



# Appeal Decision

Site visit made on 22 June 2022

by **S Brook BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 18 July 2022**

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**Appeal Ref: APP/T2350/W/22/3291087**

**Bramley Croft, Clitheroe Road, Whalley BB7 9AQ**

- 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 & Mrs Frost against the decision of Ribble Valley Borough Council.
  - The application Ref 3/2021/0887, dated 26 August 2021, was refused by notice dated 9 November 2021.
  - The development proposed is described as "Proposed holiday cottage within the residential curtilage of Bramley Croft".
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## Decision

1. The appeal is allowed and planning permission is granted for a proposed holiday cottage within the residential curtilage of Bramley Croft, at Bramley Croft, Clitheroe Road, Whalley BB7 9AQ in accordance with the terms of the application, Ref 3/2021/0887, dated 26 August 2021, and the plans submitted with it, subject to the conditions set out in the attached Schedule.

## Main Issue

2. The main issue is the suitability of the location for new tourism development with respect to the effect upon the character and appearance of the area.

## Reasons

3. The appeal site lies on the edge of the village of Barrow and comprises part of the garden of Bramley Croft, a barn converted to a residential dwelling. Bramley Croft is separated from the appeal site by mature landscaping. It is one of a small number of dwellings converted from a group of former farm buildings. The car park of The Eagle public house lies adjacent to the site, with modern housing development to the opposite side of the main road.
4. Barrow is defined as a Tier 1 village within the Core Strategy 2008-2028, A Local Plan for Ribble Valley (Adopted 16 December 2014) (LP). The appeal site lies outside of the defined settlement boundary of the village. LP Policy DMG2, supports small scale tourism development outside of defined settlement areas, if such development would be in keeping with the character and special qualities of the area. LP Policies DMG1 and DMB3 include a similar requirement.
5. The Council has stated that this proposal could be considered a small-scale tourism development as allowed for by this policy. They go on to say that the aim of the policy is not to allow for the construction of dwellings (including holiday cottages) at any location. The Officer's Report (OR) has not explained this position with reference to the wording of policy DMG2 or others. However, I

note that LP Policy DMB3, which is specific to new tourism development, includes a locational criterion, it specifies that such development should be physically well related to existing main settlements, villages, or groups of buildings.

6. The position of the proposed holiday cottage is such that it would not appear as part of the existing group of converted farm buildings. However, it would be seen within the context of these buildings, as well as that of the public house and its car park. When approaching the village from the direction of Whalley, the proposed development would not appear detached from existing development. As such, whilst the proposal would not form part of the group of existing buildings, it would be physically well related to the village.
7. The proposed development would have a smaller footprint than Bramley Croft. The ridge height of the proposal and Bramley Croft would be similar. Therefore, whilst the holiday accommodation provided would be generous, the scale of the proposal would not appear overly large in comparison to the host property, which is similar in proportions to its neighbours and smaller in scale than the nearby public house.
8. The design of the proposed holiday cottage does not attempt to replicate the agrarian appearance of the converted farm buildings. The degree of separation from these buildings and intervening landscape features would be sufficient to ensure that this differing design approach would not appear incongruous. The proposed development would be similar in appearance to modern development in the area, such as the public house and new housing to the opposite side of the main road. Therefore, the design of the proposal would be acceptable in relation to the character and appearance of the area. The materials proposed would also be suitable for this location, the full details and samples of which, can be secured by the imposition of a condition.
9. Therefore, although the site is outside of the defined settlement, the proposed development would be physically well related to the village of Barrow. Its scale would be proportionate to nearby buildings. The design and materials would be acceptable, given the presence of other buildings of similar appearance and it would be in-keeping with the special qualities of the area. This would be a small-scale tourism development appropriate to this rural area, secured through the imposition of a condition to limit the occupation of the development to holiday accommodation only. Such a condition would be necessary because the proposal is only acceptable at this location because it complies with the development plan policy relating to tourism development.
10. As such, the proposal would be acceptable in this location as it would relate well to the village and it would not harm the character and appearance of the area. The proposal therefore complies with LP Policies DMG1, DMG2 and DMB3. It would also comply with the National Planning Policy Framework, which includes support for sustainable rural tourism developments which respect the character of the countryside.

## **Conditions**

11. In addition to the conditions referenced above, a drawings condition is listed for certainty. As advised by the Local Highways Authority, a condition is necessary to secure and retain the parking provision on site. This is due to the limited availability for alternative parking along the private road or on the main road.

12. As the holiday cottage would be a dwellinghouse given the accommodation it would provide, it would attract the relevant permitted development rights conferred by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). To avoid harm to the character and appearance of the area, by uncontrolled domestic alterations, a condition removing rights for extensions and outbuildings is reasonable and necessary.

13. With regards to the condition imposed limiting occupancy, I have amended the suggested wording provided by the Council because the reference to "short term" lacks precision and the purpose of the condition can be achieved without this reference.

### **Conclusion**

14. For the reasons outlined above, having had regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be allowed.

*S Brook*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 'A100', 'A101', and 'A300'.
- 3) Details and samples of the materials to be used in the construction of the external surfaces of the holiday cottage hereby permitted shall be submitted to and approved in writing by the local planning authority before their use in the development. The development shall be carried out in accordance with the approved details and samples.
- 4) The car-parking area shall be provided in accordance with the details shown on plan 'A101', prior to the occupation of the holiday cottage, and shall be permanently retained thereafter.
- 5) The development hereby permitted shall be used as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. The owners/operators of the holiday cottage shall maintain an up-to-date register of the names of all occupiers, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development of the types described in Part 1, Classes A-E, of Schedule 2 of the Order shall be carried out on the site.