



Appeal Decision

Site visit made on 10 October 2017

by Roger Catchpole DipHort BSc(hons) PhD MCIEEM

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

Decision date: 25th October 2017

Appeal Ref: APP/T2350/D/17/3175772

18 Netherwood Gardens, Brockhall Village, Old Langho BB6 8HR

- 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 Paul Lynch against the decision of Ribble Valley Borough Council.
 - The application Ref: 3/2017/0039, dated 16 January 2017, was refused by notice dated 21 March 2017.
 - The development proposed is described as: amendments made to front and rear first floor balcony areas following approval of planning permission (Ref: 3/2015/0317).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the local area.

Reasons

3. The appeal property is situated at the end of a residential cul-de-sac in a modern housing estate. The proposed development has already been undertaken and comprises the complete enclosure of a first floor, front balcony and the erection of two balustrades on the flat roof of a rear extension that has been adapted for use as a balcony. The first balustrade only encloses part of the roof and is constructed from wood whilst the second encloses the whole of the roof and is constructed from glass and steel. I shall deal with the effect of the implemented proposal on each elevation in turn.
4. Turning to the front elevation, I observed that the glazing has led to a highly discordant, incongruent visual impact on the host property. The size and design of the window is such that it lacks any sympathy with the original fenestration of the building which is smaller and subdivided. The negative impact goes beyond the glazing itself, however, because the space between the two gable ends has been filled thus removing a key architectural feature, namely the articulation of the first floor frontage.
5. I find these changes to be detrimental to the street scene of the cul-de-sac because the host property is one of three recurring designs. Whilst the designs provide a degree of individuality, they nevertheless help to create a cohesive architectural character which has clearly been disrupted by the implemented proposal. The impact is greater than would otherwise be the case given that

the host property is one of the most frequently occurring designs. Furthermore, its prominent position at the end of the cul-de-sac gives rise to extended views of this highly reflective, alien feature. The impact would also be present during the hours of darkness when the landing area is illuminated.

6. The appellant is of the opinion that the implemented proposal does not meet the statutory definition of development, was necessary to ensure child safety and that it was less harmful than the Council's suggestion.
7. Turning to the first matter, section 55(1) of the Town and Country Planning Act 1990 (as amended) states that: "development," means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land'. As the enclosure of the balcony was clearly a building operation, I give this assertion negligible weight.
8. Turning to the second matter, I observed from other properties in the cul-de-sac that the original design comprised French doors. Given this fact, I have no evidence before me to justify why a child-proof, locked door was ineffectual nor why any alternative measures were unsuitable. Consequently, I give this matter little weight.
9. Turning to the third matter, I agree that the use of an isolated element from another design would not have been appropriate and would have led to a negative impact. However, this does not make the approach that was taken any more acceptable as the appellant could have chosen not to make the modification and leave the front elevation intact. Consequently, I give this matter little weight as well.
10. Turning to the rear elevation, I observed that the external balcony is a lightweight structure that enables largely, un-impeded views of the host property. The Council have acknowledged that the visual impact of these structures is limited because they do not add to the bulk of the dwelling and I agree. Whilst the materials do not match, this could be controlled by the use of a suitable condition.
11. The Council has expressed concern that the retention of the two structures would compromise its ability to take enforcement action in the event that the whole of the flat roof is brought into use. However, I note that the relevant condition states that its use is restricted to an area that is shown on the relevant plans and, by the Council's own admission, demarcated by the wooden balustrade.
12. Bearing in mind that the area of permitted use can be clearly viewed through the outer balustrade, I am not satisfied that its presence would compromise the ability of the Council to take enforcement action on the basis of the reasoning that is before me. I also note that the Council is satisfied that the current arrangement would not have a negative impact on the occupants of neighbouring properties.
13. Notwithstanding the acceptability of the alterations that have been made to the rear elevation, I conclude that the implemented proposal has, on balance, caused significant harm to the character and appearance of the local area contrary to policies DMG1 and DMH5 of the Ribble Valley Borough Council Core Strategy 2008-2028 (2014). These policies seek, among other things to

ensure that all development achieves a high standard of building design and that any alteration to an existing building conforms to this standard. As such, the proposal would not be in accordance with the development plan.

Other Matter

14. The appellant has questioned the professional judgement of the case officer and pointed out that no specialist design advice was sought. The competency of Council officers and the provision of specialist advice are internal matters that do not fall to be considered in the appeal process which should be based on matters directly related to the individual planning merits of each case.

Conclusion

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

Roger Catchpole

INSPECTOR



Appeal Decision

Site visit made on 10 October 2017

by Roger Catchpole DipHort BSc(hons) PhD MCIEEM

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

Decision date: 25th October 2017

Appeal Ref: APP/T2350/W/17/3174924

Lower Standen Hey Farm, Whalley Road, Clitheroe BB7 1EA

- 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 and Mrs Dummer against the decision of Ribble Valley Borough Council.
 - The application Ref: 3/2016/1196, dated 20 December 2016, was refused by notice dated 28 February 2017.
 - The development proposed is the erection of 5 no. dwellings and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is near a listed building I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The Council has an emerging plan that is yet to be adopted. Consequently, this appeal will be determined in accordance with the extant development plan having regard to the emerging policies, insofar as they may be relevant, and the National Planning Policy Framework 2012 (the Framework).
4. The appellants have drawn my attention to an appeal decision¹ relating to a nearby building to the west of the appeal site. Whilst I have paid careful attention to this decision, the circumstances are not similar in all respects because it is not within the setting of the listed building, has a significantly greater regard for its immediate landscape context, relies upon a more innovative design approach and predates the existing development plan. Consequently, this appeal has been determined on its individual merits and the evidence before me.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the local area, bearing in mind the special attention that should be paid to the setting of the nearby Grade II listed building, 'Lower Standen Farmhouse'.

Reasons

6. The appeal site is situated near the southernmost extent of the market town of

¹ APP/T2350/A/12/2186164

Clitheroe. It comprises an extended curtilage of a listed farmhouse and an area of adjacent pasture that fronts onto the A671. The land generally rises from this road towards the farmhouse and is physically separated from the settlement by Pendleton Brook. The proposal comprises five detached dwellings arranged along an east-west axis. Access to the site would be via an existing driveway that links the A671 to a cluster of residential dwellings to the south west of the appeal site.

Character and appearance

7. 'Lower Standen Farmhouse' (Ref: 1072091) dates from the early 19th century and has a number of curtilage structures to the rear that have been converted for residential use. The farmstead occupies an elevated position in the landscape to the west of the A671. Historic mapping confirms the presence of the farmstead and indicates that it was surrounded by agricultural land. The building comprises a single range with a subservient, later addition projecting from its northern gable end. It is constructed from coursed rubble which is covered in pebbledash render on its front elevation. This building has an unusual single storey and two storey bow window either side of its main entrance.
8. Whilst the setting of the building has been subject to domestication, with over-sized barn conversions and the construction of a modern bungalow immediately to the south, it nevertheless retains an agricultural character. This is because the farmyard to the rear and pasture around the front still remain clearly legible. As these features are indicative of its former use they are of evidential value. Notwithstanding the nearby bungalow, the buildings occupy a visually distinct position in comparison to the main settlement and, in landscape terms, are consequently read as a farmstead rather than as a residential development. Given the above, I find that the setting of the listed building, insofar as it relates to this appeal, to be primarily associated with the extended curtilage and pasture to the northeast of this building.
9. I observe from the plans and my site visit that the proposal would lead to a significant reduction in the openness of the nearby pasture and that the listed building would no longer remain legible as a semi-isolated building associated with a former farmstead, despite the retention of a small area of pasture in the southern part of the appeal site. I accept that this would maintain a primary view of the main elevation with glimpses of the farmyard beyond. However, this ignores the views of the wider farmstead, as set out above, which also contribute to its setting and thus its evidential value.
10. Consequently, I find the assessment of heritage significance too narrowly defined and therefore somewhat contrived. Furthermore, the suggestion that the proposal would be less harmful than changes that have already occurred carries little weight as the existence of harm is not a justification for further harm. Bearing in mind the existing rural character and appearance of the site, when viewed from the A671, I also find that the proposal would have a highly incongruent, suburbanising effect on the immediate area. This would not only result from the staggered, linear layout of the buildings and their regimented roof form, but also the associated hard landscaping, plot subdivision and domestic paraphernalia of future occupants.
11. Whilst I accept that more distant, undefined, vantage points may give rise to an inter-visibility that might suggest that the proposal is an integrated

extension of the southern settlement boundary, this is not how the proposal would be experienced by the majority of people who would regularly view the site from the A671. The appellants are of the opinion that the proposal would be well related to more recent development to the north of the appeal site. However, the open countryside is clearly demarcated at this point by the topography and vegetation associated with Pendleton Brook. Whilst similar in design, the proposal would result in the disruption of an otherwise visually distinct settlement boundary. Given the above, I find that the proposal would not only harm the setting of the listed building but would also be detrimental to the character and appearance of the rural landscape to the south of Clitheroe.

12. This impact would be significant given the high degree of visual prominence of the site. I observed that the proposal would be clearly visible to southbound road users given the rising ground, low stone wall and small number of intervening, deciduous trees. Whilst the trees are mature and would provide some screening during summer months this would not be the case during winter months when the scheme would be clearly visible. In any event, the trees are an impermanent feature that could be removed or die from natural causes at any time on the basis of the evidence that is before me. This also applies to the evergreen, boundary vegetation further to the south. If lost, the scheme would become clearly visible to northbound road users as well. As I have no planning mechanism before me to ensure the retention of these features, they cannot be relied upon to mitigate the harm that I have identified.
13. Paragraph 132 of the Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Given the separation distances and retention of some of the pasture, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 134 of the Framework advises that this harm should be weighed against the public benefits of the proposal. Clearly, the proposal would make, an albeit, small contribution to housing provision and would be sustainably located in close proximity to a settlement with a wide range of services and alternative modes of transport. However, I do not find that this outweighs the harm that would be caused to the setting of the listed building to which considerable weight and importance must be attached.
14. Given the above and in the absence of any significant public benefit, I conclude that the proposal would fail to preserve the setting of the Grade II listed building. This would fail to satisfy the requirements of the Act, paragraph 134 of the Framework and conflict with key statement EN5 and policies DMG1 and DME4 of the Ribble Valley Borough Council Core Strategy 2008-2028 (2014) (CS) that seek, among other things, to ensure that the settings of heritage assets are conserved and protected and that all development has regard to its surroundings, including any impact on landscape character. As a result, the proposal would not be in accordance with the development plan.

Housing land supply

15. Clitheroe is designated a Principal Settlement in Key Statement DS1 of the CS

which seeks to guide development to the most appropriate locations within a series of identified settlements. When development occurs outside settlement boundaries, as defined by the retained proposals map of the former local plan, it is deemed to be in the open countryside and policies DMG2 and DMH3 of the CS apply. The appellants accept that the site is outside the currently defined settlement boundary but are of the opinion that it may be subject to change in the emerging plan. However, the Council have indicated that there are no unresolved objections to the position of the settlement boundary at this location and that it will therefore remain unaltered on the emerging proposals map. Bearing in mind the late stage of the emerging plan, I give this some weight in the planning balance of this appeal.

16. Policy DMG2 indicates, among other things, that development in the open countryside will be required to be in keeping with the character of the landscape. This would clearly not be the case, as set out in paragraph 10-12 of this decision. Policy DMH3 goes on to identify a number of exceptions where development may be permitted. None of these apply in this particular instance and this fact is not disputed. However, the appellants have disputed the presence of a deliverable 5-year housing land supply (HLS) which, if accepted, could lead to the engagement of paragraph 49 of the Framework which, in turn, would engage the so called 'tilted balance' as set out in paragraph 14 of the Framework. Irrespective of any conclusion relating to 5-year HLS, paragraph 14 would not be engaged, however, because of the harm that I have identified to the setting of the designated heritage asset. This is because footnote 9 of paragraph 14 of the Framework indicates that development should be restricted under such circumstances.
17. The Council has indicated that it has a 5.73-year HLS which is based on information from April 2017 which is materially different from the position at determination which was based on information from September 2016. Despite this fact, the appellants maintain that a deliverable 5-year HLS is not present. This is because they contend that a 5% buffer should not have been applied and that the available housing land supply has also been overestimated.
18. Turning to the first matter, the Council has justified the use of a 5% buffer through the application of a 'housing delivery test', as set out in a recent Government White Paper². This suggests that a 20% buffer should not apply where completions over the last three years of a monitoring period exceed the annualised requirement, as set out in a development plan. Whilst clearly signalling Government intent, I find the adoption of this approach premature at the current time because it is based on a consultation document that could be subject to change despite the fact that the approach was due for implementation by November 2017. In any event, I note that the Council has used an unadjusted annualised requirement of 280 houses which has failed to account for a backlog of 750 houses which gives a higher annualised requirement of 430. Under such circumstances, it is clear that the Council has failed to meet its annual targets since the beginning of the plan period. As such, I am satisfied that a persistent record of under-delivery is present.
19. Turning to the second matter, the appellants have suggested that there is a shortfall of deliverable housing that amounts to 2,357 homes rather than the 2,588 homes identified by the Council. This difference turns on the

² Fixing our Broken Housing Market. February 2017. HM Government.

deliverability of three sites: Higher Standen Farm; 23-25 Old Row; and Lawsonsteads. The Council concedes that the last site will make a reduced contribution of between 90-120 homes rather than the 160 that has been estimated but is satisfied that the other two sites will deliver the expected number. In relation to the first site, I acknowledge the 'conversation' that occurred with the housebuilder but find that the conclusions have not been substantiated in any written evidence. Consequently, this assertion only carries limited weight in the balance of this appeal. In relation to the second site, I acknowledge that a reserved matters application is still pending and note the site history. However, under the terms of footnote 11 of paragraph 47 of the Framework I am satisfied that the site can still be considered deliverable.

20. Given the above, it follows that a potential shortfall of up to 70 homes would result in a 4.89-year HLS with a 20% buffer and a 5.57-year HLS with a 5% buffer. However, the Council have allowed for a 10% slippage in its calculations for all sites with planning permission or awaiting Section 106 agreements that had not commenced by the 31 March 2017. As this amounts to 177 homes and is not disputed by the appellants, I am satisfied that a 5-year HLS is present at the current time whichever buffer is applied.
21. I acknowledge the evidence concerning the local development land market across the Borough. However, the conclusions were not based upon a full market research report, as indicated in the relevant letter. Moreover, the evidence comprised a single sentence which concluded that there was an upper sales limit in 2016 of around 2 houses per month. This was based upon informal reporting rather than quantitative evidence and lacks a suitable degree of robustness as a result. Furthermore, sales are not the same as completions and asking prices can be adjusted. Consequently, this evidence can only be viewed as subjective, unsubstantiated opinion of a highly generalised nature with no specific link to the above sites. I therefore give it limited weight in the planning balance of this appeal.
22. Given the above, I conclude that the development would be in the open countryside and that the full weight of locational policies applies. The proposal would therefore be contrary to policies DMG2 and DMH3 of the CS and would not be in accordance with the development plan.

Conclusion

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

Roger Catchpole

INSPECTOR



Appeal Decision

Site visit made on 24 October 2017

by Mike Worden BA (Hons) DipTP MRTPI

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

Decision date: 02 November 2017

Appeal Ref: APP/T2350/3177455

Fields Farm Barn, Back Lane, Chipping PR3 2QA

- 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 Derek Balchin against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2017/0308, dated 29 March 2017, was refused by notice dated 25 May 2017.
 - The development proposed is formation of new window openings in existing dwelling
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Decision

1. The appeal is allowed and planning permission is granted for the formation of new window openings in the existing dwelling at Fields Farm Barn, Back Lane, Chipping PR3 2QA, in accordance with the terms of the application, Ref 3/2017/0308, dated 29 March 2017, subject to the following 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: Location Plan 0502/93 Drawing No 00; Existing Site Plan 0502/93 Drawing No 05A; Existing Plans and Elevations 0502/93 Drawing No 05, Proposed Plans and Elevations 0502/93 Drawing No 10.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. Part of the proposal involves the insertion of a new rooflight into the roof on the elevation of the appeal property furthest away from the farmhouse. This is marked as the north west elevation on the plans, but I believe this is the south west elevation. The existing plan¹ does not show any rooflights on the roof of that elevation. On my site visit however, I noticed that there was a rooflight in place on the roof above the door, albeit in a slightly higher position than shown on the submitted proposed plan².
3. I also noticed that there were two additional rooflights on the roof of that elevation and a porch, which are not shown on the submitted plans.

¹ Existing Plans and Elevations 0502/93 Drawing No 5

² Proposed Plans and Elevations 0502/93 Drawing No 10

Furthermore the proposed window to be inserted into an already formed window opening on the south east elevation was already in place. I have based my decision on the submitted plans.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the dwelling and the area.

Reasons

5. The appeal property is a converted barn formerly associated with Fields Farm. The farmhouse and the barn are now separate residential dwellings. The farmhouse is a Grade 2 listed building. The barn and the farmhouse lie next to each other at the end of a farm track within open countryside and within the Forest of Bowland Area of Outstanding Natural Beauty (AONB). A public footpath runs close to the site.
6. The proposed development would create new window openings on the main south east elevation and a new rooflight on the elevation furthest away from the farmhouse. An existing window on the north east elevation would be infilled.
7. The appeal property has retained much of its character as a former stone agricultural barn, with a main central barn with a high roof and smaller lean to elements either side. It has a number of domestic elements within its curtilage including a garage, a garden and a parking area. Given its size, height and location, it is visible not only from the public footpath but from various parts of Longridge Road. Its construction and design is typical of a number of stone agricultural buildings in the area and it makes an important contribution to the landscape of the AONB.
8. However in such views, it is the bulkier central part of the barn which tends to be more visible, especially the high roof and the large, already glazed, central opening. The two side elements are less visible although their sloping roofs are noticeable in the landscape as they contrast and balance the main barn roof.
9. The proposed rooflight is a minor addition to the roof of the side elevation of the appeal property and I consider that it would not be harmful to the character and appearance of the property.
10. The small higher window openings of the side elements of the appeal property are consistent with the character and appearance of the property as a former barn, and therefore I consider that the window proposed in the existing window opening on the south east elevation would not be harmful to its character and appearance.
11. The new proposed window on the central part of the barn would introduce symmetry to that elevation, increase the number of openings, and affect the glazing to solid ratio. However, given its size and that it reflects the design and relationship of the existing openings on that elevation, I consider that the window would not have a harmful effect on the character and appearance of the appeal property.
12. The proposed larger full length glazed window, which would replace the existing square window, would increase the ratio of opening/glazing to solid

wall. Although this part of the proposal would mirror the other side of this elevation, I do not consider that this would create a domestic form or be detrimental to the character and appearance of the building overall.

13. Taken as a whole the proposed alterations to the south east elevation whilst introducing symmetry and additional glazing, would not, in my view, unduly harm the character and appearance of the converted and modernised barn. From the public right of way and in the wider landscape, the main elements of the building such as its central block, the high roof, the large glazed central opening and the sloping and subservient roofs of the two side elements, would remain as the prominent features.
14. For the reasons set out above, I conclude that the proposed development would not harm the character and appearance of the dwelling or the area and would accord with Policies DMG1, DME2 and DMH5 of the *Core Strategy 2008-2028 A Local Plan for Ribble Valley*. These policies respectively set out general considerations for the determination of planning applications, seek to secure the protection of landscape and townscape features, and seek to secure good design in residential and curtilage extensions.
15. I also consider that the proposed development would accord with the fourth bullet point of paragraph 58 of the National Planning Policy Framework (the Framework) which seeks to ensure that developments respond well to local character and history. The Council's officer's report refers to the *Forest of Bowland AONB Landscape Character Assessment 2009*. The quote from it relates to the modernisation of farmsteads through the use of non-local building materials. I have given this report limited weight in my decision as it is not a policy document and the proposal relates to an already modernised farm building.

Other matters

16. The appeal site lies adjacent to the listed farmhouse. However the appeal site and the listed building are quite separate and the proposal relates to the elevations which face away from the farmhouse. Having regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I consider that the proposed development would preserve the setting of Fields Farmhouse.

Conditions

17. I have considered the conditions suggested by the Council in accordance with the Planning Practice Guidance and the Framework. In addition to the standard time condition for implementation, there is a need for conditions specifying the plans to which the permission relates in the interests of certainty and clarity; and to require the use of matching materials in the interests of character and appearance of the dwelling and the area.

Conclusion

18. For the reasons given above, and having considered all matters raised, I conclude that the appeal should be allowed.

Mike Worden

INSPECTOR

Appeal Decision

Site visit made on 10 October 2017

by Roger Catchpole DipHort BSc(hons) PhD MCIEEM

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

Decision date: 3rd November 2017

Appeal Ref: APP/T2350/Y/17/3176602

2 Abbeycroft, The Sands, Whalley BB7 9TN

- 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 Peter Fletcher against the decision of Ribble Valley Borough Council.
 - The application Ref: 3/2017/0088, dated 1 February 2017, was refused by notice dated 19 April 2017.
 - The works proposed comprise the demolition of an external toilet block to be replaced with a single storey extension to both 1 and 2 Abbeycroft.
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Decision

1. The appeal is dismissed and listed building consent is refused for the demolition of an external toilet block to be replaced with a single storey extension to both 1 and 2 Abbeycroft.

Preliminary Matters

2. As the revised scheme is confined to the rear elevation of the appeal properties, I find that the effect of the proposal on the setting of other listed buildings and structures to be materially different to a previous appeal decision¹. As a result, the relevant buildings and structures that fall to be considered are the Grade I North West Gateway (the Gatehouse), Grade II Whalley Viaduct (the Viaduct) and Grade I Whalley Abbey (the Abbey). Although the latter lies some distance to the east of the appeal site, the Gatehouse is evidentially linked making the visual corridor between these buildings and the Scheduled Ancient Monument associated with the Abbey part of their combined setting. This is the basis on which this appeal has been determined.
3. As the works are in a conservation area and relate to a listed building I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

4. The main issue is whether or not the proposed works would preserve a Grade II listed building, 'Whalley, The Sands, Nos. 1-4 Abbeycroft' and any of the features of special architectural or historic interest that it possesses and the extent to which such works would preserve or enhance the character or

¹ APP/T2350/W/16/3148135

appearance of the Whalley Conservation Area and preserve the setting of relevant listed structures.

Reasons

5. The appeal properties are situated on the southwestern periphery of the settlement. A minor road links these properties to the A59 to the west. The properties are in the northern end of a two storey, historic building which has been converted into four separate dwellings. The building is orientated at a right angle to the road with the nearest, gable end set back from the carriageway. A modest stone wall separates the road from parallel, rear gardens. The length of the gardens is such that they extend past the southern elevation of the Gatehouse. Given the height of the wall, the rear elevation of the appeal properties has a high degree of visual prominence to pedestrians and the drivers of large vehicles who approach the village from the west. The proposal comprises a flat roof, rear extension that would span the neighbouring properties and provide additional, separate living spaces. The works would lead to the removal of a freestanding, blockwork toilet to the rear of 2 Abbeycroft.
6. The Whalley Conservation Area (CA) was first designated in 1972. It has significant historic depth with buildings spanning the 13th and 19th centuries. Although heights vary, most buildings comprise either two or three storeys and are mainly built from local stone with rubble walls, dressed stone detailing and stone roofing slates. A number of more prestigious religious, educational and commercial buildings are scattered throughout the CA which are generally much larger and visually dominant. Most notable among these is the Abbey which dates from the late 13th century. The Viaduct, which was constructed in the late 19th century, defines the westernmost boundary of the CA and forms an impressive landscape feature. The open areas about the Viaduct and long views across the River Calder, to the south, give rise to a sense of spaciousness which has a mixed rural and industrial character. Given the above, I find that the significance of the CA, insofar as it relates to this appeal, to be primarily associated with setting of its listed buildings and historical phasing of the settlement.
7. 'Whalley, The Sands, Nos. 1-4 Abbeycroft' (Ref: 1072047) was listed in 1967 and dates from the mid-17th century with extensive 19th century alterations. It is constructed from sandstone rubble with slate and stone slate forming the roof which has distinctive attic gable dormers projecting from the front roof slope. The windows have central mullions with a significant number of the rear windows also incorporating shaped label mouldings. The rear windows are spaced at semi-regular intervals with the same design characterising the appeal properties and a substantial stone outrigger projecting from the southern part of the terrace. Both the design and patina of the stonework suggest that these were incorporated into the building at the same time during the 19th century remodelling of what is thought to have been an older, timber-framed building. Given the above, I find that the special interest of the listed building, insofar as it relates to this appeal, to be primarily associated with the historic architectural detail and materials of its rear elevation.
8. I observe from the plans and my site visit that, even with its reduced massing, the proposed extension would still obscure a significant extent of the ground floor, rear elevation. More specifically, it would directly obscure two windows

and a doorway and isolate a further window that is on the same building line as the two appeal properties. Whilst some of this detail would remain visible, the internal and external walls of the extension would restrict this to a more constrained number of perspectives from around the building in comparison with the toilet block and the high, close-boarded fence that are already present. Moreover, the use of full length windows would introduce an incongruent, alien feature that would draw attention away from the traditional architecture and fabric of the building. This would not only arise from the reflectivity and illumination of the windows themselves but also the domestic paraphernalia within the new rooms. This harm would not be outweighed by the use of local stone to blend with the existing construction nor would the floodlighting of the Gatehouse justify the proposal which would highlight an incongruent feature rather than a historic structure.

9. I accept that the appellant has been responsive to specific concerns that were raised by a previous Inspector² and has attempted to introduce an honest addition that can be clearly differentiated from the historic building fabric. However, each case must be judged on its individual merits and it falls to me to consider the proposal as it now stands. I acknowledge examples of similar designs but note that they lack the internal subdivision of the proposed works and that they are also better integrated with the buildings, as a whole, by encapsulating articulated elevations rather than creating free-standing projections that do not work as closely with the form of the existing buildings. Consequently, the examples represent a more sympathetic design approach with greater opportunities for unimpeded views of original fabric despite the clearly disruptive impact of the glazing during the daytime.
10. The appellant has drawn my attention to a permission that was granted for alterations to a nearby Grade II* listed building (Sands Cottage) and the fact that the proposal would only be visible from the adjacent road. Turning to the first matter, whilst I recognise some similarities, I am not fully aware of the circumstances of this permission and do not have exactly the same information before me as the Council. Turning to the second matter, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained. This is clearly not the case in this instance and I find the introduction of this feature would not only harm the special interest of the listed building but would also be detrimental to the CA. This is because it would lead to the visual disruption of the highly sensitive corridor linking the Gatehouse with the Abbey. This not only contributes to the setting of these Grade I heritage assets but also the legibility of the historic phasing of the settlement. However, I do not find the proposal would be detrimental to the setting of the Viaduct given the separation distance and its wider landscape context.
11. Given the above, I find that the works would fail to preserve the special interest of the listed building, the setting of two other listed buildings and the significance of the CA. I consequently give this harm considerable importance and weight in the planning balance of this appeal.
12. Paragraph 132 of the National Planning Policy Framework 2012 (the Framework) advises that when considering the impact of a proposal on the significance of designated heritage assets, great weight should be given to their

² APP/T2350/W/16/3148135

conservation. It goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets. Given the scale of the proposed extension and the retention of original fabric, I find the harm to be less than substantial in this instance. 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 works would be beneficial because they would enable greater flood protection of the appeal properties, remove an incongruent toilet block and increase the available space on the ground floor.

13. I acknowledge that the properties have experienced flooding in the past and are located in Flood Risk Zone 2 where land has between a 1 in 100 and 1 in 1,000 annual probability of river flooding. I accept that improved flood protection of part of the listed building would be beneficial. Similarly, I also accept that the removal of the toilet block would be beneficial given the unsympathetic nature of this structure. Its removal would also benefit the setting of the Grade I buildings and the CA. Consequently, these benefits carry some weight. Whilst I acknowledge the diminutive size of the ground floor living spaces, the continued viable use of the properties as residential dwellings are not dependent on the proposed works as the building has an ongoing residential use that would not cease in its absence. Consequently, this is a private rather than a public benefit.
14. Whilst the harm to the significance of the heritage assets would be less than substantial, I am not satisfied that the public benefits would outweigh that harm. I therefore conclude that the works would fail to preserve the special architectural and historic interest of the Grade II listed building, the setting of two Grade I listed buildings and that it would also fail to preserve or enhance the character and appearance of the Whalley Conservation Area. This would conflict with paragraph 134 of the Framework and local policies insofar as they seek to implement the Act.

Other Matter

15. The appellant has drawn my attention to a new housing estate on land to the rear of the Gatehouse and an alleged lack of pre-application advice. However, these are internal matters that are not directly relevant to the individual merits of the proposal that is before me.

Conclusion

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

Roger Catchpole

INSPECTOR



Appeal Decision

Site visit made on 17 October 2017

by Thomas Hatfield BA (Hons) MA MRTPI

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

Decision date: 9th November 2017

Appeal Ref: APP/T2350/W/17/3179555

Barn within grounds of Greengore Farm, Hurst Green, BB7 9QT

- 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 Tomkinson against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2016/1202, dated 22 December 2016, was refused by notice dated 28 February 2017.
 - The development proposed is described as "renovation and conversion of an existing barn, within the curtilage of a listed property, into a residential property. Replacement of a dilapidated lean-to garage with a new garage more in keeping with the Barn".
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council determined the application on the basis that the appeal building is not within the curtilage of a listed building. I have therefore taken the same approach in considering this appeal.
3. The site address given on the planning application form is "*Barn within grounds of Greengore Farm*". In the interests of clarity, I have used the slightly longer address provided on the Council's Decision Notice.

Main Issues

4. The main issues are the effect of the development on:
 - (a) The setting of the Grade II* listed Greengore and Grade II listed The Flat, and;
 - (b) The character and appearance of the Forest of Bowland Area of Outstanding Natural Beauty (AONB).

Reasons

Listed buildings

5. The appeal building is located in close proximity to both the Grade II* listed Greengore and Grade II listed The Flat. Together, they form a distinct group of buildings in an isolated fellside setting. Greengore is an imposing property that has the appearance of a small manor house. It dates from around 1600 and is constructed in sandstone rubble with a stone slate roof. It is now supported by

large buttresses with offsets, which cut across the window openings. Its significance derives from a number of factors, including its age, its form and substantial appearance, and its connections with the Stonyhurst estate and possible royal associations. The Flat is located just to the north west, and is a lower one storey structure with an attic. Its historic interest lies in its original use as a former agricultural shippon dating from the C17th and its association with Greengore. Despite some alterations and repairs, it has retained its architectural significance and its simple agricultural character. The significance of both listed buildings is enhanced by their group value along with the appeal barn.

6. The appeal building is a good example of a medium-sized C19th Lancashire barn. By virtue of its size and character, it makes a significant contribution to the setting of the listed structures, with which it has a close visual connection. The barn is also seen in the foreground in longer views of the listed buildings from further down the hillside.
7. The development proposes a number of alterations to the barn in order to facilitate its conversion. The proposed alterations to the southern and eastern elevations would be significant and would involve the creation of large openings to accommodate new windows. In particular, the development proposes the insertion of a large wrap around ground floor window that would be floor-to-ceiling in height. This window would have an overtly modern domestic appearance and would necessitate the removal of a significant amount of historic fabric. It would also introduce large reflective surfaces that would increase the prominence of the window in longer views. This would appear incongruous and at odds with the traditional character of the Lancashire barn. Other large modern openings are proposed in the southern and eastern elevations that would further erode the historic character of the building. Following the removal of the modern agricultural building, these windows would be prominent in views of the listed buildings from the south and east. In this regard, these alterations would negatively affect the way the listed buildings are experienced in views from nearby footpaths, the road, and from further down the hillside.
8. An alternative scheme to convert the appeal building to a dwelling was approved by the Council in 2013 (ref 3/2013/0215). However, that development proposed traditional window designs that were in keeping with the character of the building. Whilst the current proposal would retain some additional original features, including the internal height of the threshing bay, these have only a very minor effect on the setting of the listed buildings. Their retention would not compensate for the harm that the modern glazed insertions would cause.
9. My attention has also been drawn to a recent appeal decision relating to a link extension between Greengore and The Flat (ref APP/T2350/Y/16/3160571). Whilst the full details of that proposal are not before me, it does not appear to relate to a comparable form of development to that currently proposed.
10. Separately, I acknowledge that the proposed alterations to the early C20th garage / store would not be unduly harmful, and would serve to better reveal the southern elevation of the barn. In addition, the proposed rooflights are small, and an appropriate specification could be secured by condition.

11. For the above reasons, I conclude that the development would harm the setting of the Grade II* listed Greengore and Grade II listed The Flat. This harm would be 'less than substantial' in the context of paragraphs 133 and 134 of the National Planning Policy Framework ('the Framework'). Set against this, the development would provide a public benefit in removing an unsympathetic modern agricultural building. It would also retain some original features that were to be lost under the consented scheme. However, for the reasons set out above, these public benefits would not outweigh the harm to the setting of the listed buildings in this case. Moreover, it is not clear that these alterations are necessary in order to secure the re-use of the appeal building. In this regard, the previously consented scheme illustrates that a more sympathetic conversion is possible.
12. The development would therefore be contrary to Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy (2014), and guidance in the Framework relating to designated heritage assets.

AONB

13. The appeal site is located within the Forest of Bowland AONB. Decision makers have a statutory duty to conserve and enhance the natural beauty of AONBs, which are afforded great weight by the Framework.
14. For the reasons given above, I consider that the development would harm the character of a traditional Lancashire barn and the setting of the Grade II* listed Greengore and Grade II listed The Flat. This would damage historic elements of the AONB's environment that serve to enrich the landscape's scenic quality. In this regard, the development would harm the character and appearance of the Forest of Bowland Area of Outstanding Natural Beauty (AONB).
15. The development would therefore be contrary to Key Statement EN2 and Policies DMG1 and DMG2 of the Ribble Valley Core Strategy (2014), and guidance in the Framework relating to AONBs.

Conclusion

16. For the reasons given above I conclude that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR