

The Planning Inspectorate

For official use only
(Date received)

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PLANNING APPEAL FORM (Online Version)

To help you fill in this form correctly, please refer to the guidance leaflet "How to complete your planning appeal form".

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time we will not accept the appeal.**

APPEAL REFERENCE: APP/T2350/A/12/2177568

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name Mrs Joan H Porter

Address Lawson House Farm, Bolton by
Bowland Road
Bolton by Bowland

Phone no.

Fax no

Postcode BB7 4NJ

E-mail

Please confirm how you wish to correspond with us: Electronically, via the email address specified above
On paper, by post. ✓

B. AGENT DETAILS FOR THE APPEAL (if any)

Name Mr Andrew Ball

Address Keighley Road
Skipton
North Yorkshire

Your reference Lawson House Farm

Phone no. 07890 963811

Fax no

Postcode BD23 2QR

E-mail andrew.ball@jnbentley.co.uk

Please confirm how you wish to correspond with us: Electronically, via the email address specified above
On paper, by post. ✓

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA Ribble Valley Borough Council

LPA's reference number 3/2011/0729

Date of the planning application 09 Nov 2011

Date of the LPA's decision (if issued) 07 Dec 2011

D. APPEAL SITE ADDRESS

Address Lawson House Farm, Bolton by Bowland Road
Bolton by Bowland
CLITHEROE
Lancashire

Postcode BB7 4NJ

Grid Reference: Easting 3771824

Northing 4471414

Is the appeal site within a Green Belt? YES NO ☒

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? YES NO ☒

E. DESCRIPTION OF THE DEVELOPMENT

Size of the whole appeal site
(in hectares)

Area of floor space of proposed development
(in square metres)

1500

Has the description of the development changed from that stated on the application form? YES NO ☒

If YES, please state below the revised wording, and enclose a copy of the LPA's agreement to the change.

Demolition of redundant agricultural sheds. Conversion and extension of existing barns to 1 No. dwelling and improvements to existing access.

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:-

Please tick **one** box only ☒

- 1 Refuse planning permission for the development described on the application form or in Section E. ☒
- 2 Grant planning permission for the development subject to conditions to which you object.
- 3 Refuse approval of the matters reserved under an outline planning permission.
- 4 Grant approval of the matters reserved under an outline planning permission subject to conditions to which you object.
- 5 Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above).

or

- 6 Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.

G. CHOICE OF PROCEDURE

There are 3 possible choices:- written representations, hearings and inquiries. You should consider carefully which method suits your circumstances before selecting your preferred option by ticking the box.

1. THE WRITTEN REPRESENTATIONS PROCEDURE

✓

This is normally the simplest, quickest and most straightforward way of making an appeal. The written procedure is particularly suited to small-scale developments (e.g. individual houses or small groups of houses; appeals against conditions or changes of use).

- a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? YES NO ✓
- b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? YES ✓ NO

If so, please explain below or on a separate sheet.

Given that the proposed development is in excess of c. 300m from Bolton by Bowland Road, it is suggested that the Planning Inspectorate enter the grounds of Lawson House Farm for a full appreciation of the proposed development.

2. THE HEARING PROCEDURE

This procedure is likely to be suited to more complicated cases which require detailed discussion about the merits of a proposal. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. Although you may indicate a preference for a hearing, the Inspectorate must also consider that your appeal is suitable for this procedure. You must give detailed reasons below or on a separate document why you think a hearing is necessary.

Please answer the question below.

- a) Is there any further information relevant to the hearing which you need to tell us about? If so please explain below. YES NO

3. THE INQUIRY PROCEDURE

This is the most formal of procedures. Although you may indicate a preference for an inquiry the Inspectorate must also consider that your appeal is suitable for this procedure. You must give detailed reasons below or in a separate document why you think an inquiry is necessary.

a) How long do you estimate the inquiry will last? No. of days
(Note: We will take this into consideration, but please bear in mind that our estimate will also be informed by others' advice and our own assessment.)

b) How many witnesses do you intend to call? No. of witnesses

c) Is there any further information relevant to the inquiry which you need to tell us about? If so, please explain below. YES NO
Please continue on a separate sheet if necessary.

H. GROUNDS OF APPEAL

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal?

YES

NO ☒

** See separate documents **

H. GROUNDS OF APPEAL (continued)

I. (part one) APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeals site. If you do not own the appeal site or only own a part of it, we need to know the name(s) of the owner(s) or part owner(s) and be sure that you have told them that you have made an appeal. **YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES.**

If you are the sole owner of the whole appeal site, certificate A will apply:

Please tick **one** box only

✓ ✓

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner of any part of the land to which the appeal relates:

OR

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice (see the *Guidance Notes*) to every one else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:

Owner's name	Address at which the notice was served	Date the notice was served
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CERTIFICATES C & D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D in the guidance leaflet and attach it to the appeal form.

I (part two) AGRICULTURAL HOLDINGS CERTIFICATE

We also need to know whether the appeal site forms part of an agricultural holding.

Please tick either (a) or (b).

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding:

✓

✓

OR

(b)(i) The appeal site is, or is part of an agricultural holding, and the appellant is the sole agricultural tenant:

(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below:

Tenant's name	Address at which the notice was served	Date the notice was served
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Details of additional tenants

J. ESSENTIAL SUPPORTING DOCUMENTS

You **must** send the documents listed 1-7 below with your appeal-form.
Please tick the boxes to show which documents you are enclosing.

- | | | |
|---|---|---|
| 1 | A copy of the original planning application sent to the LPA. | ✓ |
| 2 | A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA
<u>at application stage</u> (this is usually part of the LPA's planning application form). | ✓ |
| 3 | A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application. | ✓ |
| 4 | A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show <u>two named roads</u> so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue. | ✓ |
| 5 | Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
Please number them clearly and list the numbers here or on a separate sheet: | ✓ |
| 6 | Copies of all additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
Please number them clearly and list the numbers here or on a separate sheet: | |
| 7 | A copy of the design and access statement sent to the LPA (if required) | |

You must send copies of the following, if appropriate:

- | | | |
|----|--|--|
| 8 | Additional plans, drawings or documents relating to the application but not previously seen by the LPA .
Please number them clearly and list the numbers here or on a separate sheet: | |
| 9 | Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements. : | |
| 10 | If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission , please enclose:
(a) the relevant outline application;
(b) all plans sent at outline application stage;
(c) the original outline planning permission. | |
| 11 | If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition , we must have a copy of the <u>original permission</u> with the condition attached. | |
| 12 | A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). | |

K OTHER APPEALS

If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.

L CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that I have sent a copy of this appeal form and relevant documents to the LPA (*if you do not your appeal will not normally be accepted*).

I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature

Date 7 June 2012

Name (in capitals) Mr Andrew Ball

On behalf of (if applicable) Mrs Joan H Porter

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found in the guidance leaflet.

M. NOW SEND

- **Send a copy to the LPA**

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again; send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal

- **You may wish to keep a copy of the completed form for your records**

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@pins.gsi.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to PO Box 2606, Bristol, BS1 9AY.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number:

APP/T2350/A/12/2177568

Please ensure that a copy of your appeal form and any supporting documents are sent to the local planning authority.

* The Documents Listed Below Were Uploaded With The Appeal Form *

===== GROUNDS OF APPEAL =====

TITLE: Grounds of Appeal 1
DESCRIPTION: Grounds of Appeal
FILENAME: GroundsOfAppeal.doc

TITLE: Grounds of Appeal 1
DESCRIPTION: Appendix A
FILENAME: Appendix-A.pdf

TITLE: Grounds of Appeal 1
DESCRIPTION: Appendix B
FILENAME: Appendix-B.pdf

TITLE: Grounds of Appeal 1
DESCRIPTION: Appendix C
FILENAME: Appendix-C.pdf

TITLE: Grounds of Appeal 1
DESCRIPTION: Appendix D
FILENAME: Appendix-D.pdf

TITLE: Grounds of Appeal 1
DESCRIPTION: Appendix E1
FILENAME: Appendix-E1.pdf

TITLE: Grounds of Appeal 1
DESCRIPTION: Appendix E2
FILENAME: Appendix-E2.pdf

TITLE: Grounds of Appeal 1
DESCRIPTION: Appendix E3
FILENAME: Appendix-E3.pdf

TITLE: Grounds of Appeal 1
DESCRIPTION: Appendix F
FILENAME: Appendix-F.pdf

===== ESSENTIAL SUPPORTING DOCUMENTS =====

TITLE: 01. A copy of the original planning application sent to the LPA.

Continued on Supplementary Sheet

SUPPLEMENTARY SHEET

Appeal Documents (continued)

DESCRIPTION: 3/2011/0729-Application
FILENAME: 3-2011-0729-Application.pdf

TITLE: 02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (these are usually part of the LPA's planning application form).

DESCRIPTION: 3/2011/0729-Application
FILENAME: 3-2011-0729-Application.pdf

TITLE: 03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.

DESCRIPTION: 3/2011/0729-OfficersRep
FILENAME: 3-2011-0729_817058-OfficerReport.doc

TITLE: 04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of th

DESCRIPTION: Ordnance Map
FILENAME: Ordnance Survey Map.pdf

TITLE: 05. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.

DESCRIPTION: Application-inc-D&A
FILENAME: 3-2011-0729-Application.pdf

TITLE: 05. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.

DESCRIPTION: Drawing 2217.1
FILENAME: Drawing-2217.1.pdf

TITLE: 05. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.

DESCRIPTION: Drawing 2217.7
FILENAME: Drawing-2217.7.pdf

TITLE: 05. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.

DESCRIPTION: Drawing 2217.8
FILENAME: Drawing-2217.8.pdf

TITLE: 05. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.

DESCRIPTION: Drawing 2217.9
FILENAME: Drawing-2217.9.pdf

TITLE: 05i. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.

DESCRIPTION: List Of Attachments
FILENAME: ListOfAttachments.doc

Lawson House Farm

Background:-

Lawson House Farm and buildings were purchased by Mr and Mrs Porter in 1964; they lived, farmed and brought up their family there. The farming was exclusively dairy.

They ceased milk production after the last foot and mouth outbreak in 2004, which wiped out their entire stock. The farm buildings have not been in use since then. Some beef and sheep were farmed until Mr Porter became ill. The land was then let off to neighbouring farmers

The Farm was put up for sale by the leading local agents Turner and Sons but no offers were received. Two or more prospective buyers enquired at the Local Planning Authority as to the likelihood of planning consent being granted for conversion of the barn into residential but were given negative advice.

No offers were made for the property either in whole or in part.

Mr Porter died in 2009 and Mrs Porter was advised to take the property off the market and to seek, planning consent for conversion to residential before re-marketing the property.

Application Period:-

John Wharton, Chartered Architect, who has extensive recognition for Barn Conversion Works, including works on listed buildings was appointed to prepare designs and make the applications. A preliminary meeting was held at Ribble Valley Borough Council offices with Rachel Horton, John Wharton and John Bentley. After consultation with her senior officer Miss Horton indicated that consent would likely be granted for a scheme meeting the criteria laid down in the Planning Policies.

Schemes were then produced for one, two, and three unit conversions.

At a further meeting John Wharton tabled drawings showing the layouts for three units, two units and one unit designs. The design for the three units was not considered appropriate by Miss Horton after consultation with her superior; subsequently two applications were made for a one and a two unit conversion only.

During the submission period John Wharton was informed unambiguously that modifications to the applications were required to reduce window openings and substitute light shafts for the first floor bedrooms and that the lean to roof shape over the shippon should be maintained. This was against the better judgement of John Wharton and John Bentley, but it was considered prudent that some form of approval should be sought rather than an outright refusal.

Full planning consents 3/2010/0436 & 3/2010/0750 were subsequently granted for the conversion of barns into two and one residential dwelling(s) respectively. (The planning decisions were delegated to Officer as there were no objections from the Public to any of the proposals.)

The latest application 3/2011/0759, introduces alterations to cater for the proposed single residential dwelling. Specifically, the points of contention include:-

- Eastern Elevation – introduction of two first floor windows;
- North-Eastern Elevation – the proposed change to the existing mono-pitched shippon roof structure to a pitched roof
- Northern Elevation – enlarged opening of the cast-doorway entrance, with the inclusion of two first floor windows
- Southern Elevation – additional new opening to the ground and first floor.

Lawson House Farm

Points of Contention:-

Eastern Elevation

The presence of two first floor windows on the eastern elevation were introduced as a means of providing sufficient light for the two bedrooms (as per policy G1 – 3.1.2) to the proposed conversion, whilst providing visibility of the stunning views across the Ribble Valley. The windows have been presented as ‘forking holes’, whilst their locality is entirely consistent and proportionate with the existing first floor openings on the opposing western elevation (as per policy H17 – 5.13.19-b & English Heritage – “*The Conversion of Traditional Farm Buildings: A Guide to Good Practice*” – pg. 15 – included as appendix A).

Furthermore, we have included various case studies (summary provided in appendix B), which relate to barn conversions (all undertaken since the introduction of current local policy in 1998) which provide clear examples of numerous additional openings being approved, often in prominent positions, which were subject to policy H17.

The second point of contention to the north-eastern elevation of the barn is the proposed change to the existing ‘lean-to’ shippon roof. This shippon was added as an extension around 1948. The walls are of brickwork and are rendered on both sides. The roof comprises lattice steel frames supporting a profiled asbestos sheeted roof. The walls are structurally sound and it would seem no more than common sense that as the roof and structure is to be replaced, it should be done in a manner more fitting to the main building.

Our revised proposal seeks to alter the existing roof structure to match and compliment the current profile of the barn and accommodate a 30 degree pitch to allow a slate covering to be utilised to match the approved finish to the existing roof slope. The resulting gable end would also replicate the twin pitched gables on the main barn. This would ensure a consistency in design and appearance of the building, which is clearly in keeping and reflective of the barns existing roof slope. Furthermore, there is evidence within the local area that such changes to the roof slope have previously been approved (Crow Trees Barn - as per details included in appendix C).

Northern Elevation

The northern elevation proposes alterations to previously approved first floor windows. The first floor openings are aligned and proportionately positioned with the existing ground floor openings (as per H17 – 5.13.19-b & supporting English Heritage document pg. 15). The openings have been carefully placed to sit within the recess behind the existing shippon, so they are not prominent or visible from anywhere other than the private northern elevation.

A cast-doorway was introduced to the northern elevation. The doorway is an extension of the existing opening, which is reflective of the large cast doorway on the southern elevation of the building. The style and design of the doorway compliments the character of the existing barn, whilst it is a typical feature of local barns situated within the Ribble Valley area. Our research has shown numerous examples of barn conversions, in close proximity to Lawson House Farm, which have cast doorways on opposing elevations.

Southern Elevation

Additional ground floor window and door opening were introduced to the southern elevation. The southern elevation is the most private elevation, which is flanked and enclosed by the garden wall. This elevation remains entirely private from public view. Given the limitations on new openings that can be introduced, it is logical that our Architect has sought to use the south facing elevation to help capture

Lawson House Farm

light for the dwelling. The ground floor window utilises a previous opening (identified by the presence of a lintel) whilst the door is in keeping with others that have already been approved to other elevations (H17 – 5.13.19-b).

The final alteration to the southern elevation was the enlargement of the previously approved roof opening on the lean-to. The marginal increase in size provides an alternative means of capturing day-light, permitting the removal of two previous approved roof-lights. This minor alteration balances the need to provide adequate day-lighting and privacy (policy G1 – 3.1.2), whilst permitting the removal of roof lights that ultimately detract from the appearance of the roof slope (policy H17 – 5.13.19-a).

Policies Cited:-

Policy H17 is central to the points of contention outlined above. Whilst we appreciate that the barns should remain largely unaltered, it is necessary to make sympathetic amendments to ensure that the future needs of occupants are catered for, whilst retaining the intrinsic character of the barns. By their very nature, the buildings at Lawson House Farm have been subject to numerous adaptations over the course of the twentieth century, which is the case with many agricultural buildings that have been adapted to meet their changing needs (often driven by changes to agricultural policy, grants / incentives and the changing economic pressures of agricultural operations through the decades). We have avoided the use of roof lights where possible (H17 5.13.18), acknowledging that large unbroken roof slopes are a key characteristic of the borough (H17 5.13.19-a). Our Architect has taken due care and consideration in the placement of openings to introduce light by other means, following existing patterns and characteristics of the barns (H17 5.13.19-b). With respect to H17 5.13.19-c, we have proposed an alteration to the roof structure for the shippon on the northern elevation (the gable end of which is visible from the eastern elevation) to permit the use of slates to match the approved materials for the barn conversion. In doing so, we have proposed to change the roof structure to accommodate this, but the amendment does follow the existing profile of the twin pitched gable of the main barn.

With respect to policy ENV1, which relates to the appearance of the development detracting from / enhancing the natural environment, this is intrinsically linked to the interpretation of policy H17 for our proposal. We believe that our proposal will serve to protect and conserve the existing building structure, in contrast to its current existence as a redundant and ultimately deteriorating structure.

Furthermore, we have conducted extensive research with respect to other barn conversions within close proximity to Lawson House Farm (within a 10 mile radius). We have enclosed a summary of this information within appendix B – given that there is a significant amount of information on previous barn conversions (undertaken / approved on the basis on the current adopted district wide local plan); further details can be provided on request, and will be submitted within the final draft. The crux of this research shows that numerous other conversions in the local area have been approved with features of striking similarities to our refused application.

Proposed Compromise:-

Further to the delegated item file report, received on 7th December 2011, stating reasons for refusal, we have reluctantly proposed changes to our initial proposal outlined in 3/2011/0729. I would like to draw your attention to our letter to Ribble Valley Borough Council (dated 16th May – included as appendix D), as well as the supporting notes and appendices (included as appendix E)

Whilst the letter enclosed is self-explanatory and does not warrant repeating, it was issued on the premise of reaching a compromise, to ultimately provide an indication as to whether a revised application would be acceptable. To summarise, the letter outlines significant changes, notably to proposal to retain the existing lean-to roof structure on the shippon, the removal of the cast doorway to the northern

Lawson House Farm

elevation, whilst reducing the area of the proposed openings by 38%. The response to our proposed amendment is included as appendix F.

Conclusion:-

In conclusion we feel that the application does comply with the Ribble Valley District Wide Local Plan and shares similar characteristics to barn conversions in close proximity to Lawson House Farm, which have been approved on the same set of policies. Furthermore, we have taken feedback received from the Ribble Valley Borough Council in a constructive manner, resulting in significant revisions sought by the Council's Officers. We feel that we have taken every opportunity to present an application that ultimately strikes a balance between incorporating practical requirements of a new use, whilst protecting the special character and significance of a farm building and its setting (English Heritage – pg. 10 – appendix A).

Appendices:-

Appendix	Document Enclosed
Appendix A	English Heritage: The Conversion of Traditional Farm Buildings: A Guide to Good Practice
Appendix B	Case Study Summary
Appendix C	Crow Tree Barn – Planning Application Details
Appendix D	Letter re: Proposed Compromise (dated 16 th May 2012)
Appendix E	Supporting documents for Appendix D
Appendix F	Response to Appendix D

It is assumed that all other sources of information will be provided by the LPA, as cited in "Making your appeal – How to complete your planning appeal form". If any further information is required, please do not hesitate to contact the Agent.