



## Appeal Decision

Site Visit made on 25 May 2021

**by R Hitchcock BSc DipCD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 28 May 2021**

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### **Appeal Ref: APP/T2350/W/21/3269165**

#### **Former waste water treatment works, Whalley Road, Barrow, BB7 9AP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
  - The appeal is made by Mr Chris Ball against the decision of Ribble Valley Borough Council.
  - The application Ref 3/2020/0938, dated 9 November 2020, was refused by notice dated 8 February 2021.
  - The development proposed is 3no dwellings.
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#### **Decision**

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of 1 and a maximum of 3 dwellings at the former waste-water treatment works, Whalley Road, Barrow, BB7 9AP in accordance with the terms of application Ref 3/2020/0938, dated 9 November 2020.

#### **Preliminary Matters**

2. The proposal is for permission in principle. Planning Practice Guidance advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.

#### **Main Issue**

4. This main issue is whether the site is suitable for residential development, having regard to its location, the proposed and surrounding land uses and the amount of development.

#### **Reasons**

5. The site is a former waste-water treatment works where the installations have substantially been removed. According to the appellant, the northern part of the site is used in conjunction with a forestry business; the southern part is levelled with a compacted stone surface and, at the time of my site inspection, was used for storage of miscellaneous materials and machinery. The land is

accessed from Whalley Road via an estate road through a new residential housing development which is currently under construction. The site is bordered by the new residential development to the south and east, Barrow Brook watercourse lies immediately to the north and a hedged boundary with open fields beyond to the west.

6. The land is allocated as Open Countryside in the Ribble Valley Borough Council Core Strategy 2008-2028 [2014] (CS). Policies DMG2 and DMH3 of the CS limit new housing in the countryside to those essential for the purposes of forestry or agriculture, or those to meet a locally identified housing need. Although there is potentially some activity associated with forestry taking place on the site, there is little evidence to suggest the proposal for housing would meet an essential need relating to the business. Furthermore, whilst it is indicated that the dwellings would be occupied by the site owners and operators of the business, there is little to suggest this would meet a locally identified housing need that could not be met within the nearby settlement area or elsewhere.
7. The proposed development would thereby conflict with Policies DMG2 and DMH3 of the CS as they seek to deliver the Council's strategic approach to housing delivery and provide suitable locations for residential development.
8. However, the site lies immediately adjacent to the settlement boundary of Barrow. The adjacent village is identified as a Tier 1 Village in Policy DS1 of the CS, which offers a higher level of sustainability than other settlements classified within Tier 2 elsewhere. Although further residential development is not promoted in Barrow on account of existing commitments, Policy DMG2 of the CS seeks to consolidate, expand or round off development in Tier 1 settlements so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of and in keeping with the existing settlement.
9. On the ground, the site appears to form part of the wider development area and within the 'natural' boundary to built development contained by the western hedge line and Barrow Brook. These features are continuous with the settlement boundaries extending to the south and east respectively. For all intents and purposes the site pertains to the adjacent settlement area and contrasts sharply with the substantially open undeveloped fields to the north and west. It does not share the open characteristics or beauty of the countryside the CS policies seek to protect. It would regenerate a site previously used to serve the settlement area without harm to an open landscape or appearing as sporadic development. It could be designed in a manner to reflect the character of nearby development.
10. The redevelopment of part of the site would retain the existing employment use and could provide an enhancement to the site's appearance to the benefit of the surrounding new residential development. It would have equal access to local services when compared to that within the surrounding estate and would therefore retain a sustainable pattern of development which would minimise the need to travel.
11. Furthermore, there is agreement between the main parties that the southern part of the site could be developed for residential purposes without harm to the living conditions of prospective residents of the adjacent housing development or to those who might reside in the proposed houses. The area of the site for residential development would be capable of delivering the proposed number of houses with private amenity space and sufficient space for parking.

12. In support of its case the Council has referred me to an appeal decision elsewhere for a development of 3 homes adjacent to the settlement boundary which was dismissed. However, the circumstances of the site in that instance were distinct from those before me. In that case, the proposal would neither result in a consolidation nor rounding-off of the settlement. Moreover, the site had a much greater affinity to the rural landscape than the settlement area. It is therefore distinct from circumstances of this case, a case I have considered on its own merits.
13. For the above reasons, I find that there would be a minor conflict with the spatial strategy for locations for housing as set out in the CS. However, the Government's objective is to significantly boost the supply of housing and the proposal would provide up to three modern homes in a location with adequate access to services. It would round off the developed area of the settlement and improve the site's appearance in an area dominated by housing development without harm to the character of the countryside. Taking all of these considerations into account, I conclude that the benefits outweigh any harm arising from the degree of conflict with the development plan.

**Conclusion**

14. For the above reasons, the appeal should be allowed.

*R Hitchcock*

INSPECTOR