
Appeal Decision

Site visit made on 23 August 2016

by David Cross BA (Hons), PGDip, MRTPI

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

Decision date: 7 October 2016

Appeal Ref: APP/B2355/W/16/3149522

Grane Road barn to the east of Ainslea, off Grane Road, Haslingden

- 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 S Downham against the decision of Rossendale Borough Council.
 - The application Ref 2016/0077, dated 28 February 2016, was refused by notice dated 26 April 2016.
 - The development proposed is conversion of agricultural building to form 1 dwelling.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr S Downham against Rossendale Borough Council. This application is the subject of a separate Decision.

Procedural Matters

3. The proposed development would appear to have a complex planning history, which can be summarised chronologically as:
 1. March 2002 - prior notification approval was granted on appeal for an agricultural storage building on the site i.e. 'the original building'.
 2. July 2011 - prior notification approval was granted for an extension to the agricultural building i.e. 'the extension'.
 3. December 2014 - a prior notification application for the change of use of '1' from an agricultural building to a dwelling house was refused. A subsequent appeal was dismissed in June 2015.
 4. October 2015 - Prior Notification Approval was granted for the change of use of '1' to a dwelling house. The appellant has stated that this decision was not received within 56 days of the submission of the application and is therefore a deemed approval.
 5. March 2016 - planning permission was refused for the conversion of the agricultural building to form 1 dwelling. This application related to both the '1' and '2' i.e. the original building and the extension. It is this proposal which is the subject of this appeal.
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4. At the time of its decision in March 2016, the Council stated that although the original building had been completed, the extension had not been built in accordance with the approved plans. The Council's reason for refusal states that the extension included within the application is unauthorised and that the proposal was determined on the basis of an extension to the approved dwelling house on the site.
5. Subsequent to the Council's decision and the submission of the appeal, the appellant has provided evidence that the extension has been completed within 5 years of the date of approval in July 2011.
6. On the basis of available evidence, including my site visit, it appears that the dimensions of the extension as constructed are in accordance with the approval of July 2011. However, the location and design of the door on the extension varies from the approved plan. At my site visit, it was also apparent that the residential use of the original building had not commenced, and that both the original building and the extension were in use as an agricultural building. I have determined the appeal on that basis.

Main Issue

7. I consider the main issue to be the effect of the proposal on the character and appearance of the area with due regard to the countryside location and the planning history of the appeal site.

Reasons

Countryside Location

8. The appeal site includes the original agricultural storage building and extension set within a gravelled area. It is proposed to convert this building to a dwellinghouse including the reconfiguration of the elevations of the building with natural stone facing and the insertion of domestic scale windows. Vehicular access would be provided via a driveway leading from Grane Road to the north.
9. The proposal is located outside of the defined Urban Boundary and is therefore located within an area designated as Countryside in accordance with Policy 1 of the Rossendale Core Strategy 2011 (CS). The appeal site is set on a slope within an rural area which leads from moorland to the north via field enclosures to reservoirs at the base of the broad valley. It is a self-contained site set back from Grane Road to the north, and is readily visible in views from the surrounding area within this open landscape setting, including views from Grane Road. Although of a relatively utilitarian appearance, the site is typical of agricultural smallholdings in the countryside and does not appear as an uncharacteristic feature within this rural setting.
10. Whilst the footprint and massing of the building would be unaltered, the changes to the elevations would give the building a residential appearance and it would appear as a significant freestanding dwelling within the countryside. It is likely that this would introduce a domestic character into the area around the building with features such as residential landscaping, lighting, utility areas and bin storage. The proposal would therefore remove the agricultural use of the building and adjacent area and would change the character of the site from an agricultural use to a residential plot.

11. Due to the prominent freestanding location of the site, I consider that these changes would result in a dwelling which would appear as an intrusive and incongruous feature within this area of open countryside.

Planning History

12. I am mindful that a dwellinghouse on the site has previously been approved in October 2015 and this could still be implemented. Therefore, in considering the effects of the current scheme on character and appearance, the fallback position should be considered. Based on the evidence before me, it seems that there are two potential fallback schemes in relation to residential use on the site.
13. First, as stated by the appellant, the approval for the conversion of the original farm building to a dwelling could be implemented, with the attached extension remaining as an agricultural building. However, this would retain the agricultural use of the extension as part of a mixed use development within this area of countryside, and would not be as fundamental a change to the character of the site as would result from the appeal proposal.
14. Second, the extension could be removed and the original building converted to a dwelling in accordance with the prior approval. Whilst this would change the character of the building and the plot to a residential use, the dwelling would not be of such a significant footprint and bulk as the appeal proposal and would not be as incongruous an intrusion in this countryside setting. The Alterations and Extensions to Residential Properties Supplementary Planning Document 2008 (SPD) states that domestic extensions in countryside settings should not exceed 30% of the volume of original dwelling, and the extension to the original building would exceed this. I acknowledge that the appeal proposal relates to the change of use of an existing building rather than an extension, but the advice of the SPD reflects the impact of the appeal proposal compared to this fallback scheme.
15. Therefore, I conclude that the impacts arising from the fallback schemes would not be as substantial as those arising from the proposal now in front of me.

Conclusion

16. I conclude that the proposal would harm the character and appearance of the area. The proposal would therefore conflict with Policy 18 of the CS which seeks to avoid harmful impacts on landscape assets and safeguard landscape character. The proposal would also conflict with Policy 21 of the CS which states that development will be concentrated within rural settlement boundaries, and development outside of those should be assessed against a number of considerations including the impact on the countryside. The proposal would also conflict with Policy 23 which seeks to maintain the relationship between urban areas and the countryside. These policies are broadly consistent with the environmental role of the sustainability objectives of the National Planning Policy Framework (the Framework).
17. Policy 11 of the CS relates to retail and other town centre uses and I consider that this policy is not relevant to the appeal proposal. Notwithstanding my comments in relation to Planning History, the SPD relates to alterations and extensions to residential properties and is not therefore directly relevant to the

conversion of an agricultural building. These policies should not therefore be determinative in the outcome of this appeal.

18. When assessed against the development plan and the Framework considered as a whole, the overriding consideration is that the scheme would fail to contribute to the environmental role of sustainable development in relation to protecting and enhancing the natural and built environment. I have had regard to all other matters raised including highway safety. However, none of these affect the conclusions I have reached. The appeal is therefore dismissed.

David Cross

PLANNING INSPECTOR