



Appeal Decision

Site visit made on 7 January 2025

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 14 January 2025

Appeal Ref: APP/T2350/W/24/3347840

The Woodlands, Clitheroe Road, Mitton, Lancashire, BB7 9PH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Empress Fencing Ltd against the decision of Ribble Valley Borough Council.
 - The application Ref is 3/2023/0579.
 - The development proposed is described as 'Retrospective consent for siting of a welfare building, small shed and occasional overnight accommodation for staff'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the address provided in the appeal form in the banner heading above as this appears to be more accurate than that in the application form.
3. The development applied for has been carried out. At the time of my site visit the removal of the decking area had begun but had not been completed. For the avoidance of doubt, I confirm that my determination of the appeal is based on the drawings and photographs submitted with the original application.
4. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024. Having considered the content of the revisions it has not been necessary to re-consult the main parties about this change in national policy as they do not alter my conclusion.

Main Issues

5. The main issues are:
 - Whether the site is an appropriate location for the development having regard to the development strategy of the area, and
 - The effect of the development on the character and appearance of the area.

Reasons

Location

6. The appeal site is in use as a timber manufacturing and supply business and contains two large profile steel sheet cladded and pre-cast concrete wall panelled industrial buildings. It is accessed via a long track off Clitheroe Road and is surrounded by open agricultural land and fields, which provides the site with a

remote rural setting. It is uncontested that the appeal site is in the open countryside, outside any defined settlement in the development plan.

7. Policy DMG2 of the Ribble Valley Borough Council Core Strategy 2008-2028: A Local Plan for Ribble Valley 2014 (Core Strategy) identifies that development in either Tier 2 villages or outside a defined settlement must meet at least one of six considerations. The considerations most pertinent to this appeal are developments that are: essential to the local economy or social well-being of the area; are needed for forestry or agriculture; and for small scale uses appropriate to a rural area where a local need or benefit can be demonstrated.
8. I am informed that the cabin was purchased and sited on the land during the Covid-19 pandemic, and that this was used for storage and by staff as a break room, rest room, for occasional overnight stays and as an occasional office. I have also had regard to the contents of the letter by Carris Consulting which emphasises the importance, under The Health and Safety at Work etc. Act 1974 and Workplace (Health, Safety and Welfare) Regulations 1992, of providing adequate and suitable welfare facilities for staff.
9. However, this letter does not provide an assessment of what is required to be provided on the site. There is also little information before me to explain how the business operates, including staff numbers, shift patterns, delivery times, or any details of other welfare facilities on the site. Furthermore, the cabin has a generous footprint and at the time of my site visit it was evident that several of the rooms were not being used. Whilst this may have been a snapshot in time, it is consistent with the appellant's statement of case which confirms that not all of the cabin was used at all times and that this remains to be the case as some rooms are vacant and not put to any specific use.
10. Although the appellant may have seen this as a sensible and cost-effective alternative to the construction of a bespoke building at the time of purchase, I am unable to be satisfied, on the basis of the evidence before me, that the size, scale and number of rooms and facilities provided in the cabin are needed to meet the demands of the business.
11. As such, I am unable to find that the development is needed for the purposes of forestry or agriculture, or that it is essential to the local economy. It has also not been demonstrated that there is a local need or benefit for a small-scale use that is appropriate to the rural area. On this basis, I therefore conclude that the site is not an appropriate location for the development having regard to the development strategy of the area. Conflict thereby arises with Core Strategy Policy DMG2.

Character and Appearance

12. The cabin has been clad in timber to provide it with a more rural appearance. It is sited on an area of grassed land directly to the rear of one of the existing industrial units and is subservient in scale to this much larger building. Indeed, the cabin and shed are flanked by substantially larger buildings to two sides with further screening provided by mature trees, and the open timber stored on the site. When combined with the topography of the area, these factors ensure that the cabin and timber shed are not easily readable from public vantage points outside of the appeal site.

13. Although views of the façade and a number of openings within the cabin are predominantly obscured by the factors above, the decked area, with outside seating is in a prominent, open and raised position to the edge of the site. These elements retain the cabin's perceived domestic character, which appears discordant and incongruous within its industrial and rural context.
14. Accordingly, I find the development to cause minor, albeit material harm to the character and appearance of the area. It therefore conflicts with Policies DMG1 and DMG2 of the Core Strategy, which seek, amongst other things, for a high standard of design that is sympathetic to existing and proposed land uses and the character of landscapes in terms of its size, intensity and nature as well as scale and massing. It also fails to accord with the Framework's design objectives.

Other Matters

15. Some economic and social benefits have been put forward in support of the development. However, due to the lack of evidence before me I am unable to be satisfied that it supports business growth and the local economy as required by Core Strategy Policy DMB1. The appellant's dissatisfaction with the Council's handling of the application and the lack of communication is also noted. Nonetheless, this matter has had no bearing on my decision as I have only had regard to the planning merits of the case.

Conclusion

16. For the reasons given above, the development conflicts with the development plan and there are no material considerations that warrant taking a decision otherwise than in accordance with it. The appeal should therefore be dismissed.

Mark Caine

INSPECTOR