



Appeal Decision

Site visit made on 4 March 2013

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

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

Decision date: 13 March 2013

Appeal Ref: APP/T2350/A/12/2186164

Kemple Barn, Whalley Road, Pendleton, Clitheroe BB7 1PP

- 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 D Hancox against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2012/0096, dated 18 January 2012, was refused by notice dated 17 July 2012.
 - The development proposed is a dwelling with garages, garden and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for a dwelling with garages, garden and landscaping at Kemple Barn, Whalley Road, Pendleton, Clitheroe in accordance with the terms of the application Ref 3/2012/0096, dated 18 January 2012, subject to the following conditions:

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with approved drawing nos. 4172-10B, 11B, 12A, 13A, and 14A.
3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples.
4. No development shall take place until details of hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include finished levels or contours, types and heights of means of enclosure, type and extent of hard surfacing materials, types, numbers and locations of trees and shrubs to be planted, a programme for implementation of the landscape works, and a five year maintenance scheme for the trees and shrubs planted in accordance with the approved details.
5. No development shall take place or deliveries made to the site until all trees identified for retention in the Tree Impact and Protection Report by Bowland Tree Consultancy (Ref. BTC271) have been protected in accordance with details shown on drawing no. BTC271-TPP Rev. A and in accordance with BS5837 'Trees in Relation to Construction', and a tree protection monitoring schedule has been submitted to and agreed in writing by the local planning authority.

6. All tree protection measures established in accordance with condition 5 shall remain in place until all construction work has been completed and all excess materials and spoil have been removed from the site. During the construction period nothing shall occur or be carried out within any protected area and no tree surgery or pruning shall occur to any protected tree without the prior written approval of the local planning authority.

Reasons

2. The main issues are the effect of the proposed development on; first, the setting of nearby heritage assets; and second, the character of the landscape.

The first issue – the setting of heritage assets

3. Kemble Barn is a dwelling that has been created by the conversion of former agricultural buildings and is one of a small group of similar dwellings and Lower Standen Farmhouse. Kemble Barn is at the north-west corner of the group of dwellings and the roughly triangular area of residential land associated with the dwelling extends out to the west. The group of dwellings and the land associated with Kemble Barn is bounded to the north by the steep sided bank of Pendleton Brook. Along the bank of the brook are many tall mature deciduous trees and on the north side of the brook is an extensive range of former print works buildings in industrial use, Primrose Works. To the west of the works is Primrose House.

4. Lower Standen Farmhouse and Primrose House are Grade II listed buildings and Primrose Works is regarded by the Council to be a non-designated heritage asset. The appeal site is the majority of the triangular area of land associated with Kemble Barn. It is the effect of the proposed development, the construction of a single dwelling, on the setting of the designated and non-designated heritage assets that concerns the Council.

5. Primrose Mill, now demolished, was established as a water powered cotton mill in 1787 and Primrose Works was established subsequently. Lower Standen Farmhouse was built in the early 19th century and Primrose House was built in 1809. By the 1840s Primrose Mill, Primrose Works, Primrose House and Lower Standen Farm formed Primrose Estate and an OS map of 1844 shows the appeal land to be a garden. In 1854 the owners of Primrose Estate were bankrupt and the estate was sold off in three lots. Lot 1 included Primrose Mill, Primrose Works, Primrose House and the appeal site. Lot 2 was Lower Standen Farm.

6. An OS map of 1883 does not identify any 'garden' on the south side of the brook and the appeal land is part of a larger area probably at that time in agricultural use given its close association with the farm. An OS map of 1907 shows the land to be used to tip spoil probably from an expansion of the works on the opposite side of the brook. Primrose House is now no longer associated with any of the former mill buildings, with the farm or with any land on the south side of the brook. Lower Standen Farmhouse is now no longer associated with any of the former farm buildings that have all now been converted to dwellings.

7. The documented history of the appeal land and its historical association with Primrose House and later with the farm would not be undermined by the proposed development. There is no inter-visibility between the two listed buildings and they are now independent residential properties. The proposed dwelling, given its flat roofed form and setting at a lower level than Kemble Barn, would not be visible from the curtilage of the farmhouse and, given the substantial tree belt alongside the brook, would not be visible from the curtilage of Primrose House. Primrose

Works now has a modern metal roof and its heritage value is dubious. Taking all these factors into account the construction of the dwelling on the appeal site would not adversely affect the setting of nearby heritage assets.

8. The proposed dwelling would be undeniably modern. It would be two interlocking rectangular flat roofed blocks connected to another flat roofed garage block. The roofs of the blocks would be at or below the ground floor level of Kemble Barn and the dwelling would be framed and contained by existing mature trees both alongside the brook and along the south boundary of the site. The topography, shape and orientation of the site, and the point of access into it, have all been carefully considered in the design of the scheme. Just as Primrose House and Lower Standen Farmhouse were built in the contemporary style of the early 19th century the proposed dwelling would reflect contemporary residential design. The dwelling would not, in itself, be conspicuous, incongruous or visually intrusive.

9. Neither the proposed development nor the contemporary design of the dwelling would adversely affect the setting of nearby heritage assets. The proposal does not thus conflict with saved policy ENV19 of the Ribble Valley Districtwide Local Plan (LP). The design of the proposed dwelling is the high quality design that is sought by a core planning principle of the National Planning Policy Framework (NPPF) and the proposal does not conflict with advice on conserving and enhancing the historic environment found in section 12 of the NPPF.

The second issue – the character of the landscape

10. Pendleton Brook, in this location, marks the south boundary of the built-up area of Clitheroe. A track, off Primrose Road within the built-up area, that crosses a bridge to the east side of Primrose Works, is a public footpath and leads to Lower Standen Farmhouse and the group of converted farm buildings. The footpath continues south-westwards into the countryside alongside a field to the south of the appeal site. From this footpath there are views to the west and south-west across the flood plain of the River Ribble towards fells in the distance. In the foreground of these views is a railway line that crosses a viaduct across Pendleton Brook, a tributary of the river, to the west of the appeal site.

11. From the footpath there would be views northwards towards the proposed dwelling. The backdrop for the dwelling would be the roofs of Primrose Works and the tall trees alongside the brook. Given the topography of the site and its design, the dwelling would 'sit down' in the landscape and would be enveloped by existing trees around the site. The dwelling, given its elongated form, its projecting first floor balconies and its flat projecting roofs, would have a strong horizontal emphasis that would reflect the railway line and the viaduct, which are distinctive features of the landscape. The horizontal emphasis of the dwelling would be complemented by the vertical emphasis of the tall trees behind, which would be reflected in the vertical timber boarding that would clad parts of the dwelling.

12. The proposed dwelling has not been designed in a vernacular style. But construction materials and technology, and building design, have moved forwards particularly in the last 15 years since the LP was adopted. In this regard, saved LP policy ENV3, which requires that development in the countryside should reflect local vernacular, scale, style, features and building materials, is somewhat out of step with the NPPF which promotes, at paragraphs 55 and 60, innovative and original design. In paragraph 63, in particular, it is stated that "In determining planning applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area".

13. The proposed dwelling has been carefully and sensitively conceived. It would be innovative and original and would raise the standard of design in the area. The design and form of the dwelling would be entirely appropriate for the site and would be complimentary to its surroundings. The dwelling would not reflect local vernacular, scale, style, features and building materials but it would be in keeping with the character of the landscape. The proposed development would not adversely affect the character of the landscape. The proposal complies with the intent of saved LP policy ENV3 and is in step with design principles in the NPPF.

Conditions

14. Condition one is the standard time limit condition, condition two is for the avoidance of doubt and in the interests of proper planning, and condition three will ensure that the dwelling has a satisfactory appearance. Condition 4 will ensure that the site is landscaped to complement the building and conditions five and six are necessary to protect retained trees during the construction period. The six conditions reflect those suggested by the Council though the suggested conditions have been amended, where necessary, in the interests of clarity and precision.

John Braithwaite

Inspector