

APPEAL BY MS. LOUISE RANGLES AGAINST THE REFUSAL BY RIBBLE VALLEY BOROUGH COUNCIL TO GRANT PLANNING PERMISSION FOR THE ERECTION OF A TIMBER OUTBUILDING TO PROVIDE FOR GARAGING, STORAGE AND FIRST FLOOR OFFICE SPACE.

STATEMENT OF CASE SUBMITTED ON BEHALF OF THE APPELLANT

SITE AT :

OXENHURST COTTAGE, BACK LANE, SLAIDBURN. BB7 3EE.

For : Mrs L. Randles .

Our Ref : RAND/01

Local Authority Ref : 3/2021/0404

Directors – Brian Sumner; Darrell Stockburn
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1. INTRODUCTION.

1.1. This appeal is lodged against the refusal by Ribble Valley Borough Council ('the Council') to grant planning permission the erection of a timber outbuilding to provide for garaging, storage and first floor office space at the appeal site. The appeal application was lodged with the Council on 16th April 2021 and was refused by Notice dated 10th June 2021 (the "Notice of Decision").

1.2. The Notice of Decision contains two stated reasons by the Council for opposing the appeal application. These are stated as follows:

" 1. The proposal is unduly prominent, incongruous and conspicuous because of its location, scale, form and materials and is harmful to the character (including cultural heritage) of the Forest of Bowland AONB. This is contrary to Key Statement EN2 and Policy DMG1 and DME4 of the Ribble Valley Core Strategy.

2. The proposal is harmful to the setting of this single-range farmstead listed building because it is unduly prominent, incongruous and conspicuous resulting from its location, scale, form and materials. This is contrary to Key Statement EN5 and Policy DMG1 and DEM4 of the Ribble Valley Core Strategy."

1.3. The main issues for determination in this appeal therefore are the effect on the setting of a listed building and the effect on the character and appearance of the Area of Outstanding Natural Beauty.

2. THE APPEAL SITE AND ITS LOCATION

2.1. The appeal site is situated in a rural location in the open countryside, approximately 2.6 kilometres to the north of Newton in Bowland. It is accessed by a lengthy road/track which leads to the site from Back Lane, which heads north out of Newton in Bowland. That lane/track is itself about 2.5 kilometres long as it doubles back on itself from Back Lane. The land/track passes through a farmstead to access the site. As a result, the appeal site is remote from public roads and not easily accessible.

2.2. The appeal property is the middle one of three properties that previously formed the farmhouse, barn and outbuilding in this group. The property to the immediate east is a

former stone barn that was converted to a dwelling around 1993. To the immediate west is Oxenhurst Farmhouse, the original dwelling of this group and which is also a listed building.

- 2.3.** The appellant's property, Oxenhurst Cottage is the former shippon of these former farm buildings. It is consequently very small, being only one bedroomed, with restricted head height and steep twisting stairs.

3.0. THE APPEAL PROPOSALS

- 3.1.** What is proposed is to erect a new timber building, as shown on the appeal application plans. This is to provide for garaging, storage and a home office for the appellant and is therefore an outbuilding for Oxenhurst Cottage and its associated registered smallholding. This is to be sited on the ground to the immediate north of the property and is set into the rising ground at that point. The building is single storey with the home office to be accommodated in the roof space.

4.0. THE EFFECT ON THE SETTING OF THE LISTED BUILDING

- 4.1.** Under section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 there is an obligation to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. The National Planning Policy Framework (the Framework) advises that 'significance derives not only from the asset's physical presence but also from its setting'. This reflected in Policies EN2 and DMG1; and DME4 of the Councils adopted Core Strategy.
- 4.2.** The Listed Building affected in this case is not the appellant's property but the property to the immediate west, Oxenhurst Farmhouse. The farmhouse and its former associated stone barn and shippon, now converted to dwellings, clearly have an historical connection to each other and therefore contribute significantly to the historic understanding of the farm and they contribute to the significance of the listed building. There is a rural nature to the setting of the listed building and whilst it is no longer used as a farm and its associated buildings are independent dwellings, the proposed outbuilding would, by its presence, erode that rural nature to a degree. However, that rural nature has already been eroded by the domestication of the former farm buildings by way of driveways, garden areas, new

garages and general domestication. Stables have also been erected to the immediate east and a paddock with fencing and access track. Planning permission for those domestic elements goes back to 1998, post conversion of the shippon and agricultural barn to domestic dwellings (see officer delegated report for planning history).

- 4.3.** The appeal building would marginally reduce the understanding of the historic open rural setting of Oxenhurst Farmhouse. However, the primary relationship between Oxenhurst Farmhouse and its associated former outbuildings would remain undisturbed and would not be affected. Further, the proposed building would be set into the ground with rising land behind it when viewed from the rear of Oxenhurst Farmhouse. This, together with intervening trees, the separation distance between them and the use of different materials and design, would mean that the proposed building would not be read in conjunction with the listed building or be read as in conflict with it. That is because it would be read as a completely separate entity. There would be some harm to the setting of the listed building as result of the appeal proposals. However, for all the reasons above, that limited harm would not adversely affect the significance of that designated heritage asset.

4.4. THE EFFECT ON THE CHARACTER AND APPEARANCE OF THE AREA OF OUTSTANDING NATURAL BEAUTY.

- 4.2** Paragraphs 170 to 172 of the National Planning Policy Framework seeks to ensure that development contributes to and enhances the natural environment by protecting and enhancing valued landscapes in a manner commensurate with their status and recognising the intrinsic character and beauty of the countryside. AONBs enjoy the highest status of protection and great weight should be given to the duty to conserve and enhance their landscape and scenic beauty.
- 4.3.** The appeal site falls within the Moorland Fringe landscape character type as set out in the Forest of Bowland Landscape Character Assessment 2009. This landscape type usually forms the setting for unenclosed or enclosed moorland hills and links the upland to the lowland landscape and comprises isolated farmsteads, narrow winding roads, often at the foot of slopes and stone barns. The Landscape Character Area is D5 : Beatrix to Collyholme and this adds hedgerows, amongst other things, as a feature of the landscape.

- 4.4.** Whilst national policy sets out that great weight is to be given to conserving and enhancing landscape and scenic beauty in the AONB, it does not preclude development, setting out that the scale and extent of development within these areas should be limited. The identified Moorland Fringe area of the Character Assessment identifies that this is an area of increasing human activity with more dry stone walls, improved pastures, scattered farmsteads and stone outbarns. The proposed appeal building would be one such outbuilding, well related to an existing, or former, farmstead. Local planning policies reflect this approach. The appeal building therefore is in line with this general policy approach, being an outbuilding attached or close to and within the confines of an established farmstead.
- 4.5.** Whilst the appeal building is on rising land and set out a higher level than the farmstead, it is not visible in the wider landscape, despite the land around being open, as is the characteristic of much of the land around the farmstead. However, the appeal site does not provide for dramatic open views over the moorland. That is because available public viewpoints are limited, being restricted to two public footpaths, one to the north 3-29-FP 1 and one to the south, 3-29-FP 7. The footpath to the north is some 150 m distant. There is a rise in land levels between the site of the appeal building and that footpath so that the footpath is beyond the ridgeline, effectively screening views of the appeal building from users of the footpath. The footpath to the south is some 390 metres away. Views of the appeal site from there are screened by intervening vegetation and landform such that the appeal building would not be read from any public vantage points as interfering with the wider moorland landscape.
- 4.6.** The appeal building is not of considerable size, having an eaves height of 2.5 metres and an overall ridge height of 6.1 meters. This compares favourably to the scale of the Oxenhurst Farmhouse and its associated buildings, the farmhouse being two storeys with a ridge height of about 6.2 metres. This scale of building is in keeping with the existing range of buildings.
- 4.7.** The design of the appeal building is rectangular in form with a pitched slate roof. A slate roof is the typical form of roof found in the locality, as are 'conservation style' lights in the

roof. The external cladding is timber, not stone, as would be a more traditional barn. However, there is no specific policy that requires barns or outbuildings to be stone. The requirements of policy DMG 1 and 2 only require buildings to fit in with the landscape as well as possible and there is nothing in the policy or its supporting paragraphs to suggest that outbuildings should be designed in a particular way. The proposed timber, when weathered, will blend in to the landscape as would any other and it would not be intrusive or, in this landscape, have a better available position. Thus, the appeal, building is influenced by the landscape and in compliance with policy EN2. The timber construction is of course a sustainable construction method because it is a renewable material that can be sustainable sourced, unlike, for example, stone, which cannot be renewed. Policy EN3 of the Council's adopted Core Strategy seeks to ensure that all developments meet a sustainable design standard of construction. The Council appears to have paid no, or insufficient regard, as to the application of Policy EN3 in respect of the appeal proposals.

5.0. CONCLUDING REMARKS

- 5.1.** The appeal proposal is related to an existing farmstead group of buildings, although the farming activity has gone and domestication of those buildings has taken place. In this landscape it is not unusual or out of keeping to find agricultural, stables or other such ancillary buildings located near to such a group. Such features are part of the landscape and therefore a new building here is not, in principle, out of keeping with the landscape. Little, if any, visual detriment would occur to the landscape as there are no prominent public vantage points of the appeal building and as such no harm would be caused to the character and appearance of the Forest of Bowland AONB. Similarly, the siting of the building causes no harm to the significance of the listed building, as the listed building and its associated buildings would remain undisturbed. There is therefore no conflict with those development plan policies identified by the Council in its Notice of Decision nor the policies of the National Planning Policy Framework.

