



Appeal Decision

Site visit made on 3 January 2024

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 26 February 2024

Appeal Ref: APP/T2350/W/23/3322801

Pinfold Farm, Preston Road, Ribchester PR3 3YD

- 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 A Davies, Alan & Anne Davies Settlement 2014 Trust, against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2022/1180, dated 21 December 2022, was refused by notice dated 13 March 2023.
 - The development proposed is demolition of approved domestic dwelling to new improved energy efficient domestic dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Notwithstanding the description of development as set out above, which is taken from the application form, the proposal is for the 'demolition of an agricultural building (with class Q consent for residential) and erection of a new dwelling'. The Council dealt with the proposal on this basis and so shall I.
3. For the avoidance of doubt, I have based my decision on drawings Ref: 008 Rev B and Ref: 009, notwithstanding those listed in the Officer's Report. Moreover, it has been clarified that the proposed site plan Ref: 009 does not include hardstanding.
4. Whilst a revised version of the National Planning Policy Framework (the Framework) was published in December 2023, the sections relevant to this appeal remain unchanged. Therefore, the principles that apply to this decision remain the same. Consequently, it has not been necessary to request observations from the main parties upon any implications of the revised Framework's publication.
5. The Council refused the application for three reasons including insufficient information on bats, a protected species. An updated bat report¹ was submitted with the appeal. The Council has commented on this in its statement and agrees that suitable protection could be given to bats by condition. I see no reason to disagree, and this is no longer, therefore, a disputed issue.

¹ Angela Graham Bat Consultancy Service, 22 March 2023.

Main Issues

6. Therefore, the main issues are:

- the suitability of the proposal in this location, having regard to the settlement strategy and access to facilities and services; and
- the effect of the proposal on the character and appearance of the area.

Reasons

Location

7. The appeal site is outside a village and a defined settlement boundary, as set out in Policy DS1 of the Ribble Valley Borough Council Core Strategy (CS) 2008-2028, adopted 2014. It is therefore within the open countryside.
8. Policy DMG2 of the CS requires development to be in accordance with the development strategy and support the spatial vision. In this respect, outside defined settlement areas, development is restricted unless it meets a number of exceptions. It is common ground, and I agree, that the proposal does not meet any of the exceptions. It is therefore in conflict with this policy.
9. Policy DMH3 of the CS relates to dwellings in the open countryside and restricts residential development unless it is either essential for the purposes of agriculture, or which meets an identified local need, or it includes the appropriate conversion of buildings to dwellings, or it involves the rebuilding or replacement of existing dwellings. As the proposed development is for the demolition of an agricultural building to erect a new dwelling without any proposed restrictions on occupancy related to local need, the proposal does not accord with any of these criteria. There is no disagreement between the parties with regard to this.
10. Policies DMI2 and DMG3 of the CS require new development to reduce the use of car journeys by having good access to the site by foot and cycle and available public transport. The proposal is adjacent to the B6245, and a bus stop is located opposite the entrance to the site at Pinfold Cottages. This is served by the No 5 bus which goes to Clitheroe and Chipping, and the No 45 bus which goes between Preston and Blackburn, which in turn connect with other services in the region. The submitted evidence shows that both these buses provide an hourly service between 10.10 and 14.22 hours.
11. Notwithstanding this, the site is some distance from services within Ribchester, the nearest village, and so would discourage those occupying this proposal from walking or cycling along an unlit country road into the village when dark, or the weather is less favourable. Whilst it is possible that some journeys could be made on public transport, the frequency of the service and the location would, in any event, encourage the use of a private car.
12. Therefore, the site would not be an appropriate location for the proposed development having regard to settlement strategy and access to facilities and services. It would, therefore, not accord with CS Policies DS1, DMG2, DMH3, DMI2 and DMG3, as well as DS2 which seeks to deliver sustainable development.

Character and appearance

13. The site consists of an area of hardstanding and three buildings located to the rear of a number of dwellings at 'Pinfold Farm'. The largest of these is a steel portal framed building, with concrete blocks and timber boarding, and a pitched roof.
14. The existing buildings are set well back into the site, some distance from the road. The proposed development seeks to demolish these and build a dwelling on a new orientation so that the longest elevation would face the road. This would result in the curtilage being extended on two sides, although this would be reduced to the north where hardstanding would become grass paddock.
15. Pinfold Farm consists of a cluster of pleasant stone buildings within the countryside, surrounded by agricultural fields bounded by hedgerows. The proposal site, with a degree of separation from these buildings, is already more visible within the surrounding landscape than those close to it, some of which I saw were single storey.
16. Whilst the proposed dwelling would be constructed in stone and timber to match the existing buildings on the site, it would not be of a traditional or characteristic form, with its asymmetrical roof, external chimney, and overhang of the roof. The modern design would be unlike any other buildings on the wider farmstead, and from what I could see of the local vernacular.
17. Moreover, the fenestration would include narrow windows, but also extensive areas of glazing on the rear elevation, and numerous openings on one of the side elevations. These, including a wraparound window, would appear discordant in this location. The variance in the style and form of openings would result in an incoherent design, not reflective of the character of the area. Overall, this would result in the building appearing overly domestic and incongruous in this location. Furthermore, as it would be higher than the existing building, it would be more prominent and visible when approaching the site from the direction of Ribchester.
18. Therefore, I conclude that the proposal would harm the character and appearance of the area. It would not accord with CS Policies DMG1 and DMG2 which collectively requires development in the open countryside to be sympathetic to its surroundings and landscape character in terms of its size, design and siting.

Other Matters

Fallback

19. Prior approval² (under the provisions of Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) has been granted for the change of use of the large, steel portal framed building to a single dwelling, whilst the two adjoining buildings would be demolished (herein 'the Class Q'). A new dwelling on the site would result in a building with a higher economic value than the existing barn. Consequently, there is more than a theoretical prospect that this proposal would be implemented. The Class Q therefore provides a fallback position.

² APP/T2350/W/21/3274371

20. The proposed development would have significant energy efficient advantages over the Class Q. This is because it includes a solar roof at a 21-degree pitch on the front, said to provide enough electricity for the needs of the dwelling, as well as other energy efficient measures not provided by the Class Q.
21. Whilst these energy measures would be introduced, including a ground source heat pump, the groundworks would be outside the boundary of the site, in the adjacent field. Even though it has been demonstrated that this would be in land owned by the appellant, there is no substantiated evidence as to why this, plus other energy efficient measures, cannot be delivered to the Class Q at a future date. Again, although some environmental benefits could be gained by moving and re-using the existing building within the site or selling it on, no specific details or its likelihood have been provided.
22. Whilst the proposed development would result in some reduction in the built area and hardstanding on the site, compared to the Class Q, the effects of this would not be visible beyond the immediate confines of the site and so would provide no meaningful difference.
23. The Class Q is instead located at the rear of the site, alongside the hedgerow. Its conventional, rectangular form, materials, and minimal openings to the side elevations, would be sympathetic to the agricultural nature of the building and the site. Despite the glazed opening to the front and rear, openings are traditionally located on such elevations. Whilst the proposed development would be closer to existing buildings on the farmstead, as the design, including extensive openings throughout the building would not be reflective of the rural character of other buildings in the vicinity, it would not be more beneficial than the Class Q.
24. Whilst both the proposed development and the Class Q would introduce domestic paraphernalia into the site, and permitted development rights could be removed to mitigate this, the overall characteristics and visibility of the proposed development would not enhance the setting. Therefore, in terms of the design and position of the proposed development within the site, it would be more harmful than the fallback.
25. There is a clear fallback position provided by the Class Q approval which I give moderate weight to. The proposed development would indeed provide energy efficient measures not provided by the Class Q, which I give some weight to. However, whilst the proposed development would result in some reduction in the volume, built area and hardstanding on the site, compared with the Class Q, this is of limited weight. Instead, the Class Q involves the re-use of an existing agricultural building with minimal openings, and in this location is more characteristic of the site and the rural surroundings. Therefore, I find that the proposed development would, for the reasons set out above, be more harmful than the Class Q.

Other

26. The appellant and the Council have drawn my attention to several appeal decisions and planning applications for housing in the open countryside. The two local sites³, are for new dwellings that are much larger, more traditional in style, and within extensive grounds than the appeal case. Therefore, from the

³ Ref: 3/2020/0752; Ref: 3/2015/0593

evidence provided, these cases are not comparable to the constraints that exist on the appeal site.

27. Details of a Class Q appeal decision⁴ has been brought to my attention and refers to the enhancement of a site by the removal of dilapidated buildings that detract from the surroundings. This provides different circumstances to the building in Pinfold Farm which is in good condition. An appeal decision⁵ has been provided which refers to the development plan not allowing residential development in an open countryside location unless it accords with several criteria, however, I do not have full details of the case, and it relates to a different site with different characteristics. It is not, therefore, directly comparable to the appeal before me. Therefore, I have assessed the appeal on its own merits and attach little weight to these submitted cases.
28. The appellants have commented on the Council's design advice and the planning history of this site. Any discussions, including correspondence, is, however, between the parties and these matters do not affect my determination of this appeal.
29. The proposal would provide adequate parking with room for three cars, and the Highway Authority had no objection subject to a condition. This is a neutral matter.

Planning Balance and Conclusion

30. I have found that the proposal would harm the character and appearance of the area and would not be an appropriate location for housing based on its location in the open countryside. Whilst the extant Class Q approval provides a realistic fallback position, which would result in a new dwelling on the site, I consider that the proposed development would, for the reasons set out above, be more harmful than the fallback position.
31. Therefore, the proposed development conflicts with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and that warrant a decision other than in accordance with the development plan.
32. For the reasons given above, I conclude that the appeal is dismissed.

M J Francis

INSPECTOR

⁴ APP/W3330/W/20/3248009

⁵ APP/C2708/W/20/3253457