



Appeal Decision

Site Visit made on 21 September 2021

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 20 October 2021

Appeal Ref: APP/B2355/W/21/3272823

Lowerfold Barn, Cowpe Road, Cowpe, Rossendale BB4 7AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Tim Craig against Rossendale Borough Council.
 - The application Ref 2021/0065 is dated 28 January 2021.
 - The development proposed is the erection of a two storey oak timber frame entrance extension to the existing dwelling.
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Decision

1. The appeal is dismissed and planning permission is refused.

Procedural Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published on 20 July 2021. The main parties have been provided with an opportunity to comment on the revised Framework and its relevance to the determination of this appeal. References to the Framework in this decision therefore reflect the revised Framework.
3. The appeal follows the Council's failure to determine the application within the prescribed period. However, the Council has indicated in its grounds of appeal, that had it been in a position to determine the application, it would have refused planning permission for reasons relating to character and appearance.

Main Issue

4. From the evidence before me, the main issue is the effect of the proposed development on the character and appearance of the building and the surrounding area.

Reasons

5. The appeal relates to a traditional stone former agricultural building that has been converted for residential use and sits within a cluster of three other similar converted former farm buildings.
6. On my site visit I noted that there is a detached garage and an enclosed piece of land facing the appeal building. I also saw that there have been additions to some of the neighbouring properties within the group of buildings. However, Lowerfold Barn does not appear to have been externally altered or added to since its conversion and retains much of its traditional agricultural character.
7. Whilst there is a relatively modern residential development located off Cowpe Road, the cluster of dwellings that the appeal building sits within are accessed

via a long private access track, that is partly enclosed by dry stone walling, and is situated in a relatively isolated and exposed position in an area that is dominated by open fields and agricultural land. All of these factors contribute to its rural countryside setting.

8. I appreciate that oak materials are commonly used on rural properties and that the stone tiles would match those found on the original building's roof. The proposed glazing would also allow some transparency and would result in a relatively lightweight structure. Furthermore, it is uncontested that it would have a volume that would be under the 30% threshold required by the Council's 'Alterations and Extensions to Residential Properties' Supplementary Planning Document 2008 (SPD).
9. Nonetheless, the size and form of the projecting two-storey front gable extension would provide significant additional visual scale and dominance to the facade and the front roof plane of the original building. Its height and bulk would obscure two first floor windows and the centrally recessed front elevation that provide some of the building's character. As a result, it would appear as a dominant structure of a more domestic shape and appearance that would be markedly out of keeping with the traditional agricultural character of the existing building.
10. Given its prominent location on the outer edge of the cluster of buildings, surrounded by open land, its discordant effect on the rural character of the area would be plainly visible from long range views along the private access track, from public footpaths and from a number of neighbouring properties.
11. I therefore find that the proposed development would be harmful to the character and appearance of the building and the surrounding area. As such it would conflict with Policies 1, 23 and 24 of the Rossendale Core Strategy Development Plan Document: The Way Forward (2011-2026) 2011, and advice in the SPD. Amongst other matters, these collectively seek to provide high standards of design and to preserve character and appearance. It would also not accord with the design objectives of the Framework, specifically Sections 12 and 15.

Other Matters

12. The appellant has drawn my attention to oak framed porches that have been used on the modern residential development off Cowpe Road. However, these are not of the same size and scale as the proposal and its circumstances are therefore not directly comparable to those which apply in this appeal. I have, in any case, determined the appeal on its own merits.
13. It has been put to me that no representations or objections have been received from neighbouring residents; nonetheless, this is not a determining factor in the consideration of an appeal. The question is whether there would be unacceptable harm to the character and appearance of the building and the surrounding area, even if objections have not been lodged.
14. I also note that the appellant is dissatisfied with the Council's handling of the application. However, this matter has had no bearing on my decision as I have only had regard to the planning merits of the proposal that is before me.

Conclusion

15. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal is therefore dismissed and planning permission is refused.

Mark Caine

INSPECTOR