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# 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: 11<sup>th</sup> February 2016**

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**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