



# Appeal Decision

Site visit made on 13 September 2022

**by A Veevers BA(Hons) PGDip (BCon) MRTPI**

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

**Decision date: 21<sup>st</sup> October 2022**

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**Appeal Ref: APP/T2350/W/22/3297902**

**Pendle View, Lovely Hall Lane, Copster Green BB1 9EQ**

- 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 Mike Melville against the decision of Ribble Valley Borough Council.
  - The application Ref 3/2021/1155, dated 9 November 2021, was refused by notice dated 25 March 2022.
  - The development proposed is conversion of 2 no. holiday lets into 1 no. dwellinghouse.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. Notwithstanding the description in the banner heading above, it is clear from the documents and plans submitted that the proposal also includes external extensions and alterations. The Council assessed the scheme on this basis and so have I.

## Main Issue

3. The main issue is whether the appeal site is suitable for the proposed development, with particular regard to the local housing/development strategy and accessibility to services/facilities.

## Reasons

### *Location for housing*

4. Key Statement DS1 of the Ribble Valley Core Strategy 2008-2028 (CS) sets out the distribution strategy and settlement hierarchy for development in the area. The appeal site lies within a Tier 2 settlement of Copster Green, where development is required to meet a proven local need or deliver regeneration benefits. Key Statement DS2 underlines the Council's positive approach to sustainable development. Policy DMG2 of the CS aims to support the above strategic and spatial considerations and states that development within Tier 2 settlements should meet at least one of a number of criteria.
5. The strategic statements and policy referred to above make no differentiation between proposals for new build residential development or conversions to dwellings. They comprise the Council's main policies for focusing areas of, amongst other types of development, housing growth. Even though the proposal would only create one dwelling and the site is brownfield land, it would be located in a Tier 2 settlement and would not be for a proven need or

regeneration benefit, nor meet any of the considerations listed in Policy DMG2. Therefore, the proposal would conflict with these policies.

6. There is no dispute that the site is located within the defined settlement boundary of Copster Green. However, the absence of any local services would require residents to travel outside the settlement for even basic needs. The site is close to the A59, a main road which includes footways and bus stops and, although I noted there was no footway between the site and the A59, it is recognised that this main road provides access to larger urban settlements that would provide a variety of forms of transport. However, I have limited evidence before me regarding the frequency of the bus services along the main road and residents would be largely dependent upon the private car to access day to day services.
7. I acknowledge that there is generally a greater reliance on private cars in more rural areas and there are already a number of residential properties a similar distance from services and facilities. Furthermore, additional residents in one settlement can help support services and facilities in another. Nonetheless, there would be a lack of travel choices available for occupiers of the proposed dwelling and their visitors to be able to access these services.
8. I recognise that the current use of the property for two holiday lets is likely to already result in trips by private car to access and support services in nearby areas. However, there is no indication to suggest that the use of the property as a dwelling would result in a reduction in vehicular trips. Indeed, it would be likely that more journeys would be made on a daily basis by occupiers of a dwelling travelling to work, school and for other services. In addition, use as a permanent dwelling would likely increase the number of deliveries and visitors which would not be likely from holiday lets.
9. Key Statement DM12 and Policy DMG3 state that new development should be located to minimise the need to travel. The proposed development would undermine this strategic aim by directing residential development, albeit only one dwelling in an existing building, to a location with limited access to different modes of transport.
10. Policy DMH4 is a development management policy which supports the overarching development strategy of the CS relating to the conversion of buildings to dwellings. It sets out a number of criteria that should be complied with for such proposals. The only criterion which is disputed by the main parties relates to the requirement for the building to have had a genuine history of use for agriculture or another rural enterprise.
11. Evidence indicates that the property was formerly a dwelling and subsequently partly used as a café and then as a children's day nursery. Although planning permission was granted for a change of use to two dwellings in 2000, this permission was not implemented. It is currently holiday let. Therefore, on the basis of the information presented to me, the property has not been used as a dwelling for a number of years, and not since the adoption of the CS or NPPF<sup>1</sup>.
12. In the absence of a definition of rural enterprise in the CS, I consider the existing holiday let business to be a commercial enterprise which is located in a rural settlement. As such, I consider that it would meet such a requirement.

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<sup>1</sup> National Planning Policy Framework

13. Therefore, the site would not be in a suitable location for housing with regard to accessibility, in conflict with Key Statements DS1, DS2 and DM12 and Policies DMG2 and Policy DMG3 of the CS which seek to locate development where the need to travel is minimised.

### **Other Matters**

14. My attention has been drawn to the matter of precedent. I am dismissing the appeal on its own merits because it is contrary to the CS. Any future cases would be assessed on the evidence and policies at that time.

15. The appeal<sup>2</sup> referred to by both parties relates to the erection of nine dwellings outside the settlement boundary and is therefore not directly comparable to the appeal before me.

16. I note that the planning application boundary excludes the proposed rear garden area adjacent to Homestead. However, as I am dismissing the appeal on the main issues above, I have not pursued this matter further.

### **Conclusion**

17. The proposal conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.

18. For the above reasons, I conclude that the appeal should be dismissed.

*A Veivers*

INSPECTOR

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<sup>2</sup> APP/T2350/W/15/3134524