

Appeal Decision

Site visit made on 3 October 2016

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7 October 2016

Appeal Ref: APP/T2350/W/16/3154278

Thorneyholme, Whalley Road, Barrow, Clitheroe BB7 9BA

- 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 P Pozzi against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2016/0145, dated 12 February 2016, was refused by notice dated 20 April 2016.
 - The development proposed is the erection of a dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are (i) whether the proposal would harm the character and appearance of the area; and (ii) whether the appeal proposal would harm the development strategy for the borough and give rise to sustainable development.

Reasons

Character and Appearance

3. The appeal site lies to the north of the settlement of Barrow and adjacent to a residential dwelling. Part of the site currently serves as a garden, with the remainder hardsurfaced to provide vehicular and pedestrian access. The adjacent property is one of three dwellings in this group that are considerably set back from Whalley Road; the others being Moorside and Audley House. Each dwelling is set within a spacious plot, with open fields to the east and west. Trees and shrubs line the agricultural field boundary to the west and populate residential gardens. The effect of which is a partial screening of the dwellings when viewed from Whalley Road and the public right of way (PROW) which extends northwards through the site.
 4. To the south of the site on Whalley Road is the Barrow United Reformed Church, Barrow Primary School and dwellings in Birch View, Briar Bank and the Old Row. To the north facing Whalley Road is the semi-detached pairing of Lynfield and Carlyane as well as the Barrow Nurseries site.
 5. The appellant acknowledges the inevitable consequence of the proposal which would result in a visual change to the existing side garden. Even though the appellant suggests the dwelling would not appear cramped due to the spacing
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afforded by neighbouring properties and by open fields to the east and west, this is not a view that I share given the close proximity of the proposed dwelling to the existing property. The minimal gap would be at odds with the spacious layout of the group that reflects a very different character and appearance to the form of development found to the south. Furthermore the proximity of the proposal would not allow for suitable landscaping that would assist in maintaining the distinctiveness of the site and its surroundings.

6. The proposal would respect the varied style and finish of each neighbouring dwelling. However, the siting of the proposal together with gable roof form would result in a discordant feature that would clearly be at odds with the spacious pattern of development when viewed from Whalley Road, and the PROW. The effect of the proposal would become more apparent and harmful during the winter months when the deciduous trees are not in leaf.
7. For these reasons, I conclude that the proposal would significantly harm the character and appearance of the area and would be contrary to Policies DMG1 and EN2 of the Ribble Valley Borough Council Core Strategy 2008-2028 A Local Plan for Ribble Valley adopted 2014 (Core Strategy). These policies, amongst other things, seek to ensure development proposals are of a high quality design that responds to the sympathetic relationship between buildings which forms part of the local distinctiveness.

Development Strategy

8. The development strategy for the area is set out in Policy DS1 of the Core Strategy. It states that the majority of new housing development will be concentrated within an identified strategic site and three principal settlements. Other development, other than that for a proven local need or to deliver regeneration benefits, should be focused within Tier 1 settlements such as Barrow which are the more sustainable of the 32 defined settlements.
9. Core Strategy Policy DMG2 sets out that development proposals in Tier 1 villages should consolidate, expand, or round off development so that it is closely related to the main built up area. In this regard, it is suggested by the Council that the appeal site is not closely related to the main built up area of Barrow. A contrasting view is expressed by the appellant, which is based on the previously defined settlement boundaries associated with the Districtwide Local Plan (DWLP), adopted in 1998 being out of date.
10. Whilst the Council acknowledges this point, it is put that the DWLP remains a starting point. Although I appreciate the Council's view, the DWLP has nonetheless been replaced by the Core Strategy and as such I am unable to give it any weight. Despite this, the Council is in the process of bringing forward new settlement boundaries in the form of the emerging Housing and Economic Development DPD (HEDDPD). This document is currently subject to public consultation. Whilst I recognise the site falls outside of the interim boundary, it could, despite it appearing to take account of planning permissions recently being granted, be subject to change. Therefore, in its current form, the HEDDPD only attracts a very limited weight.
11. Insofar as the site itself is concerned, whilst the settlement of Barrow has evolved, I observed that the appeal site forms part of a distinct ribbon development that is set in spacious plots set back from the road. Although the site is close to the main built up area of Barrow and it is linked by residential

gardens, I consider the appeal site lies outside the settlement of Barrow, given the considerable set back away from Whalley Road behind an area of open land which I noted was used for agriculture. Consequently, unlike the ribbon development to the south, the appeal site does not readily physically or visually connect to Whalley Road due to its considerable set back from the road. I consider this to be an important consideration which, despite the appellant's view to the contrary, leads me to consider the appeal site is not within the settlement of Barrow. I recognise permission has been granted at the Barrow Nurseries site, however the circumstances of this case are not before me. As a result, in terms of the Council's development strategy, I consider the appeal site should be treated as being in the countryside.

12. As the parties agree that the Council is able to demonstrate a five year supply of deliverable housing sites, the relevant policies for the supply of housing should be considered to be up to date in accordance with paragraph 49 of the National Planning Policy Framework (the Framework).
13. Despite the site's location, it is not an isolated countryside location given the presence of some local facilities in Barrow which are within walking distance of the appeal site. These include a public house, takeaway, primary school, small supermarket, restaurant, a church and recreation facilities. Access to these would be along a lit footway. I also noted on my site visit the presence of bus stops on either side of Whalley Road offering services to Clitheroe.
14. However, the appellant has not demonstrated the site, despite its proximity to the settlement of Barrow and presence of bus services that occupants could also access community facilities, employment opportunities, medical services, banks or food shops for example. These are necessary to meet occupiers' day to day needs without requiring undue levels of travel. Some or all of these facilities maybe on offer locally, but in the absence of such information, I consider it reasonable to assume future occupants would be reliant to a certain extent on the private car for day to day essential activities.
15. In terms of Core Strategy Policy DMH3, it has not been demonstrated that a local need exists. It also follows, given my findings in respect of the site's access to services that the proposal would not therefore deliver a sustainable pattern of development.
16. I have considered the parties points surrounding a precedent being set for similar developments in the countryside. I have also had regard to the appeal decision in Clayton le Dale¹ which the Council have referred to. Notwithstanding the findings of this decision, the respective sites are near to different settlements. Each application and appeal must, as the appellant points out, be considered on its own merits. Therefore, whilst I understand the Council's underlying concern, I don't, given the site specific circumstances consider allowing this appeal would render future similar development proposals more difficult to resist which could undermine the Council's development strategy.
17. Nevertheless, on this issue, I conclude that the proposal would significantly harm the development strategy for the borough and not give rise to sustainable development. The proposal would be contrary to Policies DS1, DMG2 and DMH3 of the Core Strategy which seek to focus development in

¹ Appeal Decision Ref: APP/T2350/W/16/3146494

accordance with the development strategy or within areas outside defined sustainable settlement areas where there is an identified local need.

Conclusion

18. Although, the deliverable supply is not a maximum figure, given the Framework's overarching aim to boost the supply of housing, the provision of an extra family dwelling would offer social and economic benefits. However the scope of these is limited to the modest contribution which would be outside the main built up area of Barrow. In any event, these matters do not outweigh my findings on the two main issues.
19. For the reasons set out above, I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR