



## Appeal Decisions

Site visit made on 26 April 2022

**by Patrick Hanna MSc MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 27 June 2022**

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### **Appeal A - Ref: APP/T2350/W/21/3283415**

#### **Blackhouse Farm, Hole House Lane, Slaidburn BB7 4TS**

- 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 Messrs King and McEntyre against the decision of Ribble Valley Borough Council.
  - The application Ref 3/2021/0411, dated 15 April 2021, was refused by notice dated 1 July 2021.
  - The development proposed is extension and conversion of existing outbuildings to create additional residential floorspace.
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### **Appeal B - Ref: APP/T2350/Y/21/3283417**

#### **Blackhouse Farm, Hole House Lane, Slaidburn BB7 4TS**

- 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 Messrs King and McEntyre against the decision of Ribble Valley Borough Council.
  - The application Ref 3/2021/0412, dated 15 April 2021, was refused by notice dated 1 July 2021.
  - The works proposed are extension and conversion of existing outbuildings to create additional residential floorspace.
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### **Decision A**

1. The appeal is dismissed.

### **Decision B**

2. The appeal is dismissed.

### **Application for costs**

3. An application for costs was made by Messrs King and McEntyre against Ribble Valley Borough Council. This application is the subject of a separate decision.

### **Preliminary matters**

4. These decisions address both planning and listed building consent appeals for the same site and the same scheme. The remit of each regime is different, and the main issues below relate either to the planning appeal (Appeal A), or the listed building appeal (Appeal B), or to both. To reduce repetition and for the avoidance of doubt, I have dealt with both appeals together.
5. Section 1(5)(b) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) establishes that any object or structure within the curtilage of the building, although not fixed to the building, forms part of the land and has done so since before 1 July 1948, shall be treated as part of the building.

## **Main Issues**

6. For both appeals, the main issue is whether the proposed works and development would preserve the Grade II listed building known as Blackhouse Farm, its setting or any features of special architectural or historic interest it possesses. For Appeal A only, a second main issue is the effect of the proposed development on the Forest of Bowland Area of Outstanding Natural Beauty (AONB).

## **Reasons**

### *The listed building*

7. Blackhouse Farm is a Grade II listed building that dates from the mid-nineteenth century and forms part of an integrated farmstead in an elevated rural moorland location. The principal farmhouse comprises a detached two-storey, three bay dwelling constructed in squared watershot stone, and featuring projecting quoins, plain stone surrounds, and slate roof. A small, modern porch with flat concrete roof has been erected to the western side of the dwelling. Despite changes over time, the dwelling is a well-preserved farmhouse building typical of the local vernacular.
8. The wider farmstead includes two small rubble stone outbuildings, likely contemporary to the main farmhouse, and which historically are likely to have contained a dairy, washroom, and pigsty. Whilst the outbuildings are not mentioned in the statutory list description, there is no evidence to indicate that the outbuildings did not form part of the land prior to 1 July 1948, which are therefore within the curtilage of the listed building and covered by the same statutory protection.
9. One outbuilding has a slate roof and modern red brick and rubble stone lean-to to the south (Outbuilding 1); the other has a profiled cement roof with a modern shed attached to its western elevation (Outbuilding 2). Both outbuildings are obliquely orientated in relation to the farmhouse and separated from it by small yards. Thus, there is a discernible physical separation between the principal farmhouse and the ancillary outbuildings. The physical relationship between Blackhouse Farm and Outbuildings 1 and 2 evoke a commonality typical of historic farmstead layouts where a main farmhouse is visually ascendant yet still integral to the wider group of interrelated accessory structures.
10. In light of the above, I consider the special interest and significance of the Grade II listed building Blackhouse Farm to derive from it being representative of a historic rural farmstead that, along with the landscape setting, collectively express its agricultural origins in the architectural form, material treatment and layout and functions of its structures.
11. The proposal is for two extensions to connect Outbuilding 1 and Outbuilding 2 with the principal farmhouse. The extension between the farmhouse and Outbuilding 1 would feature glazed doors on the principal south elevation, with a flat lead roof along both north and south eaves, and central pitched roof. The proposed extension between Outbuilding 1 and Outbuilding 2 would be set further back and flat roofed.
12. The effect of the proposals would be to blur the distinct juxtaposition of the grouping of buildings. On the extension between the farmhouse and

- Outbuilding 1, the glazed doors would be sited only just behind the quoins and the principal elevation, such that they would appear prominent rather than recessive. Although the flat sections of the roof would assist in reducing the massing of the extension, the proposed central pitched roof, even though recessed, would be of a ridge height to match that of Outbuilding 1. Consequently, the proposed extension would disrupt the roofscape of the grouping and adversely impact upon the clear distinction, siting, and separation of the two buildings as seen from both north and south.
13. The discreet monopitch roof form of the lean-to structure on the south of Outbuilding 1 would be replaced by a larger gable ended form with eaves and ridge heights to match. Even though this proposed extension would be within a similar footprint to the existing building, the massing of it would be more dominant, to the extent that it would be a competing and intrusive feature. Despite the separation, the effect would be to detract from the front elevation of the farmhouse.
  14. The link between Outbuildings 1 and 2 would be smaller, of a height in line with the existing eaves, and more recessed to the south elevation. Whilst this extension would be a modest and unobtrusive contrast to the farmhouse buildings, there would be a permanent joining of two historically and functionally separate structures. The replacement of the modern shed on the west of Outbuilding 2 with a stone built structure of similar form as existing would be of neutral impact.
  15. Whilst there would be loss of some historic fabric to both outbuildings, this would be restricted to relatively small areas of rubble stone walls to facilitate three new openings, and one enlarged opening, and the replacement of the later brick and rubble stone lean-to on Outbuilding 1, which is poorly constructed.
  16. Given the above, I find that the proposed works and development would fail to preserve the special interest of the listed building, but rather cause harm. The proposal therefore runs contrary to the clear expectations under Section 66(1) and 16(2) of the Act. Under the terms of the National Planning Policy Framework (the Framework), bearing in mind the scale and nature of the proposals, I qualify that the degree of harm to its significance as a designated heritage asset would be less than substantial. Paragraph 202 of the Framework sets out that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. I turn to this in my overall heritage and planning balance.

#### *Effect on the AONB*

17. Public rights of way exist adjacent to the farmstead buildings. There are further traditional and modern farmstead buildings to north and south. The AONB around the appeal site is characterised by the wide open moorland of the Bowland Fells and areas of commercial and recreational forest. The grouping also makes a positive contribution to the character of the AONB, despite the additional presence of modern farm buildings nearby.
18. Given my above findings on design, the proposal would not be a high standard of design and would not make a positive contribution to the natural beauty of

the AONB and, even if some wider views are screened by landscaping and topography, closer views would be experienced from the public footpaths.

#### *Heritage and planning balance*

19. Paragraph 199 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification.
20. The proposal would represent some investment in the fabric of the listed building and realise some economic benefits, largely associated with the construction phase. The removal of the modern porch would represent an aesthetic enhancement, whilst joining the outbuildings to the main farmhouse would be a way to preserve their fabric, which may otherwise run into disrepair.
21. However, considering the scale and likely duration of the works involved, economic benefits would carry modest weight. Moreover, the case has not been convincingly made that the proposals are the only means by which to ensure the longer-term conservation of the listed building, nor the least invasive and harmful way to secure a use for the outbuildings. Indeed, the principal farmhouse has an ongoing residential use that would not cease in absence of the proposals and therefore is already in its optimum viable use. Nor is the fire risk said to be caused by the boiler reliant upon this wider proposal. The re-use of previously developed land and proposed mitigation measures would be neutral in the balance.
22. The harm I have found to the designated heritage asset is less than substantial but nevertheless a matter that carries considerable importance and weight. Even cumulatively, I find the sum of public benefits are not sufficient to outweigh the harm that I have identified. Conflict therefore arises with the historic environment policies within the Framework.
23. Additionally, I have found that the proposed development would have an adverse effect on the AONB. This, along with the heritage harms identified, would conflict with key statements EN2 and EN5 and policies DME4, DMG1 and DMG2 of the Ribble Valley Core Strategy (2014) that seek, among other things, to ensure that heritage assets will be conserved and enhanced. There are no material considerations of sufficient weight or importance that determine that the decision should be taken other than in accordance with the development plan and therefore, planning permission should be refused.

#### **Conclusion**

24. For the reasons given above, and having regard to all other matters raised, I conclude that both of the appeals should be dismissed.

*Patrick Hanna*

INSPECTOR