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# Appeal Decision

Site visit made on 25 August 2015

**by Matthew Birkinshaw BA(Hons) Msc MRTPI**

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

**Decision date: 19 October 2015**

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**Appeal Ref: APP/T2350/W/15/3128758**

**Little Dudlands Farm, Rimington Lane, Rimington, Clitheroe, BB7 4EA**

- 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 John Lund against the decision of Ribble Valley Borough Council.
  - The application Ref 3/2014/1090, dated 26 November 2014, was refused by notice dated 20 May 2015.
  - The development proposed is the conversion of barns to two dwellings with garages, creation of garden areas, replacement garage for farmhouse and installation of package treatment plant.
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## Decision

1. The appeal is dismissed.

## Application for costs

2. An application for costs was made by Mr John Lund against Ribble Valley Borough Council. This application will be the subject of a separate Decision.

## Main Issues

3. The main issues are:
  - Whether or not the barns would be suitable for conversion, having particular regard to their location and the development strategy for the area; and
  - The effect of the proposal on the character and appearance of the area.

## Reasons

### *Location of Development*

4. Little Dudlands Farm consists of the main farmhouse, two traditional stone barns, a large modern agricultural building and a collection of smaller outbuildings and extensions. To the east of the farmyard, but visually and physically associated with it, is a small workshop and yard. As part of the proposal the modern outbuildings and extensions would be demolished and the traditional stone barns converted into two dwellings with associated garden areas and garages.
5. Situated roughly 600m from the nearest settlement of Rimington the appeal site is located in the open countryside. Within the open countryside *Ribble*

*Valley Core Strategy* Policy DMG2 states that, amongst other things, where possible new development should be accommodated through the re-use of existing buildings. Core Strategy Policy DMH3 also limits new residential development in the open countryside to the appropriate conversion of buildings providing that they are suitably located and in keeping with their surroundings. This reflects the development strategy for the area, which seeks to focus the majority of new housing to principal settlements and villages. It is also broadly consistent with the National Planning Policy Framework ('the Framework').

6. In establishing whether or not the proposed development would be suitably located it is necessary to consider the requirements of Core Strategy Policy DMH4. Despite not being referred to in the Council's reasons for refusal this specifically relates to the conversion of barns and other buildings to dwellings. Criterion 1 confirms that planning permission will be granted for such works where *"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..."*
7. Although Little Dudlands Farm is outside of Rimington and detached from any neighbouring development, the traditional stone barns proposed for conversion form part of an existing group of buildings. Even with the demolition of modern structures and extensions the barns would sit alongside the existing farmhouse and adjacent workshop. As a result, they would not be isolated in the landscape and the proposal accords with Policy DMH4(1).
8. In refusing planning permission the Council assert that the location of the appeal site would place reliance upon the private car, and is thus unsuitable by reason of its accessibility to local shops and services. Based on observations at my site visit I agree that the nearest facilities would be beyond a reasonable walking distance away. Core Strategy Policy DMG3 directs that considerable weight will be attached to the availability and adequacy of public transport and associated infrastructure to serve those moving to and from a development.
9. However, paragraph 55 of the Framework permits new isolated homes in the countryside where development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting. This is reflected in Core Strategy Policy DMH3 which allows for the appropriate conversion of buildings to dwellings in the countryside. Policy DMH4 also permits the residential conversions of barns, which, by their very nature are likely to be in rural areas.
10. It is also pertinent to consider the Examining Inspector's report into the *Ribble Valley Core Strategy*, dated 25 November 2014. This found that *"As submitted, Policy DMH4 appears to suggest that barn conversions will only be allowed where the building is in a defined settlement. This is not the Council's intention."* The remedy suggested, and taken forward in the adopted Core Strategy was the requirement that buildings are not isolated in the *landscape*. Despite attaching considerable weight to the availability and adequacy of public transport nearby, the proposal therefore accords with development plan policy concerning barn conversions and would not undermine the development strategy for the area.
11. I therefore conclude that having regard to their location and the development strategy for the area the barns would be suitable for conversion. As a result, there is no conflict with Core Strategy Policies DMG2, DMH3, DMH4 or the aims and objectives of Policy DS1. In this regard there is also no conflict with the presumption in favour of sustainable development in Core Strategy Policy DS2.

### *Character and Appearance*

12. However, the supporting text to Core Strategy Policy DMH3 establishes that the protection of the open countryside from visually harmful development is seen as a high priority by the Council and is necessary to deliver sustainable patterns of development and the overarching Core Strategy vision. Similarly, the text associated with Policy DMH4 emphasises that conversions should be of a high standard of design and in keeping with local tradition. This includes recognising the importance of ensuring that garden areas and car parking facilities do not harm the appearance or function of the area.
13. With this in mind the curtilage associated with barn no.1 would be substantial, stretching from the northern site boundary to a point roughly level with the existing track to the south. Given the size of the dwelling proposed it is also likely to provide family accommodation, with glazed doors leading out from the dining room and living room into a large area of garden. Although the garage would provide some space for storage, I share the Council's concerns that the extent of curtilage would lead to a proliferation of domestic paraphernalia such as outdoor seating, washing lines and children's play equipment which could not be controlled by the removal of permitted development rights. Due to the footpaths which run through the site the excessive curtilage would be clearly visible, and lead to an overtly domestic, unsympathetic urban appearance.
14. This would also be exacerbated by the provision of a separate gravel track leading to the proposed double garage, which would be visually divorced from the main cobbled courtyard. Furthermore, whilst the proposed garages would be subservient additions and incorporate local materials, based on the plans provided they would be relatively unimaginative, domestic additions. Despite the natural fall of the site they would also be visible from public footpaths.
15. In the context of such a traditional, agricultural setting the area around barn no.1 would therefore be harmful to the character and appearance of the farmstead. With such a large, domestic curtilage this aspect of the proposal would fail to respect the rural appearance of the farm which forms part of the intrinsic character of the countryside. Rather than better revealing the historic significance of the original existing buildings, when read as a whole the alterations proposed would cause demonstrable harm to their traditional, functional setting.
16. In reaching this view I appreciate that various modern agricultural buildings and alterations would be demolished, some of which are in a state of disrepair. The converted barns, garden areas and garages would also be limited to the existing footprint of built development, and new areas of grassland would be formed. However, whilst the modern buildings have a utilitarian, functional appearance, they are nonetheless synonymous with their rural, agricultural surroundings. As a consequence, their removal does not justify granting planning permission for such an unsympathetic, overtly residential conversion.
17. Although not suggested by the appellant the possibility of granting planning permission subject to the use of conditions has also been considered. However, no evidence has been provided to indicate how the size of the curtilage associated with barn no.1 and its parking requirements could be amended in a way so as not to undermine the traditional farmyard setting. In the absence of any information it would therefore not be appropriate to rely on planning conditions, which may also materially alter the nature of the scheme.

18. I therefore conclude that due to the size of the curtilage associated with barn no.1, combined with the design and siting of double garages, the proposal would not be in keeping with the character and appearance of the area. As a result, it conflicts with Core Strategy Policy DMH3 which states that the appropriate conversion of buildings to dwellings will be permitted providing that, amongst other things, their form and general design are in keeping with their surroundings. For the same reasons it also conflicts with Core Strategy Policy DMG1 which requires development to be sympathetic to existing and proposed land uses, with particular emphasis placed on the visual appearance of buildings and the relationship to their surroundings. Finally, by failing to recognise the intrinsic character and beauty of the countryside the scheme is contrary to one of the Framework's core planning principles.

### *Other Matters*

19. In reaching my conclusions against the main issues I have taken into account whether or not the barns could be converted into dwellinghouses under Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Whilst the appellant confirms that a scheme *could* be designed so as to meet the requirements of the GPDO, the proposal before me does not. The potential fallback position therefore does not justify granting planning permission for the appeal scheme.
20. It is also noted that the Council has not raised any concerns regarding access to the site, the effect of the proposal on the local public right of way network, the living conditions of local residents or ecology. Nevertheless, these are only neutral factors in the overall planning balance and do not overcome the harm that has been identified. Moreover, in the absence of any supporting evidence I have not given any significant weight to comments that the proposal would provide a viable use to secure the future of the buildings.
21. Finally, in refusing planning permission the Council has also raised concerns that the scheme would set an undesirable precedent for allowing further dwellings in unsustainable locations, to the detriment of the development strategy for the area. However, each case must be assessed on its merits. Whilst finding in favour of the principle of development in this instance, I find no evidence to suggest that it would undermine the development strategy for the area which focuses the majority of new housing towards principal settlements and villages.

### **Conclusion**

22. The proposed conversions would be suitable having regard to their location and the local development strategy. However, the scheme would be unacceptable due to its adverse effect on the character and appearance of the area.
23. For this reason, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

*Matthew Birkinshaw*

INSPECTOR