



Appeal Decision

Site visit made on 16 March 2021

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 April 2021

Appeal Ref: APP/E2340/W/20/3264248

Stone Fold Farm, Stump Hall Lane, Higham BB12 9BT

- 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 Mrs Daisy Whitehouse against the decision of Pendle Borough Council.
 - The application Ref 20/0259/FUL, dated 17 April 2020, was refused by notice dated 27 August 2020.
 - The development proposed is the conversion of barn to 2no. holiday lets and the siting of 5no. holiday cabins.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the Council issued its decision, it has received a further planning application from the appellant. Additional information in support of that application, addressing the concerns of the Council relating to highway safety, has been replicated for the purpose of this appeal. The Council is now satisfied that safe access and egress can be provided for the proposed uses at the site. Accordingly, it has withdrawn the first reason for refusal in relation to highway safety.
3. During the course of the Council's consideration of the planning application amended plans were submitted showing proposed cabins of a reduced height. As the nature of concerns of those who would normally have been consulted are clear from consultation on the original set of plans, I do not consider that their interests would be prejudiced if I take the reduced proposals into account. I have proceeded on that basis.

Main Issue

4. The main issue is the effect of the development on the landscape and scenic beauty of the Forest of Bowland Area of Outstanding Natural Beauty.

Reasons

5. The site lies within the Forest of Bowland Area of Outstanding Natural Beauty (AONB). Paragraph 172 of the National Planning Policy Framework (the Framework) requires that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty. This is reflected in Policy ENV1 of the Pendle Local Plan Part 1: Core Strategy 2011-2030 [2015] (PLP) which states that proposals will be considered on a needs basis, should be in scale with, and have respect for their

surroundings, and be in line with the AONB Management Plan objectives and have regard to the Forest of Bowland AONB Supplementary Planning Guidance (SPG).

6. The site is a former farmstead located on the rising southern edge of a broad valley to the south of Pendle Hill. The site includes a 2-storey linear stone building and some smaller outbuildings providing residential accommodation and storage. These buildings and surrounding hardstandings are set on a terrace above a formal garden area. An associated triangular area of rough grassland making up the majority of the appeal site is located to the east. This area is bordered by trees and a hedge to its outer boundaries. Three ponds and a septic tank lie within this part of the site.
7. The undulating landscape of the valley floor to the north is open rough grazing land with irregular field boundaries enclosed by dry stone walls augmented by stock fencing. The lower valley sides feature higher numbers of trees, often following watercourses and other linear features. The upper part of the northern valley slope turns to heather moorland. The area is meshed by a series of rural lanes and footpaths.
8. The prevalent built form of development within the locality are dispersed vernacular stone-built dwellings and barns on active or former farmsteads. These reflect the significant farming heritage of the moorland fringe locality and are supplemented by more recent utilitarian buildings including modern agricultural sheds and some smaller domestic structures.
9. There is no dispute between the parties that the conversion of the stone barn would retain its existing character through retention of original openings and sensitive conversion utilising traditional materials and finishes. Having visited the site, I concur with that view. In this regard, I find it would be consistent with the Council's policies to encourage effective use of existing traditional buildings in the AONB.
10. The proposal would also introduce 5 new buildings and supporting infrastructure on to the lower part of the site whilst retaining a private garden area for Stone Fold Farm. The individual cabin buildings would be of high-quality design and reflect their intended use. They would be externally clad in locally sourced timber and have been reduced in height since the first submission. However, their cumulative scale and dispersed positions would not be insignificant in the context of an area of land previously substantially devoid of buildings.
11. The proposed new buildings would benefit from some existing tree and vegetation screening to the outer edges of the site. The level of cover is such that from many views the cabins would be seen to nestle within the treed area where their uncharacteristic appearance in the locality would be somewhat mitigated.
12. The most effective parts of the screening are provided by stands of large evergreens and a conifer hedge. However, the majority of trees elsewhere about the perimeter are deciduous and vary in density. As such, a large part of the screening is seasonal and would be less effective during dormant months. Furthermore, some areas of the existing trees and mid-canopy stands of vegetation are required to be removed to accommodate the units. This would be undertaken alongside selective thinning of the treed area to further reduce

- the density and depth of the existing vegetation and its ability to provide effective screening.
13. Despite the remaining tree cover and proposals to augment vegetation through supplementary native landscaping and new areas of planting outside of the site, the size and positioning of the buildings across the open part of the site would be visible as an extended area of development in longer views. This would be distinct from the existing naturalised appearance of the triangular area of ground. The appellant's assessment of the significance to change to the landscape confirms that it would be moderate in that context.
 14. However, in addition to the longer views, the site would be seen from a network of local public footpaths. Although views to the cabins and associated decking areas would be filtered by the boundary vegetation, they would be readily apparent from the closer footpaths to the south and east. Here the cabins would be conspicuous by their number, arrangement and the contrasting design.
 15. Furthermore, the effects of the introduction of up to 7 additional parties congregating on the site would create the potential for light pollution, greater levels of noise, smoke (from barbecues and the numerous log burners proposed) and an intensity of activity which would contrast with the prevalent tranquil characteristics of the area. This would be particularly so along the line of a footpath immediately adjacent to the southern boundary of the eastern triangle and the footpaths crossing the higher field and access track leading up to the road.
 16. In support of the development it is suggested the footpaths close by are relatively lightly trafficked by ramblers/walkers, however, there is little objective evidence to support that claim. As users with high sensitivity to visual change, the effects experienced by walkers and ramblers in the shorter distance would be greater than those identified as moderate from the northern side of the valley.
 17. Although external lighting could be controlled by planning condition and heating restricted to smokeless fuels to avoid prominent visual signals of the concentrated area of development, the noise arising from the intensified use of the site – including vehicle movements and use of the outside areas could not be controlled in a similar manner. This would have significant potential to adversely affect the tranquil character of the locality to draw additional focus.
 18. I am not persuaded that the extent of new-build development could be effectively mitigated through planting of native species in relation to those nearby views, particularly given the intended year-round use of the accommodation. Although areas of new planting could provide some environmental benefit, they would require time to establish and would have a long lead in to reaching maturity to provide adequate screening of the extent of development proposed.
 19. For the above reasons, I find the scale of the proposal would fail to meet the primary objectives to conserve and enhance the natural beauty of the locality. It would conflict with Policies ENV1, ENV2 and WRK5 of the Pendle Local Plan Part 1 Core Strategy (PLP) as they seek new development to safeguard and enhance landscape character, natural assets and conserve scenic beauty, sense of place and the character of the area in which they are located. As a

designated landscape of national significance, this is a matter to which I must attach great weight.

Other Matters

20. In support of the appeal the appellant directs me to the general support for tourism and its potential social benefits and contribution to the rural economy. It is common ground between the main parties that there is a latent demand for holiday accommodation, and this is confirmed by representations from Marketing Lancashire. Additionally, the nature of the holiday offer in relation to the cabins is identified as a type of self-catering accommodation that would be unique to the area and difficult to accommodate within local settlements as preferred in the SPG.
21. I have no doubt that the proposal would provide some degree of economic benefits from the planning, construction/conversion and use phases of the development. This could arise through employment generation and visitor spend. Furthermore, there are clear benefits from contributing to the provision and diversity of holiday accommodation in rural areas which promote appreciation of the area's natural and historic environment. These are benefits of the development that attract moderate weight.
22. I note that cabins would be relatively easily removed should they no longer be required. However, given that they are no doubt intended to be sited for a significant length of time, this is a matter of negligible weight.
23. I acknowledge the concerns of third parties with regards to the remote location of development from local services. Although the proposed accommodation would be located at some distance from the nearest settlements, they would be within walking or cycling distance of those villages. Alongside the quality of the local landscape, the surrounding rural lanes and opportunities provided by the network of footpaths would offer some incentive to those choosing to holiday in a countryside setting to utilise those routes as alternatives to travel by private vehicle. Furthermore, the necessity of trips could be reduced by the appellant's offer to provide some sales of essential locally sourced food items.
24. Where travel necessity arises, it is unlikely that these would be to any significantly greater extent to those generated by rural vacation opportunities provided in small settlements elsewhere. For the family or group vacations which would be served by the nature of the accommodation proposed, it would not be wholly realistic to anticipate private vehicle trips would not occur to access wider places of interest. Despite a substantial absence of public transport options in the locality, the proposed development would be unlikely to generate a high number of daily trips or cause capacity issues on the local road network.
25. The site lies over 600m from the nearest listed buildings and 350m from the Sabden Fold Conservation Area. There is no dispute between the parties that the proposed development would not have an adverse effect on the setting of those heritage assets. Having considered the proposal and visited the site, I concur with that view. Accordingly, it is my view that the development proposed would preserve the setting of the designated heritage assets.

26. The absence of any identified flood risk, adverse effects on neighbouring living conditions or ability to mitigate ecological impacts are not benefits that weigh in favour of the scheme.

Balance and Conclusion

27. For the reasons given above, I have found that the proposal would fail to preserve the landscape and scenic beauty of the Forest of Bowland Area of Outstanding Natural Beauty. Whilst the proposals would provide some social and economic benefits these would not outweigh the harm I have identified. Consequently, the appeal proposal conflicts with development plan policies and I conclude that the proposal would be contrary to the development plan taken as a whole. For those reasons, the appeal should be dismissed.

R Hitchcock

INSPECTOR