



Appeal Decision

Site visit made on 22 February 2022

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 March 2022

Appeal Ref: APP/E2340/W/21/3286508

Land north of Noyna Road, Noyna Road, Foulridge BB8 7QW

- 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 Lucy Whitehead against the decision of Pendle Borough Council.
 - The application Ref 21/0182/FUL, dated 9 March 2021, was refused by notice dated 10 May 2021.
 - The development proposed is the erection of two agricultural buildings (part retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for the erection of two agricultural buildings at land north of Noyna Road, Noyna Road, Foulridge BB8 7QW in accordance with the terms of the application, Ref 21/0182/FUL, dated 9 March 2021, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan submission version 2; ML/MW/6005.
 - 2) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. ML/MW/6005.

Preliminary Matters

2. The polytunnel has been constructed. I have considered the appeal scheme accordingly.

Main Issue

3. The main issue is the effect of the development on the landscape character of the area.

Reasons

4. The appeal site is an area of open countryside to the east of Foulridge. The proposal comprises two agricultural buildings. The polytunnel is already in place. The other agricultural building would be constructed from concrete panels on the lower walls and green profile tin sheets on the upper walls and roof. Access to the site is from the existing hardstanding track leading from Noyna Road to the south.
5. The site is located on a south facing hillside in what is a relatively elevated area of undulating countryside with open and expansive views. There are scattered individual predominantly stone built houses, including a number of farmhouses

with associated agricultural buildings many of which are also stone built. The narrow winding roads are generally bounded by stone walls, with occasional trees. Fields are commonly small in scale with many enclosed by low stone walls interspersed with trees. Occasional groups of trees are scattered across fields.

6. Although a number of the agricultural buildings are stone built, there are examples to the north east and south east of the site of larger buildings of more modern construction. The proposed agricultural building would not be an incongruous form of development. The materials that would be used would reflect the colours and hues of the landscape and this would help to minimise the building's impact.
7. The polytunnel is not of the prevailing type of building in the area. It nevertheless sits relatively comfortably within the landscape. This is due mainly to its location, colour and relatively low height, meaning that it is seen against the backdrop of the surrounding topography in the majority of views, with the colour of the materials helping to minimise any contrast with this backdrop.
8. The polytunnel is located on a relatively exposed slope that can be seen in both close and longer distance views from the south. However, it is viewed against the backdrop of the hillside in most views from the south and also from the east, including from public rights of way in the vicinity. This helps to soften its impact. The colour of the materials also reduces the contrast with the grassed hillside. This would also be the case with the proposed agricultural building, notwithstanding that it would have a larger footprint and height.
9. When travelling along Noyna Road from the east, views of the polytunnel are filtered through the roadside trees from several vantage points. Views from the west when travelling along this road are constrained due to the screening effect of the topography, such that the polytunnel is only visible from vantage points in relatively close proximity. The topography and filtering effect of the roadside trees would also help to screen the proposed agricultural building when travelling along Noyna Road, although given its greater height, it would be more apparent in views.
10. The polytunnel is visible in certain vantage points to the north. However, given that such views are generally from an elevated position, and given the nature and location of the polytunnel, it does not appear as an intrusive form of development, nor does it block open views of the wider countryside. This would also be the case with the proposed agricultural building.
11. The appellant has provided information on what the polytunnel is used for and the intended uses for the agricultural building. The design and sizes of the polytunnel and proposed building are not unreasonable in the context of the requirements and needs of the enterprise as set out by the appellant.
12. The polytunnel is, and the proposed agricultural building would be, visible in certain views from the surrounding area, including public rights of way. However, they would not be inappropriate to the site's rural setting. Furthermore, although the site is a relatively open and exposed slope, isolated buildings scattered across hillsides is a feature of the landscape character of the area. The polytunnel and proposed agricultural building would not therefore conflict with the prevailing landscape character. The fact that the polytunnel is, and the proposed agricultural building would be, viewed against the backdrop

of the hillside from many vantage points rather than on the skyline further reduces the effects on the landscape.

13. Consequently, the polytunnel does not, and the proposed agricultural building would not, harm the character or quality of the landscape. The proposal would therefore accord with Policies ENV1 and ENV2 of the Local Plan for Pendle Core Strategy 2011-2030, adopted 2015. These policies require development proposals, wherever possible, to safeguard or enhance the landscape character of the area and contribute to the sense of place and make a positive contribution to the historic environment and local identity and character. It would also accord with the requirements of the National Planning Policy Framework, which require decisions to contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, amongst other matters.

Conditions

14. The Council has not suggested any conditions to be imposed in the event that I allow the appeal. However, a condition to require the development to be carried out in accordance with the approved plans is necessary in the interests of certainty. A condition to ensure that the development is carried out in accordance with the materials stated is necessary in the interest of the character and appearance of the area.

Conclusion

15. For the reasons given above, having considered the development plan as a whole along with all other relevant material considerations, I conclude that the appeal should succeed.

F Wilkinson

INSPECTOR