Strategy Proposed Main Modifications (May 2014) in that the approval would lead to the creation of a new dwelling in an isolated location within the open countryside without sufficient justification which would cause harm to the development strategy for the borough as set out in the emerging core strategy leading to unsustainable development.
02	The proposed development would create a harmful precedent for the acceptance of other similar unjustified proposals without sufficient justification which would have an adverse impact on the implementation of the emerging planning policies of the Council contrary to the interests of the proper planning of the area in accordance with core principles and policies of the NPPF.
03	The site is in a predominantly rural location and by virtue of its isolation is considered to be an unsustainable location for the creation of a new independent dwelling. Approval of this development would lead to further sporadic ribbon development which would be highly dependant on the use of the private motor vehicle and would not accord with the presumption in favour of sustainable development. As such, the proposal is contrary to the NPPF presumption in favour of sustainable development, and it would also be contrary to guidance within Local Plan Policies G1, G5, H2 and ENV1 and Ribble Valley Core Strategy Proposed Main Modifications (May 2014) Policies DMG1, DMG2, DMH3 and DME2 and guidance within the NPPF.
04	The application fails to demonstrate that the proposal would have no adverse impact upon the local economy or that attempts have been made to secure an alternative employment generating use for the site. As such, the proposal is contrary to policies DMB1 and EC1 of the Ribble Valley Core Strategy Proposed Main Modifications (May 2014).
