
Appeal Decision

Site visit made on 11 April 2017

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

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

Decision date: 16 May 2017

Appeal Ref: APP/B2355/W/17/3166976

Carr Barn Cottage, Hardman Avenue, Rawtenstall BB4 6BB

- 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 & Mrs D and T Connor against the decision of Rossendale Borough Council.
 - The application Ref 2016/0461, dated 3 October 2016, was refused by notice dated 6 December 2016.
 - The development proposed is the erection of a stable block.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a stable block at Carr Barn Cottage, Hardman Avenue, Rawtenstall BB4 6BB in accordance with the terms of the application, Ref 2016/0461, dated 3 October 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Drawing Number CF-25-08-16-A.
 - 3) Before any above ground development hereby permitted is commenced a schedule and/or samples of the materials and finishes for the development hereby permitted shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) The building shall not be used for any purposes other than the stabling of horses and associated storage of equestrian equipment.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area and the setting of 'Carr Farm House' which is a Grade II Listed Building.

Reasons

3. The appeal site comprises a roughly rectangular area of land set on hillside that has been levelled by cutting into the sloping land and is provided with small, stone constructed retaining walls. It is located in open countryside and lies
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- immediately to the south of a cluster of stone, white painted and rendered buildings comprising Carr Barn Cottage and Barn, Carr Farm House and a small single-storey, stone constructed outbuilding. To the south of the site is a ménage that has also been levelled by cutting into the sloping land.
4. Carr Farm House is a Grade II Listed Building constructed of coarse sandstone that has been painted white. I have no evidence to suggest that there is any historic relationship between the appeal site and the listed building.
 5. The proposed development would involve the construction of a 'L' shaped single-storey stable block which would be constructed of rendered white painted blockwork with grey roof tiles.
 6. The form, function and use of the proposed stable block would be consistent with the equestrian use of Carr Barn and the adjacent ménage which the Council accept is an appropriate use within the countryside. In being located close to the cluster of existing buildings, set into the hillside, sited between the outbuilding and the ménage, and for a use that is ancillary to existing nearby equestrian uses, the proposed stable block would not appear as a prominent feature nor result in the encroachment of unacceptable development into the open countryside.
 7. Views of the proposed building from Hardman Avenue and the dwellings to the west would be largely masked by existing development. In such views, it would be seen in the context of the cluster of the nearby buildings that are similarly set into the hillside and therefore would not appear as an isolated, incongruous feature.
 8. The Council considers that the proposed construction materials should reflect those that are used on the adjacent natural stone built outbuilding. The appellant considers that the proposed materials are reflective of those used in Carr Barn Cottage. The area in the immediate vicinity contains a mix of stone and white painted buildings. Given this context, a similar white painted building would not necessarily appear at odds with the appearance of the cluster of adjacent buildings. The proposed roofing materials would also be reflective of those used on Carr Barn Cottage to the east.
 9. However, given the preponderance of the use of stone, albeit painted white, in some of the nearby buildings, I do consider that the proposed building should have some reflective stone elements in its construction to assist in its integration with the overall character of the adjacent buildings. Whilst, I see no need for the proposed building to be constructed entirely of stone, this could be achieved by the use of stone in cill and corner features. These matters can be secured by an appropriate condition were I minded to allow this appeal.
 10. Taking the above factors into account, the proposed development would not cause demonstrable harm to the character and appearance of this area of countryside.
 11. The listed building is set within the context of surrounding close knit built development. Owing to the presence of the intervening outbuilding and the distance from the listed building, the appeal site does not play a material role in the setting of the listed building. The proposed stable block would form a low level building set within the cluster of the buildings that surround Carr Farm House. Owing to the presence of these existing buildings that are

positioned much closer to Carr Farm House, the proposed stable block would not interrupt any existing views of the listed building.

12. These factors lead me to find that the proposed development would not harm the setting of the listed building. In my view, there would be no material change to the way the listed building is visually perceived as a consequence of the proposed development.
13. Taking the above factors into account, the proposed development would not cause demonstrable harm to the character and appearance of the area nor would it have a material detrimental impact on the significance of the heritage asset through changes to its setting. Consequently, there would be no conflict with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990. Nor would it be contrary to paragraph 132 of the National Planning Policy Framework (the Framework) which states that when considering the impact of a proposal on a designated heritage asset, great weight should be given to the assets conservation. It confirms that significance can be harmed by alterations to the heritage asset and development within its setting.
14. In addition, the proposed development would not be contrary to Policies 1, 23 and 24 of the Rossendale Core Strategy Development Plan Document (2011). These policies, amongst other things, require new development to protect the countryside and contribute positively to local context, character and heritage.

Conditions

15. In addition to the standard time limit condition, I consider it necessary to impose a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. Given my findings that some natural stone elements should be incorporated into the construction features, I have imposed a condition regarding the external materials to be used. This is in the interests of protecting the character and appearance of the area.
16. The appellant disputes the Council's suggested condition that restricts the use of the proposed building to the stabling of horses associated with hobby purposes for the occupiers of Carr Barn Cottage. The appellant's Planning Statement, dated October 2016, clearly states that 'the proposal is for a stable block adjoining an existing ménage. The use is for domestic and personal use only and consists of a foaling stable and two other stables'.
17. In this case I found that a significant supporting factor regarding the acceptability of the building in the countryside is its use for stabling purposes associated with adjacent equestrian uses. Such uses are appropriate within the countryside. As such, I found that the proposed development to be ancillary to, and consistent with, adjacent equestrian buildings and land uses to the extent that the proposal does not constitute an unacceptable extension of other urban development into the countryside.
18. Whilst I do not consider that there is a demonstrable need to restrict the use of the building to 'hobby purposes', given my findings above I do consider that condition that restricts its use to the stabling of horses and thereby preventing its use for other activities that may not be appropriate in the countryside is reasonable, necessary and related to planning purposes. Consequently, I have amended the Council's suggested condition.

19. Whilst, I note the appellant's concerns regarding any subsequent changes to the long term use of the building, such condition would not prohibit the submission of an application for a change of use for consideration by the Council at some stage in the future.

Conclusion

20. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be allowed.

Stephen Normington

INSPECTOR