



Appeal Decision

Site visit made on 14 July 2020 by C McDonagh BA (Hons), MA

by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2020

Appeal Ref: APP/T2350/D/20/3249406

90 Mitton Road, Whalley BB7 9JN

- 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 Andrew Hartley against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2020/0039, dated 10 January 2020, was refused by notice dated 26 February 2020.
 - The development proposed is demolition of existing detached brick built garage with slate pitched roof. Erection of In-Fill structure between the gable end of the property and boundary wall of the neighbouring property, which currently supports the existing garage.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and street scene.

Reasons

4. The appeal site comprises a two-storey, semi-detached dwelling with an existing detached garage to the side. The property is located on a bend in Mitton Road, which as a result affords extra space to the side when compared to adjacent dwellings.
5. The proposal involves the removal of the existing garage and erection of a wider, replacement structure which would fill the gap between the side of the house and the boundary with the neighbouring property.
6. The proposed garage would be wider than the host property and, despite a slight set-back from the front elevation of the house, would add a substantial and disproportionate amount of mass to the side of the dwelling. While I note the existing roof tiles are proposed to be re-used in the construction of the new

garage to aid in its integration, the scale and appearance of the new structure would not be in keeping with the residential setting.

7. Furthermore, due to the bend in the road at this location and the angle at which No.88 is offset, the side of the appeal property is prominent in the street scene. As such, the structure would form an incongruous addition to the area. The lack of designation as a Conservation Area or Listed Building would not remove the harm to the character and appearance of both the host building and local area which I have identified. Moreover, while the appellant asserts that the existing garage is out of keeping with the area, it respects the character and scale of the house and it does not follow that incongruous design should be encouraged in its place.
8. To conclude on this main issue, the proposal would fail to comply with the requirements of Policies DMG1 and DMH5 of the Ribble Valley Borough Council Core Strategy. These seek to ensure development is sympathetic to existing and proposed land uses in terms of size, intensity and nature as well as its scale, massing and style among others.

Other Matters

9. I note the arguments from the appellant that the development would not cause harm to the living conditions of occupiers of neighbouring properties or to highway safety, while it would also provide two off road parking spaces. However, from all I have seen and read the Council have not taken issue with these aspects of the proposal.

Recommendation

10. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

S Ashworth

INSPECTOR



Appeal Decision

Site visit made on 14 July 2020

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2020

Appeal Ref: APP/T2350/W/20/3251360

Land to the south of 5 Chapel Brow, Longridge PR3 2YD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Nicholas Pinder against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2019/0649, dated 8 July 2019, was refused by notice dated 14 January 2020.
 - The development proposed is three two-bedroom dwellings.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted in outline with all matters reserved. The submitted plans show a layout of the site, however, I have treated this as indicative only.
3. The planning application form and appeal form use the description in the banner heading above. The application form and supplementary attachment to the application for planning permission described the proposal as 'affordable' housing on the basis that it would be delivered on a shared ownership: part-buy, part-rent basis for people with a local connection. The Council's report advises that the determination of the application was made on an assessment of the planning application as market housing pursuant to discussions and agreement with the Appellant. However, without sight of that agreement I have proceeded on the basis of the information provided on the planning application form and within the appellant's appeal submissions. For completeness, I also refer to market housing in the context of the local development plan.
4. There is some discrepancy between the main parties as to the lawful status of the land subject of this appeal. For the avoidance of doubt, it is not for me, under a section 78 appeal, to determine whether or not an existing development is lawful. To that end, it is open to the appellant to apply for a determination under s191 of the Town and Country Planning Act 1990 and my determination of this appeal under s78 does not affect the issuing of a determination under s191 regardless of the outcome of this appeal.
5. The site is located adjacent to the St. Lawrence's Church Conservation Area (the CA). There is no dispute between the main parties that the proposed development would have no adverse effect on the setting of the CA. Having considered the proposal and visited the site, I concur with that view.

Accordingly, it is my view that the development proposed would preserve the setting of the CA and I shall make no further reference to this matter.

Main Issues

6. The main issues are the suitability of the location for housing and the effect of the development on the character and appearance of the locality.

Reasons

Locations for housing

7. The proposal seeks outline planning permission for the erection of three 2-bedroom self-build dwellings on the site which lies within a rural area beyond the Longridge settlement boundary.
8. The Council's strategic policies for the management of delivery of housing seek to restrict the majority of new housing to identified strategic sites and the principle settlements within the Borough, including Longridge. Policy DMG2 of the Core Strategy 2008-2028 A Local Plan for Ribble Valley (CS) restricts residential development outside defined settlement areas to a specified number of exemptions including development essential to the local economy and those meeting an identified local need that are secured for serving that need. Policy DMH3, amongst other things, also restricts housing to that which meets an identified local need.
9. The Council's evidence identifies that sufficient land is currently available within the Borough to meet a five-year housing land supply in accordance with its spatial vision. Accordingly, open market housing on the site would conflict with the requirements of the local development plan. However, the Council accepts that there is a current need for two-bedroomed affordable properties within Longridge.
10. The appellant confirms that the development would provide housing for two sons and a nephew with local connections, and their respective families. The application form suggests that this would be based on low-cost self-build units and would enable the families to be close to relatives in a highly priced borough.
11. The revised National Planning Policy Framework's (the Framework) definitions of affordable housing¹ post-date the adoption of the local development plan and include low-cost market housing. This is subject to conformity with specified qualifying criteria. However, of those requirements, it has not been demonstrated within the evidence before me as to whether the specified households' home ownership needs could not be met by the open market or that the homes would be available at prices or rent at least 20% below the local market rate/value. Furthermore, there is little detailed evidence to identify the proposal as any of the other types of qualifying affordable housing as defined by the Framework, nor is there a suitable mechanism before me to secure it as such for future eligible households.
12. The appellant indicates that the proposal would be a self-build project in a serviceable location. However, there is no substantive information submitted to demonstrate that the appellant, or the intended occupiers, are on the Council's

¹ in Annex 2 of the National Planning Policy Framework 2019

register of individuals and associations seeking to acquire serviced plots under the terms of the Self-build and Custom Housebuilding Act 2015 (as amended) (the Act). Whilst the Act seeks to encourage contribution to housing supply from self-build and custom housebuilding sectors, such provision is not without due regard to the local development plan. Accordingly, in the absence of evidence to demonstrate that the Council is not meeting the registered demand for such plots, this is a matter of negligible weight.

13. Whereas the development would contribute to the local economy through its construction and future occupation it would not, in isolation, be essential to the local economy having regard to the scale of the settlement and other opportunities for housing delivery within it. On that basis, the economic benefit of the proposal carries limited weight in favour of a development that has not been demonstrated to fall within the scope of 'affordable' housing, or to meet any other specific housing need outside of the defined settlement area.
14. For the above reasons, I conclude that the propose development would conflict with Policies DMG2 and DMH3 of the CS as they seek to secure the Council's strategic approach to housing delivery and suitable locations for residential development.

Character and appearance

15. The upper end of Chapel Brow lies within an historic part of the settlement area and features tightly spaced development along its southern side facing St Lawrence's Church. As the road drops and turns southwards, built development becomes more sporadic before opening out into an area of substantially undeveloped open countryside set about the Alston Reservoirs. The road is one of several extending from the town which serve the more dispersed pockets of housing and/or farmsteads south of the settlement area.
16. The site is a kept area of grassland and trees bordered by walls, fencing and hedging. Access is provided by a gateway at the point Chapel Brow narrows and changes from a formally surfaced rural lane to an unmade track and bridleway. The land is situated to the south of a small row of residential properties with open fields to the south and east. A reservoir embankment lies on the opposite side of the track.
17. The presence of some small sheds to the northern part of the land, arranged planting and a flagpole on the site distinguishes it from the more open agricultural land to the south and east. The relatively small contained area of kept grass and position alongside the annexed area to the side of 5 Chapel Brow gives it a greater sense of domestication than the adjacent more open rural areas.
18. However, the main area of the site remains undeveloped such that it provides a visual transition between the formal plots of the existing residential properties and the open countryside beyond. The proposal would result in the presence of a permanent form of development and the subdivision of the land resulting in a greater sense of formality and domestication. The effect would be to extend the loose ribbon of development into open land and give rise to an incremental encroachment into the countryside area south of the main settlement.
19. Although the proposal would retain the existing trees, the development would be visible from the southern fringes of the settlement area and local public

areas, including the bridleway. Notwithstanding that those views would be seen in conjunction with the reservoir and nearby homes, it would contrast with the predominantly open rural landscape. Whilst I acknowledge that the current degree of management of the site may reduce if the site remains undeveloped, this would be a matter of limited weight against the harm I have identified.

20. For the above reasons, I conclude that the development would conflict with Policies DMG1, DMG2 and DMH3 of the CS as they seek to protect the character and appearance of locations of new development.

Other Matters

21. In support of the appeal, the appellant has drawn my attention to other development sites in the locality, particularly with regard to the proximity of the site to local services. The Council accept that the location would provide suitable access to local services on account of the distance to the town centre and other facilities. Additionally, the erection of three residential units would contribute to the Borough's housing delivery and the construction could be achieved in an eco-friendly manner. However, taken individually or cumulatively, I do not find that these matters outweigh the totality of the harm identified.
22. I have noted the objections from local residents to the proposal. However, in the light of my findings on the main issues of the appeal, my decision does not turn on these issues.

Conclusion

23. For the above reasons, the appeal should be dismissed.

R Hitchcock

INSPECTOR



Appeal Decision

Site visit made on 14 July 2020

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 July 2020

Appeal Ref: APP/T2350/W/20/3251534

28 Calfcote Lane, Longridge PR3 3SR

- 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 & Mrs G & L Walmsley against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2020/0036, dated 22 December 2019, was refused by notice dated 3 March 2020.
 - The development proposed is a detached bungalow and land to rear of 28 Calfcote Lane accessed from Brindle Close Longridge.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the locality.

Reasons

3. The site is located in a planned residential estate within the Longridge settlement area. The immediate area is characterised by primarily detached and semi-detached bungalow dwellings set behind front gardens. The dwellings often display common design details along road frontages and generally have regular spacing with private gardens to the rear.
4. 28 Calfcote Lane is a bungalow property fronting Calfcote Lane with gardens to the front and rear. The rear garden is on a split level on account of land levels dropping to the south. The rear boundary of No28 aligns with those of the adjacent properties on Calfcote Lane and, along with the rear boundary of 26 Calfcote Lane, backs on to the turning head of Brindle Close, a residential cul-de-sac.
5. The true bungalows on Brindle Close are regularly spaced along consistent building lines and set behind gardens either side of the carriageway. The majority of the existing dwellings on the Close benefit from side driveways with subordinate outbuildings to the rear.
6. The proposal would subdivide the existing garden area of No28 to form a separate plot adjacent to the turning head of Brindle Close and accessed directly from it. Consequently, the building would be mainly viewed in the context of Brindle Close.

7. However, the size of the plot would be much smaller than those typical of the surrounding townscape. Although the position of the building would substantially retain an open vista looking towards the head of the cul-de-sac, the building would be in close proximity to the plot boundaries which would necessarily be retained at height to protect the living conditions of neighbouring residents.
8. When taken with the orientation and short distance of the proposed principal elevation to the elevated side garden boundary of 26 Calfcote Lane and the close proximity to built development on three sides of the dwelling, the proposal would appear cramped and hemmed-in within the site. This arrangement would contrast sharply with the consistent pattern of deeper plots of the nearby residential properties and introduce a higher density of development that would run contrary to the layout and grain of local development. In turn, this would fail to achieve a sense of spaciousness about the building which is a positive characteristic of development in the locality.
9. For the above reasons I conclude that the proposal would fail to reflect the characteristic layout and grain of local development. It would conflict with Policy DMG1 of the Ribble Valley Borough Council Core Strategy 2008-2028 A Local Plan for Ribble Valley (2014) which, amongst other matters, requires new development to consider the density, layout and relationships between buildings and their surroundings.

Other Matters

10. I acknowledge that the proposal would contribute to the supply of local housing and an identified need for ground floor accommodation types. I also recognise that it would deliver a fully accessible unit in a manner to protect highway safety in the locality. However, these matters do not outweigh the harm identified.
11. In support of the development the appellant's statement advises that a comparable size of building could be erected under permitted development rights attached to No28. However, there is nothing before me to suggest that if this were possible, the appellant would genuinely pursue this option if the appeal failed. As such, it is a matter of negligible weight in my determination of this appeal.
12. I have also noted the concerns from local residents to the proposal. However, in the light of my findings on the main issue of the appeal, my decision does not turn on these matters.

Conclusion

13. For the above reasons, the appeal should be dismissed.

R Hitchcock

INSPECTOR