

Appeal Decision

Site visit made on 15 August 2023

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2023

Appeal Ref: APP/T2350/W/23/3318222

4 The Green, Osbaldeston Lane, Osbaldeston, Lancashire BB2 7LY

- 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 Kevin Crook against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2022/0987, dated 27 October 2022, was refused by notice dated 30 November 2022.
 - The development proposed is the erection of a building for the continued storage of machinery and materials used by the applicant in pursuit of his continued enjoyment of the use of his privately owned land adjoining the residential curtilage of 4 The Green.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed building on (1) the character and appearance of the surrounding area; and (2) trees.

Reasons

Character and Appearance

3. No 4 The Green, is an end terrace house fronting Osbaldeston Lane with a garden to the rear and side. To the north of the house and garden are a row of buildings and to the north of these is the appeal site. The latter comprises an open area of land, gated and screened from the lane by mature vegetation and trees. There are open fields opposite and to the rear and the area is rural in character with scatterings of groups of buildings. Despite the buildings, Osbaldeston Lane appears as a fairly narrow country lane with hedging to the sides and open fields beyond.
4. The existing buildings are used by the appellant for his hobby of collecting and restoring vehicles and machinery including vintage engines. The appeal site is used for open storage of miscellaneous items. The proposed building would provide additional storage space for the appellants growing collection.
5. The existing buildings are large and have a significant effect on the otherwise rural character and appearance of the area. The proposed building would extend the built form into an area that is otherwise free of buildings. The design, scale and overall appearance of the building would be industrial

in character and added to the existing buildings along Osbaldeston Lane, would have a significant visual impact due especially to their bulk and massing, together with their highly visible location alongside a narrow country lane.

6. The appellant considers the site to be part of the residential curtilage of 4 The Green and whilst this is not a matter to be determined under this Section 78 appeal, the appearance nature, scale and massing of the existing buildings and the location of the appeal site in relation to the house mean that whilst it is not isolated it is physically some distance away from the house itself.
7. Furthermore, the design, scale and appearance of the proposed building is not commonly associated with a domestic use. The appellant refers to its utilitarian design and points to examples of other industrial and commercial buildings along the A59. I agree that there is evidence of similar buildings to that proposed here in the wider area and the design of the building is not uncommon. However, such buildings elsewhere does not mean that the proposed building is appropriate in this location.
8. Due to the reasons stated, the proposed building would not be consistent with the aims of Core Strategy¹ Policy DMG1 which, amongst other things, requires buildings to be of a high standard of design in their context. It would also conflict with Policy DMG2 which, amongst other things, requires development in open countryside to be in keeping with its character. Likewise, the National Planning Policy Framework requires development to be sympathetic to local character, which as stated, I do not consider that the proposal would. As such, the proposal would have a harmful effect on the character and appearance of the surrounding area.

Trees

9. There are trees and hedges around the boundaries of the appeal site which make an important contribution to the character and appearance of this rural lane. However, no details are submitted identifying these and so it is not possible to determine whether they would be affected or not. Core Strategy Policy DME1 requires detailed arboricultural survey information and tree constraints plans for development that is likely to affect trees and therefore, the lack of this information conflicts with this policy. Furthermore, Policy DME2 indicates that should development significantly harm important landscape features such as hedgerows and individual trees, it would be refused. Although the appellant states that no harm to trees or hedgerows would occur this is not sufficient to enable me to determine whether harm would arise.

Other Matters

10. The appellant states that the proposal would not affect residential amenity or give rise to access issues. He explains that the building is required because the existing storage space and workshop are too small and additional covered secure provision is required. I appreciate that the building is not required for commercial purposes but to facilitate the appellants own

¹ Ribble Valley Borough Council – Core Strategy 2008 – 2028 A Local Plan for Ribble Valley Adopted Version, Adopted 16 December 2014.

personal use. Whilst a condition could secure these uses the building would still remain and so a condition would not lessen the impact of this large building on the character and appearance of the area, as explained above.

Conclusion

11. For the reasons given above I conclude that the appeal should be dismissed.

J D Clark

INSPECTOR