
Appeal Decision

Hearing held on 15 December 2015

Site visit made on 15 December 2015

by **P Willows BA DipUED MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 February 2016

Appeal Ref: APP/T2350/W/15/3134524

Land rear of Beech Cottage, Lovely Hall Lane, Copster Green, Ribble Valley BB1 9EH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Calderwood Developments Ltd against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2015/0200, dated 27 February 2015, was refused by notice dated 24 April 2015.
 - The development proposed is described as, 'Application to demolish No. 19 Albany Drive and the erection of up to 9 dwellings, all matters reserved except access'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal seeks outline planning permission, with all matters of detail other than the access reserved for future consideration. Although the house types are not specified, a condition restricting the units to bungalows has been suggested, and I have considered the proposal with that in mind.
3. Different versions of the site address are entered in the planning application and appeal forms. I have used the address given in the planning application form.

Unilateral Undertaking

4. A draft s106 agreement was submitted at the Hearing, but by the close of the hearing it was clear that a unilateral undertaking would be more appropriate. I allowed the undertaking to be submitted after the close of the Hearing and it is a material consideration in this case. The Council is satisfied that the undertaking is adequately drafted and would fulfil its purpose.

Main Issue

5. The main issue is whether this is a suitable location for the development proposed, having regard to the Council's spatial strategy for new housing, the objective of securing sustainable development and the need for the housing proposed.
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6. The decision notice raised a further issue concerning the effect of the development on bats roosting at the site, but the Council advised at the Hearing that it no longer wished to pursue that matter, which it accepted could be addressed with a planning condition.

Reasons

Locational strategy

7. The development plan consists of the Core Strategy of December 2014. The broad principles of the development strategy are set out in Key Statement DS1. This divides the borough's 32 villages into 2 tiers, with the Tier 1 settlements being the more sustainable. The appeal site lies just outside Copster Green, a Tier 2 settlement. It is agreed that the site is within the countryside. DS1 indicates that development for identified local needs will be considered in all the borough's settlements. The spatial strategy is set out in more detail in Policy DMG2. The approach towards dwellings in the open countryside is set out in Policy DMH3. The strategy is designed to deliver sustainable development.
8. The effect of these policies is to only permit housing in the open countryside in specific circumstances. One such circumstance is where the development is for local needs housing which meets an identified need. It is this provision that the appellant relies on, arguing that there is a particular need for housing (especially bungalows) for older people in this location. It was agreed at the Hearing that, if the criteria relating to meeting an identified need is not met, the development would fail the requirements of the policies.

Need

9. The appellant's unilateral undertaking would restrict the occupation of the dwellings proposed to local people over the age of 55. Additionally, the units would be built to Lifetime Homes standards and at least 3 of them would be affordable dwellings. A condition restricting the development to bungalows only is also proposed. Central to this appeal is whether these provisions mean that the development would meet an identified need for local needs housing.
10. The Core Strategy glossary states that, 'Local needs housing is the housing developed to meet the needs of existing concealed households living within the parish and surrounding parishes which is evidenced by the Housing Needs Survey for the parish, the Housing Waiting List and the Strategic Housing Market Assessment'. Policy H2 (Housing Balance) says that the determination of planning applications for residential development will be informed by the most recent Housing Needs Surveys, Addressing Housing Needs statement and the most recently adopted SHMA.
11. The most recent Housing Needs Survey for the parish (Salesbury) identified a need for 3 bungalows in the parish in a 2-5 year period and a further 2 in 5+ years. However, the aim of the survey was specifically to investigate local affordable housing need, which means that it is of limited relevance to the 6 market ('non-affordable') dwellings this scheme would permit. Moreover, the survey was carried out in 2009 and has not been updated. As it points out in its recommendations, personal circumstances are constantly evolving and the survey is 'a snapshot in time'. I cannot see that it presents a reliable picture of current needs. Accordingly, I attach only limited weight to it.

12. The Strategic Housing Market Assessment Update (SHMA) of 2013 identifies that there is a higher than average proportion of people of pensionable age within the Ribble Valley and that this is increasing at a significant rate. The Assessment also shows a need for 404 affordable homes per year within the Borough.
13. The general need for older peoples' dwellings, and bungalows in particular, is reflected in the housing waiting list. A report to the Health and Housing Committee in September 2015, which updates the Council's 'Addressing Housing Needs' policy, indicates that 445 households were registered for bungalow accommodation. The report also highlights the difficulty of securing housing for older people. However, the report does not set out needs on a more local basis.
14. I conclude that there is a clear need for accommodation for older people across the borough but that the evidence of a specific local need in this parish or the surrounding parishes is very limited. Accordingly, I am not persuaded that the specific requirement concerning local needs housing set out in policies DS1, DMG2 and DMH3 is met.
15. The appeal proposal would clearly contribute towards meeting the wider need for accommodation for the over-55s, and the appellant indicates that it could come forward quickly. This weighs in favour of the development. Additionally, 3 new affordable homes would be provided. This must be seen in the context that the Council's policy is for similar provision to be made within all housing developments above a certain size, but it is nevertheless a benefit of the scheme.
16. The appellant argues that the Council has failed to meet its aim of increasing the delivery of housing for the over-55s, as highlighted in the Report to Health and Housing Committee of 3 September 2015. However, the report includes measures intended to address this. From this and the development plan policies that have been drawn to my attention (in particular Core Strategy Policy H3, which includes a requirement for 15% of the units on larger developments to be bungalows), it appears to me that the Council is very aware of the need that exists across the Borough and is actively engaged in seeking to address it. On the evidence before me I am not persuaded that the Council's strategy towards accommodation for older people will be ineffective.

Sustainability

17. The need for development to be sustainable is a consistent thread running through local and national planning policy. Core Strategy Policy DS2 incorporates the presumption in favour of sustainable development into the development plan and DMG3 emphasises the importance of the availability and adequacy of public transport and associated infrastructure to serve development proposals. The National Planning Policy Framework (the Framework) establishes 3 dimensions to sustainable development – economic, social and environmental, and I consider each below.
18. Dealing first with the economic dimension, I have no clear evidence of any particular economic need for dwellings in this location. Temporary economic activity would arise from the construction works and, to that limited extent, the development would have a beneficial effect. The spending of people living at the site would contribute to the local economy to an extent but, given the

sparseness of genuinely local services, as discussed below, would be thinly spread over a wide area.

19. In terms of the social dimension, there would be the benefit of providing new homes for older, local people, built to Lifetime Homes standards, including the affordable units proposed.
20. However, the Framework makes clear at Paragraph 7 the importance of accessible local services and the site would perform poorly in that regard. The site does not fall within any defined settlement. It is next to Copster Green, but that is identified as a less sustainable 'Tier 2' settlement within the Core Strategy. The categorisation of the settlements was carried out as part of the evidence base for the 2014 Core Strategy and none of the evidence presented at this appeal casts serious doubt on it. Although the appellant has identified a range of services within a wider area, trips to reach them are likely to usually be made by car in my view. While there are bus stops close to the site, it appears that the bus services are limited. Thus, even daily basics such as bread or milk are likely to necessitate a car trip. Two railway stations are said to be 'within cycling distance' but I attach limited weight to that in respect of a proposal specifically aimed at older residents.
21. The scheme would include ecological mitigation measures and planting, which are relevant to the environmental dimension. Although there would be a loss of countryside, the visual harm arising from this would be limited due to the contained nature of the site. However, the environmental dimension of sustainability includes the need to move to a low carbon economy. My conclusion above that residents would be over-reliant on car use means that the site would not meet with that requirement.
22. For these reasons, having considered the question of sustainability overall, I do not regard the appeal proposal as sustainable development. This reinforces my view that, in the absence of a clearly established need for the development, it would undermine the Council's spatial strategy.

Other matters

23. The proposed development would be contained by existing housing and garden land to 3 sides. Key Statement DS1 indicates that small scale development may be permitted in smaller settlements 'that are appropriate for consolidation and expansion or rounding-off of the built up area'. However, the policy and plan must be read as a whole, and it does not appear to me that the policy permits rounding-off development where it fails to meet the other requirements that have been identified within DS1, DMG2 and DMH3.
24. It is argued that development such as this might be permissible as infilling if the site were within the Green Belt. However, even if that was so it would not overcome the conflict with the policies that apply to this site, which is not in the Green Belt.
25. A proposal for residential development on neighbouring land was dismissed at appeal in October 2014¹. However, that was for a different, larger scheme, and I have considered the proposal before me on its own merits.

¹ APP/T2350//A/14/2222255

26. The appellant has referred me to a planning permission granted for 8 bungalows for the over-55s at Barrow in April 2015 (3/2014/1061/P). However, the site already had planning permission for residential development and is a brownfield site on the edge of a Tier 1 settlement. Although the scheme did not include affordable housing, Government policy at the time exempted smaller schemes from such requirements. Overall it appears to me that there is little value in the comparison.
27. The appellant may be right in the assertion that there are no more sustainable sites than the appeal site in Copster Green, but that does not justify the development of the appeal site in the absence of a clear demonstration of local housing need. Moreover, the Core Strategy's definition of local needs housing does not consider the matter on an individual parish basis but refers instead to, 'the parish and surrounding parishes'. Accordingly, any shortage of sites in a single parish is not, in itself, a reason to allow development in an unsuitable location.

Conclusion

28. The provision of new housing, targeted at older, local people is a benefit of the scheme and would make a small contribution to meeting a borough-wide need for such accommodation. Additionally, 3 affordable units would be provided. However, the evidence before me does not adequately quantify any specific, more local need for such development in this location. In the absence of such evidence the proposal is contrary to the spatial strategy established by policies DS1, DMG2 and DMH3 of the Core Strategy and is at odds with the development plan as a whole. Moreover, the lack of services and facilities close to the appeal site suggest that this is not the best location to meet housing needs. In my judgement the benefits of the scheme do not outweigh the harm arising from it and it would not be sustainable development. Accordingly I conclude that the appeal should be dismissed.

Peter Willows

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mike O'Brien MRTPI	WYG
Elinor George MRTPI	WYG
Jeremy James CEcol CEnv MSc BSc	Bowland Ecology

FOR THE LOCAL PLANNING AUTHORITY:

Stephen Kilmartin	Principal Planning and Urban Design Officer, RVBC
Rachel Stott	Housing Strategy Officer, RVBC
Joanne Macholc MRTPI	Senior Planning Officer, RVBC
Colin Hirst MRTPI	Head of Regeneration and Housing, RVBC
John Gorton	Legal Officer, RVBC

INTERESTED PERSONS:

Anne Pickup	Local resident
Debbie Ashe	Local resident
Peter Boyes	Local resident
Jean Holgate	Local resident

DOCUMENTS

1	Draft section 106 Planning Agreement
2	Site plan to accompany Planning Agreement
3	Drawing No P001 A - Access Plan
4	Statement of Common Ground
5	Report to Health and Housing Committee of 3 September 2015 and minutes of the meeting - Ribble Valley Borough Council.
6	Planning permission 3/2014/1061 and report
7	WYG - Planning Statement dated February 2015
8	Email from Jonathan Bridge
9	Unilateral Undertaking dated 6 January 2016
10	Email from Stephen Kilmartin dated 6 January 2016
11	Email from Elinor George dated 6 January 2016

Appeal Decisions

Site visit made on 5 January 2016

by Roger Catchpole DipHort BSc(hons) PhD MCIEEM

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 February 2016

Appeal A: APP/T2350/W/15/3135886

Wolfen Hall, Chipping, Preston, Lancashire PR3 2NZ

- 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 Len Morris against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2015/0517, dated 10 June 2015, was refused by notice dated 5 August 2015.
 - The development proposed is a rear extension and formation of garden from rough land.
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Appeal B: APP/T2350/Y/15/3135889

Wolfen Hall, Chipping, Preston, Lancashire PR3 2NZ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Len Morris against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2015/0518, dated 1 June 2015, was refused by notice dated 10 September 2015.
 - The works proposed are a rear extension and formation of rear garden.
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Decision

APPEAL A

1. The appeal is allowed and planning permission is granted for a rear extension and formation of garden from rough land at Wolfen Hall, Chipping, Preston, Lancashire PR3 2NZ in accordance with the terms of the application, Ref 3/2015/0517, dated 10 June 2015, subject to the conditions set out in the schedule at the end of this decision.

APPEAL B

2. The appeal is allowed and listed building consent is granted for a rear extension and formation of rear garden at Wolfen Hall, Chipping, Preston, Lancashire PR3 2NZ in accordance with the terms of the application Ref 3/2015/0518 dated 1 June 2015, subject to the conditions set out in the schedule at the end of this decision.

Preliminary Matters

3. Drawing 4343-06A does not show a proposed doorway on the rear elevation where a window is currently situated. As the doorway is shown on drawing
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4343-03AB as well as drawing 4343-09A I am satisfied that this is the result of a drafting error. I have determined the appeal on this basis.

4. The Council has drawn my attention to a number of appeal decisions: APP/T2350/A/12/2174422; APP/T2350/A/13/2193965; APP/T2350/E/08/2072213 & APP/T2350/A/08/2070516. Whilst I have paid careful attention to these decisions and recognise some similarities, I do not find the circumstances similar in all respects. This is because they were not modest extensions to listed buildings where the special historical interest was principally internal. In any event, I do not have the same information that was before the other Inspectors and whilst a material consideration, their decisions do not set legal precedent¹. I am also aware of a recent successful appeal on this site for a front, stone porch that has since been constructed (Ref APP/T2350/E/14/2213092). This also differs significantly from the current proposal. Consequently, this appeal has been determined on its individual merits.
5. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special regard should be had to the desirability of preserving listed buildings. Great weight should be given to their conservation and any harm caused through any alteration or development within their setting. This is the basis on which this appeal has been determined.

Main Issues

6. The main issues are:
 - i) whether the proposal would preserve the special architectural and historic interest of a Grade II listed building, Wolfen Hall; and
 - ii) conserve and enhance the natural beauty of the Forest of Bowland AONB.

Reasons

7. The Forest of Bowland Area of Outstanding Natural Beauty (AONB) covers an area of approximately 803 km² of rural land that spans the counties of Lancashire and North Yorkshire. It lacks large settlements and has an extensive upland core that reaches a height of around 561m. The grandeur and isolation of this core area with its steep moorland escarpments that descend into undulating lowlands help to define the special qualities of the AONB. This is also defined by, among other things, the landscape's historic and cultural associations. The prominent position of the appeal property and the role that it has played in shaping the landscape of the estate are such that it has a strong cultural association with the natural beauty of the surrounding landscape that therefore directly supports the special qualities of the AONB.
8. Wolfen Hall was listed in 1983 and originates from the 16th century. The building is constructed from coursed rubble and has a slate roof. Unornamented, plain stone characterises the surrounds and reveals. Extensive remodelling occurred between 1867-1868 when a subservient addition extended the main building to the north east. A further single storey extension, running perpendicular to the main range, was then added to this part of the property in the late 19th century. The heterogeneity of the building line and roof height of the front elevation differs from the rear elevation which

¹ Chelmsford BC v SSE and E R Alexander Ltd [1985] JPL 316

- has a more uniform appearance. This has resulted from the addition of a second range at some undefined point after the original dwelling was constructed. A number of internal features of historic and architectural significance are present which are associated with the south western section of the property. Consequently, the building derives its significance primarily from its internal features and the legibility of its phased, historical development.
9. The proposal would result in a single storey addition to the later perpendicular extension which would project approximately 6m from its gable end. A doorway similar to the existing one on the rear elevation would be inserted into the earlier fabric of the rear range. This would lead to the loss of a ground floor window and its opening. The doorway would provide access to a garden that would be enclosed by a 1.8m dry stone wall. Rough grassland currently abuts the rear elevation. The layout is such that whilst the depth of the built form would be increased, a rectangular footprint to the property would nevertheless be maintained.
 10. I observed from my site visit that the proposed extension would project from a more recent outrigger and therefore not directly affect the original fabric or older historic layout of the dwelling. The use of matching materials in combination with contrasting design elements, such as the bi-folding glass doors, would lead to the creation of an honest addition that would preserve the historic legibility of the building. In this particular instance the specific design response would add to the phased development of the property in a sensitive manner. I note that part of the existing fenestration of the rear elevation would be lost, however, the window comprises a modern wooden casement and neither the window, surrounding fabric or the opening contribute to the special architectural interest of the building in my judgement. Moreover, the insertion of another doorway would not affect the internal layout of the original part of the building.
 11. I accept that the lower part of the rear elevation would be obscured by the proposed 1.8m enclosure and that its height would lead to an over-dominant boundary feature. However, this impact could be mitigated by reducing the height of the wall through the use of a suitable condition that reflects the character of stone walls in the wider landscape which the Council have suggested is around 1.4m. If a lower wall were present I am satisfied that it would not dominate the rear elevation. This would ensure that the linear form of the dwelling and legibility of the different phases of its development remain clearly apparent. Moreover, the combined footprint of the house and garden would retain a rectangular footprint when viewed as a distant feature in the wider landscape thus preserving this particular cultural dimension of the AONB.
 12. I note that the existence of a previously enclosed rear curtilage is disputed. The Council are of the opinion that a map regression does not provide convincing evidence for any extension of the residential curtilage to the rear and that this was within the working area of the farm. However, I observed that the appeal property is conspicuously separate from the main farm buildings and yard, all of which lie to the north east. Some of these buildings are shown on the Chipping tithe map of 1840 which suggests that the principle farming activity was remote from the appeal property. The same tithe map also refers to the appeal property as comprising a 'house, fold, garden and barn'. As I do not have the full details of the map regression analysis before

- me I am unable to give much weight to the Council's contention that a later map of 1892 fails to show an enclosed garden at the rear.
13. Given the above, I am satisfied that the balance of evidence suggests that a garden was present and that it would have required some form of enclosure in order to exclude grazing animals. Although the Council view the enclosure as inconsistent with the farmstead typology of the north west region, I place little weight on this generalisation because each case must be judged on its own merits and take into account the unique historical development of individual listed buildings. Given the above, I find that both the extension and enclosure would preserve the special architectural and historic interest of the listed building.
 14. I now turn to the effect of the proposal on the AONB. Paragraph 115 of the National Planning Policy Framework (2012) (the Framework) advises that great weight should be given to conserving the landscape and scenic beauty of ANOBs and that planning permission should be refused for major developments except in exceptional circumstances. Whilst I am satisfied that the proposal would not constitute a major development I am aware of the statutory duty to consider the purposes² of such areas. However, given the discreet location of the extension and the lack of prominence of the building I find that the proposal would not conflict with the duty to conserve and enhance the cultural heritage of the AONB. This is because the relationship of the building with the surrounding area would remain and its importance, in cultural heritage terms, would not be significantly altered. Moreover, I am satisfied that this minor alteration to an already altered part of the building would not undermine or conflict with this purpose. I also find that this purpose would not be undermined by the resulting domestication of the rear elevation. This is because this would reflect the long standing use of part of the building as a residential property and be confined to a limited area that would be partially screened by the proposed wall.
 15. Given the above, I conclude that the proposal would preserve the special architectural and historic interest of the Grade II listed building, Wolfen Hall, and conserve and enhance the natural beauty of the Forest of Bowland AONB. As a consequence the proposal would satisfy the requirements the Act as well as paragraphs 133 and 134 of the National Planning Policy Framework (2012) (the Framework) and would not conflict with policies DMG1, DMG2 and DME4 of the Ribble Valley Core Strategy 2008-2028 (A Local Plan for Ribble Valley) 2014 (CS) that seek, among other things, to ensure that development is sympathetic in its scale, massing and features; in keeping with landscape character and supports the special qualities of the AONB; and conserves and enhances heritage assets and their settings.
 16. Although there is a presumption against the extension of curtilages in policy DMH5 of the CS, I am satisfied that on the balance of probabilities the proposal represents a reinstatement and would therefore not conflict with this policy. Consequently, I find that the proposal would be consistent with the development plan. It would also be consistent with paragraph 17 of the Framework that seeks, among other things, to ensure that heritage assets are conserved in a manner appropriate to their significance.

² Section 85 of the Countryside and Rights of Way Act 2000

Conclusion and Conditions

17. For the above reasons and having regard to all other matters raised, I conclude that, subject to appropriate conditions, the appeals should be allowed.
18. I have considered both the wording and grounds for the conditions suggested by the Council in accordance with the tests set out in paragraph 206 of the Framework. In addition to the standard time limit condition, a condition requiring the works and development to be carried out in accordance with the plans is necessary for the avoidance of doubt and in the interests of proper planning. Two conditions requiring further details of the design and type of materials to be used are necessary in the interests of maintaining the special architectural and historic interest of the listed building. A condition requiring a matching finish to any adjacent original fabric is also necessary for the same reasons. A condition limiting the height of the garden wall is necessary to preserve the setting of the listed building. A further condition requiring a revised plan of the proposed elevations is necessary to correct a drafting error for the avoidance of doubt and in the interests of proper planning. I do not find that a condition requiring the specification of the extent of any loss of historic fabric to be either reasonable or necessary because this is clearly apparent from the details of the proposal that has been submitted. I also find that the suggested condition requiring a programme of building recording and analysis lacks precision and would also be unnecessary given the limited scale of the alterations.

Roger DJ Catchpole

INSPECTOR

APPEAL A 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: 4343-03AB, 4343-04, 4343-07, 4343-09A.
- 3) Notwithstanding condition 2, the enclosing garden wall shall not exceed a height of 1.4m in perpetuity.
- 4) No development shall take place until details of the proposed changes to the north elevation of the dwelling have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

APPEAL B CONDITIONS

- 1) The works hereby authorised shall begin not later than 3 years from the date of this consent.
- 2) The materials to be used for making good any disturbed internal or external surfaces shall be of matching composition, form and finish to those of the adjoining original fabric.
- 3) No works shall take place until samples of the materials to be used in the construction of the external surfaces of the works hereby authorised have been submitted to and approved in writing by the local planning authority. The submitted details shall include copies of the approved plans with annotations showing where they will be located. Development shall be carried out in accordance with the approved details.
- 4) No works shall take place until details of all new windows, doors and internal joinery have been submitted to and approved in writing by the local planning authority. These details shall include standard construction drawings showing cross-sectional areas as well as a full specification of all materials and coatings to be used. All works shall be carried out in accordance with the approved details.

Appeal Decisions

Site visit made on 5 January 2016

by Roger Catchpole DipHort BSc(hons) PhD MCIEEM

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 February 2016

Appeal A: APP/T2350/W/15/3135011

Coach House, Main Street, Bolton-by-Bowland, Lancashire BB7 4NW

- 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 Donald Brady against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2015/0565, dated 1 July 2015, was refused by notice dated 13 August 2015.
 - The development proposed is a single storey extension to the rear.
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Appeal B: APP/T2350/Y/15/3135013

Coach House, Main Street, Bolton-by-Bowland, Lancashire BB7 4NW

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Donald Brady against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2015/0566, dated 1 July 2015, was refused by notice dated 13 August 2015.
 - The works proposed are a single storey extension to the rear.
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Decision

1. The appeals are dismissed.

Preliminary Matter

2. The address of the listed appeal property does not reflect the name of its list entry which is 'No 21 and barn adjoining to east'. For the purposes of this appeal I have referred to it as 21 Main Street.

Main Issues

3. The main issues are whether the proposal would:
 - preserve the special architectural and historic interest of a Grade II listed building, 21 Main Street and the setting of an adjoining Grade II listed building, 23 Main Street;
 - preserve or enhance the character or appearance of the Bolton-by-Bowland Conservation Area; and
 - conserve and enhance the natural beauty of the Forest of Bowland Area of Outstanding Natural Beauty.

Reasons

4. The Forest of Bowland Area of Outstanding Natural Beauty (AONB) covers an area of approximately 803 km² of rural land that spans the counties of Lancashire and North Yorkshire. It lacks large settlements and has an extensive upland core that reaches a height of around 561m. The grandeur and isolation of this core area with its steep moorland escarpments that descend into undulating lowlands help to define the special qualities of the AONB. This is also defined by, among other things, the distinctive pattern of settlements as well as the landscape's historic and cultural associations. Although now dominated by residential dwellings, the buildings and layout of Bolton-by-Bowland clearly indicate its past agricultural origins as a medieval and unplanned, nucleated settlement. As such it has a strong historic association with the wider landscape that is directly related to the special qualities of the AONB.
5. Bolton-by-Bowland is a small village that was first designated as a Conservation Area in 1974. The boundary of the Bolton-by-Bowland Conservation Area (BBCA) encloses the whole of the village and also includes a number of outlying farm buildings. The open areas within the village and frequent views of the surrounding countryside give it a strongly rural character. The buildings are mostly two storey and are either arranged loosely as individual detached dwellings or in short rows beside the roads. Natural materials predominate and slobbered white render still persists on some of the buildings. Both the age and architectural style vary from simple vernacular cottages to higher status buildings, such as the church, parts of which date from the 12th century. Whilst there are a number of buildings dating from the 17th century, most date from the 18th and 19th centuries. The open rural aspect of the village as well as the layout, vernacular form and materials of its listed buildings help to define the historic and architectural significance of the BBCA.
6. The appeal property was first listed in 1954 and was constructed in 1835. It was designed as a house and barn in a symmetrical, vernacular composition. This is ornamented by elegant detailing on the front elevation which includes mullioned windows with chamfered sandstone surrounds and hoods. Further detailing is also present around the studded doorway to the original house and the entrance to the former barn. It is constructed from coursed, watershot limestone with sandstone dressings and a graduated, stone slate roof. The rear elevation lacks ornamentation and is constructed from coursed sandstone rubble. The building derives its special interest primarily from its simple vernacular layout and the architectural detailing of the principle elevation.
7. The development would also be within the setting of an adjoining single storey listed building, No 23, which has similar architectural detailing on its principle elevation and is constructed from similar materials. The building dates from the mid-19th century and unlike the appeal property, its rear elevation has not been subject to alteration. It has been listed for its group value and as such forms an integral part of the special interest of the appeal property.
8. I accept that the barn conversion that was carried out has altered the character of the rear elevation of the appeal property and has eroded its agricultural character. However, a significant proportion of the, albeit rebuilt, rear elevation would be obscured and inconsistent architectural features would be introduced. These would comprise a flat roof with a central lantern. The

structure would also obscure the rear elevation of the adjoining building which retains its original layout and fabric. Consequently, the proposed extension would lead to a disproportionate and highly incongruent addition that would thus fail to preserve the special architectural and historic interest of No 21 and the setting of No 23. As this would be clearly visible from the private road that serves a farm and a number of residential properties I find that this would also be detrimental to the vernacular form and materials of the BBCA thus harming its heritage significance.

9. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special regard should be had to the desirability of preserving listed buildings or their setting. This means that considerable weight and importance must be given to any harm caused to designated heritage assets in the planning balance. This includes any harm to the setting of a listed building. Additionally, paragraph 132 of the National Planning Policy Framework 2012 (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to its conservation. It goes on to advise that significance can be harmed or lost through the alteration or destruction of the asset or any development within its setting. Given the scale of the proposed extension I am satisfied that the harm to No 21 and the setting of No 23 is less than substantial in this instance.
10. Under such circumstances, paragraph 134 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use. The appellant is of the opinion that the proposal would be beneficial because it would improve living conditions and provide unspecified economic benefits. However, the continued viable use of No 21 as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence. The Planning Practice Guidance 2014 (as amended) further advises that the setting of a heritage asset comprises the surroundings in which it is experienced and that different elements of that setting may either make a positive, negative or neutral contribution to the significance of that asset. Given the loss of definition in the layout of the rear elevation and the masking of original fabric I find that the proposal would also lead to a negative impact on the setting of No 23.
11. I now turn to the effect of the proposal on the AONB. Paragraph 115 of the Framework advises that great weight should be given to conserving the landscape and scenic beauty of an AONB and that planning permission should be refused for major developments except in exceptional circumstances. Whilst I am satisfied that the proposal would not lead to a major development I am aware of the statutory duty to consider the purposes¹ of such areas. Given the discreet location and lack of prominence of the rear elevation in relation to the wider landscape I find that the proposal would not conflict with the duty to conserve and enhance the wider cultural heritage of the AONB.
12. Given the above, and in the absence of any substantiated public benefit, I conclude that the proposal would fail to preserve the special architectural and historic interest of the Grade II listed building, 21 Main Street or the setting of the adjoining Grade II listed building, 23 Main Street. It would also fail to

¹ Section 85 of the Countryside and Rights of Way Act 2000

preserve or enhance the character or appearance of the Bolton-by-Bowland Conservation Area. This would not satisfy the requirements of the Act or paragraph 134 of the Framework. It would also conflict with policies DMG1 and DME4 of the Ribble Valley Core Strategy 2008-2028 (A Local Plan for Ribble Valley) 2014 that seek, among other things, to ensure that development is sympathetic in its scale, massing and features and that it conserves and enhances heritage assets and their settings.

13. However, I conclude that it would conserve and enhance the natural beauty of the Forest of Bowland AONB. Whilst the proposal would not conflict with policy DMG2 this is insufficient to outweigh the harm to the heritage assets. This policy seeks, among other things, to ensure that development is in keeping with landscape character and supports the special qualities of the AONB. Given the above, I find that the proposal would be inconsistent with the development plan.

Conclusion

14. For the above reasons and having regard to all other matters raised I conclude that, on balance, the appeals should be dismissed.

Roger DJ Catchpole

INSPECTOR

Appeal Decision

Site visit made on 18 January 2016

by Matthew Birkinshaw BA(Hons) Msc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11th February 2016

Appeal Ref: APP/T2350/W/15/3138928

Cherry Tree Farm, Chipping Road, Chaigley, Clitheroe, Lancashire, BB7 3LX

- 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 F Thornber against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2015/0453, dated 11 May 2015, was refused by notice dated 21 August 2015.
 - The development proposed is the conversion of Brook Wood Barn into a single residential property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether or not the location of the barn is suitable for conversion, having particular regard to the development strategy for the area; and
 - The effect of the proposal on the character and appearance of the Forest of Bowland Area of Outstanding Natural Beauty (AONB).

Reasons

Location of Development

3. Brook Wood Barn is located approximately 130 metres to the east of Cherry Tree Farm. As part of the proposal the barn, which was once partially occupied as a dwelling, would be converted by utilising predominantly existing openings. An area of parking would be located to the north side of the building, with a garden created to the south nearest Chipping Road.
 4. Situated within the Forest of Bowland AONB Policy DMH3 of the *Ribble Valley Borough Council Core Strategy* is relevant. Amongst other things this states that residential development will be limited to the appropriate conversion of buildings provided that they are 'suitably located'. Policy DMH4 goes further, and requires the conversion of barns into dwellings to meet a list of certain criteria. The first is that the building is "*...not isolated in the landscape, i.e. it is within a defined settlement or forms part of an already group of buildings...*"
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5. In this case the appeal property is situated in a relatively open, agricultural landscape roughly 2.4 miles east of Chipping. Although the barn is connected by a shared network of farm tracks it is surrounded by open fields. The main yard at Cherry Tree Farm is some 130 metres away to the east and Wood Top Farm is roughly 230 metres to the west. As a result, the barn does not form part of a settlement or existing group of buildings, and for the purposes of Policy DMH4 I consider that it is isolated in the landscape. Allowing the appeal would therefore be contrary to the Council's development strategy for the area, and without justifying a departure from Policy DMH4 would lead to additional, cumulative residential development in the AONB.
6. It is appreciated that the barn is structurally sound and capable of conversion without any significant alterations to its appearance. The scheme has also been designed having regard to good practice guidance on the conversion of traditional farm buildings, and would not require expenditure by public authorities or utilities to provide any infrastructure. In this regard it would meet some of the other requirements of Policy DMH4. Nevertheless, this does not overcome the conflict with criterion (1).
7. I therefore conclude that by reason of its location and degree of separation from existing buildings or settlements the barn would not be suitable for conversion, and the proposal would be contrary to the development strategy for the area. In addition to the conflict identified with Core Strategy Policy DMH4(1) the proposal is also contrary to Policy DMH3 which, amongst other things, states that the appropriate conversion of buildings to dwellings will be allowed in the countryside or AONB provided that they are suitably located. Of the policies referred to by the Council I consider these to be the most relevant.

Character and Appearance

8. In order to facilitate the change of use only a limited amount of rebuilding would be required. Openings would also be restricted to conservation style rooflights. Combined with the addition of a new roof the building works would result in a largely sympathetic, high quality conversion.
9. However, the proposed garden would be situated to the south side of the building nearest Chipping Road, in an area currently described as pasture. Whilst the curtilage of the barn would not need to be extended, in this location it would be visible from the roadside and the adjacent public right of way. Given that the building is visually divorced from other development and isolated in the landscape, I consider that the combination of domestic items such as sheds, washing lines, outdoor furniture and children's play equipment would represent an unwarranted urban encroachment into an area of open countryside. When viewed in the context of its open, agricultural surroundings, the domestic appearance of the site would be harmful to the landscape character of the AONB.
10. In reaching this view it is appreciated that the garden would be partially screened from Chipping Road by some mature trees and hedgerows. However, based on the evidence provided I am not persuaded that the visual impacts of domestic paraphernalia would be adequately screened by either existing, or proposed landscaping, especially during the winter months when leaf cover is reduced. The converted barn would also be clearly visible from the public right of way which leads past the eastern edge of the building.

11. I therefore conclude that by reason of its isolated location and context the proposal would harm the character and appearance of the surrounding area and would fail to conserve the natural beauty of the Forest of Bowland AONB. As a result, it conflicts with Core Strategy Policies DMH4 and DMH3 which allow the appropriate conversion of buildings to dwellings in the countryside and AONB provided that their form and general design are in keeping with their surroundings, and that there would be no materially damaging effect on the landscape qualities of the area. For the same reasons it also conflicts with Core Strategy Key Statement EN2 which confirms that the Forest of Bowland AONB will be protected, conserved and enhanced.

Other Matters

12. In reaching my conclusions against the main issues I have taken into account that Cheery Tree Farm has been in the Thornber family for generations and is home to one of the oldest herds of Ayrshire cows in the country. Conversion of the barn is intended to release of some capital following the death of one of the partners and allow the appellant to continue farming the land. If the appeal fails it is argued that the farm would have to be sold and the pedigree herd dispersed, with the land absorbed into a larger holding and the house and buildings sold separately.
13. However, whilst I empathise with the appellant's position, there is no formal mechanism before me to ensure that the proceeds of any sale would be linked to the existing business. There is also nothing to confirm that the only option available would be the loss of the herd and sale of the house separately. Consequently, despite recognising the importance of small family run farms to the area, these factors do not outweigh the harm that has been identified, nor do they justify a departure from adopted development plan policy.
14. It is also stated that the barn is no longer fit for purpose due to the size of its openings and ventilation required for livestock. On this basis the appellant asserts that if the building is not converted then it is likely to be used to store rubbish and waste, deteriorate rapidly, possibly collapse and become an eyesore within the AONB. However, although the Structural Inspection Report concludes that the building has been neglected and would require partial re-building, it does not indicate that the barn is at risk of collapse. Similarly, no detailed information has been provided to indicate that it is suitable for only exclusively residential use. I have therefore not given these comments any significant weight in reaching my decision.
15. Finally, in support of the proposal the appellant accepts that potential future occupants would be reliant upon private cars given the distance to the nearest settlement, but identifies that the building would have a much lower carbon footprint than a typical new dwelling as it involves the reuse of an existing building. Whilst I agree, and also recognise the tangible benefits to re-using the traditional stone barn which is a non-designated heritage asset, this does not justify granting planning permission given the harm that has been identified. Nor does the lack of formal objections from neighbouring residents and statutory consultees, the absence of harm to highway safety, protected species or the local public right of way network.

Conclusion

16. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Matthew Birkinshaw

INSPECTOR

Appeal Decision

Site visit made on 12 January 2016

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 February 2016

Appeal Ref: APP/T2350/W/15/3132279

Cowley Brook Farm, Higher Road, Longridge, Lancashire PR3 2YX

- 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 Mrs K. Butcher and Mrs C. Quick against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2015/0016, dated 24 December 2014, was refused by notice dated 4 March 2015.
 - The development proposed is change of use of a barn to form 2 no. dwellings and layout of off-street parking.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect of the development on highway safety; and
 - Whether the proposed development would provide a suitable site for dwellings, having regard to the principles of sustainable development and the development plan.

Reasons

Highway safety

3. Higher Road is derestricted and subject to the national speed limit of 60 miles per hour where it adjoins the appeal site. The carriageway is approximately 4.5 metres wide, unlit, slopes steeply past the appeal site and there are bends in the road to the east and west of the appeal site which curtail forward visibility.
 4. The submitted drawings indicate that four car parking spaces are to be provided within the site, which is in line with the Council's parking standards. It is contended by the Council that, in practice, two of these spaces would be difficult to use, leading to parking occurring on the highway. I note that the Highways Authority objected to the proposal on road safety grounds, due to difficulties manoeuvring into some of the spaces leading to parking on the highway. On my site visit I saw that, whilst there is an area off the highway to the front of the building that can be used for parking, in practical terms, the
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width can only accommodate one car parked parallel to the highway and still allow vehicle doors to open and for drivers and passengers to alight without having to step onto the carriageway. Parking perpendicular to the carriageway would result in reversing manoeuvres either off or onto the main carriageway. Given the width of the main carriageway, the speed limit on the road and restricted forward visibility, such manoeuvres are potentially hazardous.

5. Despite the road being lightly trafficked if the carriageway were to be partially obstructed by parked vehicles, due to the speed of traffic and the nature of the road, I consider that this would result in conditions that would have a severe adverse impact on road safety. I attach great weight to this fact and it weighs heavily against the proposal.
6. The appellant has suggested that parking provision is a matter of detail that can be addressed by condition. Whilst this is true in some instances, there has to be a reasonable prospect of a condition being capable of being complied with in order for it to mitigate any adverse effects of the development. The appeal site boundary is tightly drawn and the land to the front of the buildings is the only part of the site with access from the highway that is available for car parking. From my site visit, I am not convinced that the available area at the front of the site adjacent to the road can practically and safely accommodate four car parking spaces regardless of how they were configured.
7. In addition, the NPPG advises that a condition that modifies the development in such a way as to make it substantially different from that set out in the application should not be used. Given the restricted area of land available within the appeal site boundary, a condition requiring alternative and adequate car parking would need to relate to land outside the current appeal site which would effectively enlarge the development area and substantially alter the nature of the development. Moreover, there has been no opportunity for the Council or the Highways Authority to consider or comment on the acceptability of a different access position and layout of the development.
8. No alternative to the parking arrangements shown on the submitted drawings has been put before me to indicate that the required level of parking can be accommodated at the site without compromising highway safety, and neither the appellant nor the Council have put forward a suggested wording for a condition to address this matter. I therefore conclude that the proposed development would cause harm to the safe and convenient operation of the highway in the vicinity of the appeal site and is contrary to Policy DMG1 of the Ribble Valley Core Strategy 2014 (CS) which seeks to ensure that developments have suitable parking and access arrangements.

Suitability of the site for housing

9. The appeal site is located in the countryside and within the Forest of Bowland Area of Outstanding Natural Beauty (AONB). CS Key Statement DS1 and Policy DMG2 set out a development strategy for the area which seeks to concentrate the majority of new housing within the principal settlements of Longridge, Clitheroe and Whalley. Policy DMG2 sets out six criteria, at least one of which has to be met, for new development outside of settlements. Policy DMG2 goes on to say that in the open countryside and within the AONB, where possible, new development should be accommodated through the re-use of existing buildings. CS Policies DMH3 and DMH4 set out various criteria for conversion of existing buildings to dwellings.

10. There is no evidence before me to show that the proposed development satisfies any of the six criteria set out in Policy DMG2, however, Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications and appeals must be determined in accordance with the development plan unless material considerations indicate otherwise. Policies DMG2, DMH3 and DMH4 clearly allow for the conversion of existing buildings in the countryside provided that they are suitable located; not isolated; structurally sound; capable of being converted without the need for extensions; and the character of the building and the materials are appropriate to its surroundings.
11. The National Planning Policy Framework (the Framework) is also a material consideration in determining this appeal. To promote sustainable development in rural areas, Paragraph 55 of the Framework sets out certain special circumstances where new isolated homes in the countryside can be acceptable, namely where the development would represent the optimal viable use of a heritage asset or where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting. I note from the Officer's report that the building is considered to be a non-designated heritage asset. Paragraph 131 of the Framework requires that decision makers should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
12. The conversion of the barns to residential use would be a viable use of the heritage asset, and there are no policy requirements that alternative uses other than residential should be considered in preference to this. The appellant has provided a structural report that concludes that the building is capable of being converted without significant rebuilding and which has not been challenged by the Council. The proposal would also result in the reuse an existing building and prevent deterioration of the building fabric. The Framework requires that great weight should be given to conserving landscape and scenic beauty within an AONB. Re-use of the building would conserve the landscape and scenic beauty of the area through preventing deterioration of the structure and building fabric. I therefore consider that the proposal would be consistent with the objectives of the Framework with regard to delivering sustainable development and conserving the landscape and scenic beauty of the AONB.
13. The Council's particular concern is that the development would lead to the creation of new isolated dwellings in the AONB as opposed to the development causing harm to the landscape of scenic beauty of the area. The Core Strategy does not define suitably located or isolated. The appeal site is located approximately 3 kilometres from Longridge which is recognised by the CS as a principal settlement and contains a range of shops and services. Whilst there are no public transport routes close to the appeal site, the distance involved means that it could be accessed by cycle, although I recognise that the nature of the roads and the fact that they are unlit may deter cyclists, particularly during the winter months. The Council suggest that that building does not form part of an established group. However, there is an existing dwelling attached to the building that is the subject of this appeal in addition to a number of timber sheds associated with the barn and a further dwelling approximately 60 metres to the west. There is a further group of farm buildings approximately 300 metres to the west and a public house approximately 300m to the east.

14. Within this context, although the appeal site is located outside of any existing settlement, in my opinion it is not so isolated that it is an unsuitable location for dwellings. Whilst the proposal does not meet any of the six criteria in CS Policy DMG2 for new development outside of settlements, taking the Core Strategy Policies as a whole, together with the preservation of a non-designated heritage asset and the prevention of deterioration of a building within the AONB, these material considerations outweigh the non-compliance of the proposal with part of Policy DMG2.
15. I therefore find that the proposal would not cause harm to the development strategy set out in the Core Strategy and that the proposal complies with the requirements of CS Key Statement DS1 and CS policies DMG2 and DMH3 which seek to ensure that new residential development is suitably located and where possible is accommodated through the re-use of existing buildings where it is outside of established settlements.

Other Matters

16. I have considered the Council's argument that the granting of planning permission would set a harmful precedent for the acceptance of other similar proposals. Each application and appeal must be determined on its individual merits and a generalised concern of this nature does not, of itself, justify withholding planning permission. Although I have found that the principle of the development would, in this case, be acceptable, I have dismissed the appeal for other reasons.

Conclusion

17. Notwithstanding that I have found in favour of the development in terms of the suitability of the site and location for residential use, the significant harm to road safety that would result from the development is sufficient reason to refuse planning permission. For the above reasons, and taking account of all other matters raised, I conclude that the appeal should be dismissed.

John Dowsett

INSPECTOR