



Appeal Decision

Site visit made on 16 April 2012

by Michael R Moffoot DipTP MRTPI DipMgt MCMI

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

Decision date: 27 April 2012

Appeal Ref: APP/T2350/D/12/2172240

The Hey Barn, Back Lane, Newton in Bowland, Clitheroe BB7 3EE

- 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 Geoff Garnett against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2011/0488 was refused by notice dated 8 September 2011.
 - The development is the erection of a single garage within the curtilage of an existing building/dwelling house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the existing dwelling and its setting, including the impact on the Forest of Bowland Area of Outstanding Natural Beauty (AONB).

Reasons

3. The Hey Barn comprises a former agricultural building converted to residential use and adjoins Hey Farm to create a pair of semi-detached dwellings with a distinctive linear form. The property occupies a remote site set in sweeping open countryside characterised by dramatic uplands and extensive lowland pastures, small villages, farmsteads and sporadic housing. Saved Policy ENV1 of the adopted *Ribble Valley Districtwide Local Plan* seeks to protect, conserve and enhance the AONB, with design, massing and scale being some of the important factors in determining planning proposals. Broadly similar objectives are included in saved Policies G1 and H17 of the document.
4. The proposed garage would be about six metres from the dwelling, and would replace a pair of rather utilitarian flat-roofed sheds located on the western boundary of the site where it adjoins a track that is also a public footpath. Although it would be clearly visible from the track, it would be a modest structure of a traditional design with natural stone walls and stone detailing under a pitched slate roof. It would be close to and subordinate to the dwelling and would not compromise its character or setting in the landscape or the openness of the curtilage. Views of the garage from wider public vantage points in the area would be from some distance, and it would be observed as a small-scale adjunct that respects the linear form of the two dwellings. As such, it would not harm the landscape and character of the AONB, and would not conflict with the development plan.

5. However, reference has been made to an extant permission for a garage/store building located to the east of the dwelling granted as part of the original scheme for conversion of the barn to a dwelling in 1997. Whilst it has not been constructed, the Council has confirmed that the building could be erected in accordance with this permission.
6. Were the appeal to succeed, the appellant would be at liberty to construct both buildings. If this were to occur, the two outbuildings would detract from the character of the dwelling and its setting and would seriously compromise the qualities of the AONB that led to its designation. I acknowledge that the appellant is willing to relinquish the extant permission, but this cannot be secured by way of a planning condition, and there is no Section 106 obligation or unilateral undertaking before me to preclude the implementation of both permissions. In these circumstances, the presence of garages and outbuildings at other properties in the area referred to by the appellant has no bearing on the present proposal.
7. For these reasons, the proposed development is unacceptable and the appeal should fail.

Michael R. Moffoot

Inspector