



Appeal Decision

Site visit made on 23 April 2019

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 12th June 2019

Appeal Ref: APP/T2350/W/19/3221743

Land Adjacent Glenetta, Parsonage Road, Wilpshire BB1 4AG

- 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 Graham Margerison against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2018/0651, dated 21 July 2018, was refused by notice dated 26 September 2018.
 - The development proposed is a new residential dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) Whether or not the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and relevant development plan policies;
 - ii) The effect of the proposal on the openness of the Green Belt; and
 - iii) If the proposal is inappropriate development, whether the harm by reason of inappropriateness or any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

3. The appeal site is part of the garden of the adjacent property, Glenetta. It is within a short ribbon of development to the north of Parsonage Road. It is in the Green Belt beyond the urban edge of Blackburn, which is in the adjoining administrative area. At this point, the administrative boundary coincides with the Green Belt boundary.
4. Paragraph 143 of the National Planning Policy Framework (the Framework) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
5. Key Statement EN1 of the Ribble Valley Borough Council Core Strategy 2008 – 2028 A Local Plan for Ribble Valley Adopted December 2014 (the Local Plan)

sets out the Council's intention to maintain the overall extent of Green Belt in order to safeguard the countryside from inappropriate development. In this respect, it also sets out its approach to restricting new buildings in the Green Belt unless they meet one of a limited number of specific exceptions. This is broadly consistent with the exceptions set out in paragraph 145 of the Framework, two of which appear to be relevant in this case, namely limited infilling in villages and the redevelopment of previously developed land (PDL) which would not have a greater impact on the openness of the Green Belt than the existing development. I intend to deal with both of these in turn.

a) Limited infilling in villages

6. There is no definition of a village in the Framework. However, the Local Plan glossary defines a settlement as containing at least 20 dwellings and with at least some limited services or facilities. In this case, there is only a very small number of properties on Parsonage Road near to the appeal scheme, predominantly to one side of the road only. This discrete group of dwellings along Parsonage Road is not a defined settlement for the purposes of the Local Plan.
7. The group of properties near the appeal site is separated from Blackburn by undeveloped land including the wooded and tree-lined corridor of Knotts Brook. Notwithstanding recent residential development in the adjoining administrative area, there is an abrupt change in character and appearance beyond the urban area. The group is more typical of sparsely populated rural areas and it lacks the density, uniformity and consistency of properties and streetscenes that is evident in the nearby suburbs of Blackburn. Other differences that set the immediate area apart from the settlement include the abundant trees and shrubs along the roadside, and the absence of a footway or obvious street lighting. As a result, the group is physically and visually distinct from Blackburn. It does not relate well to, and is not a direct continuation of, the more densely built form of Blackburn.
8. Future urban expansion to the administrative boundary on the north side of Parsonage Road would reduce the separation between the appeal site and Blackburn. However, there is no evidence before me of any site allocations or planning proposals that would indicate a likelihood of further residential development in this area. I therefore give this possibility little weight in my considerations.
9. I have been made aware of an appeal decision within the Green Belt on the outskirts of Blackburn¹. There, the Inspector concluded that that the site could be considered as falling within a village for the purposes of the Framework. While there are similarities, including the relationship to the administrative boundary, there are nevertheless differences between the sites. Barker Lane is a much longer ribbon of development, with a greater number of properties to both sides of the street. Moreover, while there is a change in character along the street, it is nevertheless a clear continuation of Blackburn. The appeal decision at Barker Lane is not directly comparable to the scheme before me, where the small number of dwellings on Parsonage Road are neither a clear continuation of Blackburn nor a village.

¹ APP/T2350/W/16/3164118

10. In this case, the appeal site is not within a village and the proposal would not therefore meet the test of the exception set out in paragraph 145e) of the Framework. Effects on the openness of the Green Belt are considered later in this decision.

b) Redevelopment of previously developed land which does not have a greater impact on openness

11. For the purposes of the Framework, residential gardens outside of built-up areas are included in the definition of PDL. In this case, the appeal site is part of a residential garden outside of any defined settlement limits and can therefore be considered to be PDL.

12. The existing site plan indicates former green houses and a garage. However, photographic evidence shows the green houses removed previously and replaced with a much smaller summer house. The garage also appeared to be a modest timber building that was assimilated into its surroundings. Irrespective of the extent of any former structures or their permanence, there were no buildings on the site at the time of my visit. The proposed development would introduce a significant quantum of development both in terms of its footprint and bulk. Consequently, notwithstanding its status as PDL, the proposal would have a greater impact on the openness of the Green Belt than the existing vacant site. Therefore it would not meet the exception criteria set out at paragraph 145g) of the Framework.

c) Findings

13. I have found that the proposal would be inappropriate development in the Green Belt. It would not be limited infilling in a village and it would not be redevelopment of PDL which would not have a greater impact on the openness of the Green Belt. It would be in conflict with Key Statement EN1 of the Local Plan and policies in the Framework that protect the Green Belt.

Effects on openness of the Green Belt

14. Paragraph 133 of the Framework states that the essential characteristics of Green Belts are their openness and their permanence. The assessment of openness requires a consideration of both spatial and visual aspects.

15. In this case, there would be a spatial effect on openness as a result of the dwelling and attached garage, vehicular parking and access, and associated domestic paraphernalia. The proposal would introduce a significant footprint of permanent development at this site, eroding its open character.

16. The dwelling would be between existing dwellings and it would be seen as part of a group of properties. Nevertheless, there would be a significant visual impact by virtue of the height and bulk of the dwelling and the extensive parking and manoeuvring area to the front of the site. Moreover, it would obscure and interrupt the open views across and through the site of the open countryside beyond. Consequently, there would be a harmful loss of openness of the Green Belt. While the loss would be small in the context of the Green Belt as a whole, the Framework is clear that substantial weight should be given to any harm to the Green Belt.

Other Considerations

17. Paragraph 11 of the Framework states the presumption in favour of sustainable development does not apply where specific policies in the Framework provide a clear reason for refusing the development. The footnote to this paragraph notes that the policies referred to include those that relate to land designated as Green Belt. Therefore, even if the Council's 5 year housing supply is marginal, this would not be a factor that would carry any weight.
18. The appeal site is within walking distance of facilities and services within Blackburn. Although future occupiers would therefore have access to these services, this is not a factor in the scheme's favour given the location of the site beyond the built-up area and in the Green Belt. It therefore carries little weight in my assessment.
19. I note that there are no objections to the design of the proposed dwelling, or harmful impacts on biodiversity or landscaping. However, as these are requirements of policy and legislation, the absence of harm in respect of these matters is not a positive factor in the scheme's favour.
20. The adjacent permission for a replacement dwelling (ref 3/2018/0937) in the Green Belt immediately adjacent to the appeal site has been found to be acceptable and in accordance with paragraph 145d) of the Framework. It is not comparable with a proposal for a new dwelling and therefore it is not a factor in the scheme's favour.
21. I note that the adjacent permission includes a footway along the front of that property. The appeal proposal would further extend this footway across the front of the appeal site, which would improve safety for pedestrians. However, the associated benefits would be small and only attract minimal weight in my overall assessment of the scheme.

The Green Belt Balance

22. I have concluded that the proposed dwelling would be inappropriate development in the Green Belt, and it would therefore conflict with Policy EN1 of the Local Plan and the Framework. It would result in a small loss of openness of the Green Belt. These matters attract substantial weight.
23. There are no other considerations that would clearly outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness. Therefore, the very special circumstances necessary to justify the proposal do not exist.

Conclusion

24. For the reasons set out above, and having regard to all other matters including support, the appeal should be dismissed.

Sarah Manchester

INSPECTOR