

RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

**REFUSAL**

**DATE:** 8 FEBRUARY 2024  
**REF:** LH  
**CHECKED BY:**

**APPLICATION REF:** 3/2023/0477

GRID REF: SD 364519 435737

**DEVELOPMENT DESCRIPTION:**

RETROSPECTIVE APPLICATION FOR EXTENSION AND USE OF LOG CABIN AS HOLIDAY LET WITH PATIO AND ADDITIONAL STRUCTURES INCLUDING HOT TUB AND PIZZA OVEN TOGETHER WITH ASSOCIATED ACCESS TRACK AND PARKING AT THE VINES PRESTON ROAD RIBCHESTER PR3 3XL

**CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

**RIBCHESTER PARISH COUNCIL:**

No response received.

**LANCASHIRE COUNTY COUNCIL HIGHWAYS (LOCAL HIGHWAYS AUTHORITY):**

No objection.

**ADDITIONAL REPRESENTATIONS:**

3 letters of representation have been received. 2 letters objecting to the application on the following grounds:

- Development including access track is intrusive in a rural location and detrimental to wildlife
- Concern about track potentially linking to development on adjoining land
- Noise complaints during construction and from holiday use

1 letter raising no objection to the development but raising concerns about undisclosed future plans for this site and the adjoining site.

1. **Site Description and Surrounding Area**

- 1.1 The application relates to an area of land outside of the settlement of Ribchester and to the rear of a ribbon development of properties fronting Preston Road. Aerial images suggest the land to the rear has been used in association with the property as domestic curtilage since approx. 2013 and that a small cabin has been in existence in a small wooded area since approx. 2015. This cabin understood to have been used for ancillary purposes to the host property.
- 1.2 The land falls away to the rear meaning the proposed development is set at a lower level to the host property, neighbouring properties and Preston Road. Boyce's Brook is situated beyond the proposed development to the north-east and there is a small wooded area surrounding the development to the north and west .

## 2. **Proposed Development for which consent is sought**

2.1 The application seeks retrospective consent for:-

- an extension of the cabin building to the west and east to provide additional accommodation and a patio/veranda and use of the extended building for holiday accommodation purposes. Total building measures 9.8m x 5.6m with an eaves height of 2.45m and a ridge height of 3.35m (original building measured 3.75m x 5.6m);
- the erection of a timber structure to house a hot tub measuring 4m x 3.6m x 3.8m high;
- the erection of a timber structure to house a pizza oven measuring 3.7m x 2.7m x 3.1m high;
- the erection of a timber structure to house a picnic table measuring 2.4m x 1.6m x 2.5m high;
- the erection of a storage shed measuring 2.2m x 1.2m x 2.5m high;
- the erection of a 1.2m high timber fence and gate enclosure;
- the provision of a hardstanding area around the buildings comprising loose stones; and
- the construction of an access track measuring approx. 140m in length to include parking area

2.2 The access track runs beyond the applicant's existing garage at the front of the site extending along the eastern and northern boundary of the rear garden to the proposed buildings and associated structures which are clustered together in the northern corner of the site just beyond the maintained garden area, between woodland and Boyce's Brook.

## 3. **Relevant Planning History**

None.

## 4. **Relevant Policies**

### **Ribble Valley Core Strategy**

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Sustainable Development  
Key Statement DMI2 – Transport Considerations  
Key Statement EC3 – Visitor Economy  
Key Statement EN3 – Sustainable Development  
Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport & Mobility  
Policy DMB3 – Recreation of Tourism Development  
Policy DME1 – Protecting Trees and Woodland  
Policy DME3 – Site and Species Protection and Conservation  
Policy DME6 – Water Management

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)

## 5. **Assessment of Proposed Development**

### 5.1 **Principle of Development:**

5.1.1 The application lies within open countryside as such, the principle for the development of the site for holiday purposes results in Key Statement EC3 and Policies DMG2 and DMB3 being engaged for the purposes of assessing the application.

5.1.2 Key Statement EC3 lends general support for the creation of additional holiday accommodation stating that *‘Proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged, including the creation of new accommodation and tourism facilities through the conversion of existing buildings or associated with existing attractions’*.

5.1.3 Policy DMG2 aims to resist inappropriate development within the tier 2 villages and outside the defined settlement areas, requiring new development to meet at least one of the criteria listed. One such criteria is that *‘The development is for small-scale tourism or recreational developments appropriate to a rural area’*. Being for one holiday accommodation unit with associated paraphernalia, the proposal is considered to be small-scale tourism development as such this part of policy DMG2 is satisfied with regards to the principle of development.

5.1.4 Policy DMB3 is generally supportive of proposals that seek to enhance the range of tourism and visitor facilities within the borough stating that:

*Planning permission will be granted for development proposals that extend the range of tourism and visitor facilities in the borough. This is subject to the following criteria being met:*

1. *The proposal must not conflict with other policies of this plan;*
2. *The proposal must be physically well related to an existing main settlement or village or to an existing group of buildings, except where the proposed facilities are required in conjunction with a particular countryside attraction and there are no suitable existing buildings or developed sites available;*
3. *The development should not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design;*
4. *The proposals should be well related to the existing highway network. It should not generate additional traffic movements of a scale and type likely to cause*

*undue problems or disturbance. where possible the proposals should be well related to the public transport network;*

5. *The site should be large enough to accommodate the necessary car parking, service areas and appropriate landscaped areas; and*
6. *The proposal must take into account any nature conservation impacts using suitable survey information and where possible seek to incorporate any important existing associations within the development. failing this then adequate mitigation will be sought.*

5.1.5 In respect of the above, both policy DMB3 and Key Statement EC3 are generally supportive of the creation of new holiday accommodation. However, the first criterion of Policy DMB3 requires that not only should proposals not result in conflict with the inherent criterion of the policy itself, but additionally should not result in any conflict with other policies within the development plan.

5.1.6 As such, where such conflict exists or is identified, either through direct conflict with DMB3 or by virtue of conflict with other policies within the development plan, the general support afforded by Policy DMB3 is considered to be fully disengaged.

5.1.7 In a similar vein, Policy DMG2 is generally supportive of small-scale tourism development outside of settlement boundaries, however the policy goes on to outline requirements for protecting the character of the countryside landscape. As such where such conflict exists, the general support afforded by Policy DMG2 is also considered to be fully disengaged.

5.1.8 In this respect, the development as a whole would need to be acceptable in terms of impact on the character and visual amenity of the area by virtue of its scale, siting, materials and design as well as additional traffic movements in order to accord with the aims, objectives, and criterion of Policies DMG2 and DMB3.

## 5.2 Impact upon Residential Amenity:

5.2.1 To the east of the application site lies a number of residential dwellings, as such consideration must be given in respect of the potential for the proposal to result in undue impacts upon existing or future residential amenities.

5.2.2 Regard must be given in particular to Eversley and High Field which are nearby dwellings located to the south-east of the proposed access track and whose rear elevations overlook the track and, indirectly, the remaining development.

5.2.3 The submitted details indicate that the proposed holiday unit and associated paraphernalia would be sited approximately 90m from the rear elevation of the closest dwelling, Eversley, and approximately 60m from the rear garden of this property at the closest point.

5.2.4 Taking into account the above distances, the small-scale use proposed, the levels difference (the proposed buildings/structures are set at a lower level) and the applicant's garden area positioned in between, it is not considered that the proposed built form nor holiday use would compromise or undermine the sense of privacy afforded to these properties and their private garden areas.

- 5.2.5 Turning to the proposed parking and access provision, the access track is partly along the eastern boundary adjacent to neighbouring property 'Eversley'. There is one holiday unit and the proposed plans indicate one bedroom inside. Additional activity and comings and goings of people/vehicles is considered to be generally low. On this basis there are no undue concerns about noise and disturbance impacts caused by parking and access arrangements associated with the development to nearby residents.
- 5.2.6 Taking account of the above matters, the proposal is considered to be in accordance with Policy DMG1 of the Ribble Valley Core Strategy insofar that the proposed development would not result in harm to residential amenities of nearby occupiers.
- 5.2.7 The proposal is also considered to be in accordance with the aims, objectives, and criterion of Policy DMB3 as well as the National Planning Policy Framework, which requires planning decisions to mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life.

### 5.3 Visual Amenity/External Appearance

- 5.3.1 Given that the proposal lies within an undeveloped area set within the open countryside consideration must be given in respect of the potential for the proposal to result in undue impact upon the character or visual amenities of the immediate area and landscape.
- 5.3.2 In this respect, the criterion of DMG1 requires the proposal to be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials. Consideration must also be given to Policies DMG2 and DMB3 and as to whether the proposal would undermine the character, quality or visual amenities of the area by virtue of its scale, siting, materials or design.
- 5.3.3 The proposed development is situated at a significantly lower level to Preston Road, beyond a small woodland area and the host property 'The Vines' has solid entrance gates on Preston Road. As such the proposal, including access track, is not visible from the public highway nor from any key public vantage points.
- 5.3.4 The proposed buildings/structures are contained by the woodland and brook beyond, small-scale and typically of timber construction, as such they do not appear incongruous in their rural setting. The proposed access track has over time blended into the landscape with sections of grass seeds breaking through the hardcore to reduce its visual impact. The limited views mean that it is only apparent in the immediate vicinity within and adjacent to the site as seen from neighbouring properties, and it is seen in a residential setting including maintained garden and domestic paraphernalia.
- 5.3.5 Taking account of the above the proposal is considered to satisfy Policies DMB3, DMG2 and DMG1 in that it is keeping with the character and visual amenity of the area and sympathetic to existing and proposed land uses.

#### 5.4 Landscape and Ecology:

5.4.1 The proposed access track is contained within maintained grassland as part of a domestic garden. The proposed building and structures are in close proximity to a number of trees however they are low level underneath the canopy spread and the trees are considered to enhance the setting meaning future pressure to fell is considered low. The trees and brook are likely to provide a good habitat for wildlife and whilst there may be some recreational disturbance when the accommodation is in use, this is considered to be minimal. It is noted that lighting levels have been kept to a minimum, As such it is not considered that the proposal will have any direct measurable detrimental impacts upon trees and woodland, protected species, ecology or biodiversity in accordance with polices DME1 and DME3. No additional landscaping is considered to be necessary to mitigate the impact of the development.

#### 5.5 Highway Safety and Accessibility:

5.5.1 The proposed development would be accessed from an existing access on Preston Road which serves the host property 'The Vines'. LCC Highways are satisfied with this access arrangement. The nearest bus stops are along Preston Road, approximately 500m walking distance.

5.5.2 In this respect the proposal would accord with Policy DMG3 of the Ribble Valley Core Strategy which requires that all development proposals 'provide adequate car parking and servicing'. Furthermore the presence of footways link the site to Ribchester and public transport options, reducing reliance on the private motor vehicle for visitors staying at the site.

#### 5.6 Flood Risk

5.6.1 The site is outside of a defined flood risk area, within flood zone 1 (lowest risk of flooding) as such it has not been necessary to request a flood risk assessment. The Council's mapping system shows the area where the buildings/structures are proposed is at risk of surface water flooding although at 0.1% (1 in 1000) it is the lowest risk of the three categories listed (the others being 1% and 3.3%). The additional hard surfacing within this area is kept to a minimum as such the development is not considered to exacerbate any issues with flooding in accordance with policy DME6.

#### 5.7 Other Matters

5.7.1 Third party representations express concerns about potential for future development within the site and linkages to adjacent land/development. Historic imagery suggests engineering works were undertaken to fork the track towards the far south-eastern boundary of the application site (beyond which lies an adjacent site known locally as 'The Snail Farm'). This section of track is not apparent nor is there any sign of use at the current time and it does not form part of this application. The applicant has verbally indicated that he has no intention of connecting his site to the adjacent land. Regardless, a track along this section of the site for purposes other than being incidental to the residential use of the site would require planning permission. Any future development on

this site and on the adjacent site that requires planning permission and has not already been consented would be the subject of assessment against relevant planning policies. For the avoidance of doubt this Committee must make a decision on the planning merits of the development before them and not on events that may happen in the future.

6. **Observations/Consideration of Matters Raised/Conclusion**

- 6.1 Taking account of the above, it is considered that the proposed development represents a small-scale tourism use in a rural area that is compatible with its surroundings, both visually and in terms of impact upon neighbouring residential properties. No technical issues have been identified that would result in harm to the development or surrounding area. As such the proposal is considered to be in accordance with Policies DMG1, DMG2, DMB3, DMG3, DME1, DME3 and DME6 of the Ribble Valley Core Strategy.
- 6.2 It is for the above reasons and having regard to all material considerations and matters raised that I recommend accordingly.

RECOMMENDATION: That the application be APPROVED subject to the following conditions:

1. The development hereby approved shall be used for holiday accommodation only and shall not be occupied as a person's permanent, sole or main place of residence. The unit shall not be occupied (by the same occupant/s) for periods of more than 28 days in any 3 month period. The owner/operator shall maintain an up-to-date register of the names of all holiday owners and/or occupiers of the accommodation and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

At no time shall the accommodation hereby permitted be operated, managed or sold separately from 'The Vines' which is identified within the blue edge of the site location plan submitted.

Reason: To ensure the use remains appropriate in a rural area and compatible with the adjacent land uses.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the building(s) hereby approved shall not be altered or extended, nor shall any new building, structure or enclosure be erected, nor new hardstanding provided, within the red edge of the application site without express planning permission first being obtained.

Reason: In the interest of the visual amenity of the rural area and flood risk.

3. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out and retained thereafter in complete accordance with the proposals as detailed on drawings:

Location Plan PHA/122

Existing Floor Plans, Elevation, Site Plan and Location Plan PHA/122 REV A

Proposed Plan and Elevations Pizza Oven Timber Canopy PHA/122

Proposed Plan and Elevations Hot Tub Timber Canopy PHA/122

## Proposed Parking Plan PHA/122

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

4. Prior to the installation of any new external lighting associated with the development hereby approved, a lighting scheme together with an Artificial Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that the lighting has been designed to minimise any illumination of nearby habitats and will be installed in accordance with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 (or any subsequent replacement guidance).

The lighting shall be installed and operated in accordance with the approved scheme details, which shall be maintained and retained thereafter.

Reason: To safeguard residential amenity, visual amenity and biodiversity.

## BACKGROUND PAPERS

[https://webportal.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2023%2F0477](https://webportal.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2023%2F0477)