



Appeal Decision

Site visit made on 11 January 2022

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 2 February 2022

Appeal Ref: APP/B2355/W/21/3280914

**Fairview Farm, Edgeside Lane, Waterfoot, Rossendale, Lancashire
BB4 9TZ**

- 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 Ms P Barrow against the decision of Rossendale Borough Council.
 - The application Ref 2021/0385, dated 17 June 2021, was refused by notice dated 12 August 2021.
 - The development proposed is an agricultural building.
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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 surrounding area.

Reasons

3. The appeal site comprises agricultural land that sits in an elevated hilltop position in an area of upland countryside above the settlement of Waterfoot, Rossendale. The landscape is wide and open, with large fields divided by fences or stone walls. Despite the presence of some buildings, the open and undeveloped feel of the area contributes positively to the form and character of the surrounding landscape that provides a prominent rural edge and backdrop to the settlement.
4. Farm Hill Farm and a former stable block are located at a much lower level in the hillside, to the south eastern side of the appeal site. There is also an existing green coloured barn building situated to the south east, but in closer proximity to the appeal site than other buildings. The submitted plans show the proposal to sit on land that is approximately 2 metres higher than the existing barn. However, it would be of a comparable height and of a similar utilitarian appearance to this structure, utilising materials such as Yorkshire boarding, and olive-green corrugated sheet roofing that are typical of many agricultural buildings.
5. On my site visit I saw that the topography of the area is such that the proposed building would not be readily apparent from public footpath 236, or Edgeside Lane and Burnley Road East, at the bottom of the valley. The appeal site is also situated on a lower part of the hill than public footpath 219 and views of it from this route would thereby be downwards and not against the sky. The existing barn building would also screen some views of the proposal from the southern direction.

6. However, it would offer no such protection from long range views from the west. Indeed, my site observations confirmed that when seen from certain vantage points within the settlement, such as from the Turnpike and Church Street highways, the existing barn appears to sit on the brow of the hill and is seen above the skyline. I am also mindful that the proposed agricultural building would be around double the length of this barn. Although the proposal would be set further back, its siting in proximity to the existing barn would therefore accentuate the built form and add to the impression of bulk on this prominent hilltop location when seen in long distance views from the west.
7. I was unable to find public footpath 128 on my site visit, and I do not have the details of its location before me. Nonetheless, the discordant effect of the proposed development on the landscape would also be plainly visible across the valley from public footpath 176 and from a number of dwellings.
8. The appellant's reasons and preference to site the proposal close to existing buildings and a menage rather than in a more isolated higher position are acknowledged. However, the proposal would be positioned adjacent to the group rather than within a cluster of buildings. In light of my reasoning above, I consider that the introduction of a further agricultural building in such a raised and prominent position would thereby significantly erode the open rural landscape and character of this area. As such I concur with the Council that the proposed development would lead to an unacceptable accumulation of built development in a prominent elevated location.
9. I therefore find that the proposal would cause harm to the character and appearance of the surrounding area. As such it would conflict with Policies 1, 18, 21, 23 and 24 of the Rossendale Core Strategy Development Plan Document: The Way Forward (2011-2026) adopted 2011 (the Core Strategy DPD). Amongst other matters, these require development to enhance and protect the countryside, and seek to ensure the highest standard of design that respects and responds to local distinctiveness and positively contributes to the landscape.
10. In addition, it would also fail to conserve and enhance the natural environment, and not accord with the design objectives of the Framework, as advised in Sections 12 and 15.

Other Matters

11. The appellant has referred me to several previous appeal decisions¹. I have had regard to the agricultural appearance of the existing barn, the description of the surrounding area, and visibility from certain vantage points. I also concur with the view that there is nothing in the Core Strategy DPD Policies before me or in the Framework which limits the scale of an agricultural building or requires evidence of agricultural need. Nonetheless, there are clear material differences between the proposal and the individual circumstances surrounding these appeal decisions. These have therefore not been decisive in my assessment of this appeal as I have determined it based on its own merits.
12. The appellant argues that agricultural buildings are seen as an exception to the Core Strategy DPD's aim of containing most development within the Urban Boundary. I have also been made aware that the agricultural unit is now a

¹ APP/Z2315/W/17/3170899, APP/R2330/W/18/3198749, APP/B2355/20/3265542, APP/B2355/W/19/3235715, APP/B2355/C/17/3179082

combination of adjoining land which was previously associated with Fairview Barn and originally with Farm Hill Farm. In addition, the appellant states that the new owner of the land is a serious farmer with a large and growing sheep flock, that there would be no internal partitions or changes to the boundary treatment, and that the existing access would be used. Nonetheless, these would be neutral factors, that do not weigh in favour of the proposal.

13. It has also been put to me that the Council has not suggested an alternative site. However, this matter has not had any bearing on my decision as I have only had regard to the planning merits of the proposal that is before me.
14. Furthermore, I have no substantive reason to question the appellant's argument that the proposal would facilitate an expansion of farming activities/business on the site, which in turn, would assist in supporting the rural economy. This would partly satisfy Core Strategy DPD Policy 21, and weigh in favour of the proposal. Nonetheless, this factor, and all of the other matters above would not overcome or outweigh the substantial visual harm that the proposal would cause.

Conclusion

15. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, the appeal should therefore be dismissed.

Mark Caine

INSPECTOR