



Appeal Decision

Site visit made on 28 September 2022

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2022

Appeal Ref: APP/B2355/D/22/3305583

**Dowry Head, Helmshore Road, Helmshore, Rossendale, Lancashire
BB4 4BF**

- 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 Katie Barker against Rossendale Borough Council.
 - The application Ref 2022/0216, dated 8 April 2022, was refused by notice dated 24 June 2022.
 - The development proposed is erection of domestic outbuilding.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a domestic outbuilding at Dowry Head, Helmshore Road, Helmshore, Rossendale, Lancashire BB4 4BF in accordance with the terms of the application, Ref 2022/0216, dated 8 April 2022, 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; and*
 - *Drawing No: ML/KB/6121*

Main Issue

2. The main issue is the effect of the proposed outbuilding on the character and appearance of the area.

Reasons

3. Dowry Head is a large, stone built, detached two-storey house located in a rural area. The surrounding landscape is one of gently undulating fields, interspersed with sporadic development. The land rises to the south and drops away to the north with views of the urban settlement of Helmshore in the distance. There is a public footpath/bridleway running northwards from the site from which the house can be seen.
4. The proposed outbuilding would be sited a short distance from the house but would be modest in scale, especially in the context of the much larger house. From the public footpath/bridleway it would be seen against the backdrop of rising land before becoming less visible as the footpath drops further away from the appeal site. Although the outbuilding would be separated from the

house, it would be built in natural stone with oak doors and windows to match the house and given its modest scale relative to the house and single storey height, I do not consider that it would appear visually intrusive in this setting or would result in an urbanised appearance.

5. For the reasons stated above, the proposed outbuilding would not be harmful to the character and appearance of the area. It would therefore comply with policies ENV1 and ENV3 of the Local Plan¹ and Section 15 of the National Planning Policy Framework². These policies require new development, amongst other things, to have regard to the character and appearance of the area.

Other Matters

6. Although not referred to in the reason for refusal, the Council's officer report refers to the outbuilding being a disproportionate addition referencing Policy HS9 of the Local Plan. The Council has referred to previous developments at the appeal site and I have been provided with a copy of Policy HS9 and the Council's SPD on Alterations and Extensions to Residential Properties³. However, I have not been provided with full details of the planning history of the site and given that the proposal is for a detached outbuilding of modest scale, it would not be a disproportionate addition to the dwelling.
7. The Council's officer report also refers to the proposal having an impact on the natural environment, green infrastructure and biodiversity which is referred to in Local Plan policies ENV1 and ENV4. However, no details are provided as to what adverse impacts would arise from this proposal and given that the outbuilding would be located within the domestic setting of the house, I have no evidence of any harm in this regard.

Conditions

8. The Council has suggested a number of conditions which I have considered in the light of the Planning Practice Guidance⁴. A condition requiring the building to be built in accordance with the approved plans is necessary in order to provide certainty. A condition relating to the materials of construction is not necessary as these are detailed on the plans.
9. A condition is suggested requiring landscaping and biodiversity enhancement works. Given that this proposal relates to a domestic outbuilding and no specific landscape features or biodiversity matters have been identified within the residential curtilage, such a condition would not be relevant to this development and I do not consider it necessary.

Conclusion

10. For the reasons given above, I conclude that the appeal should be allowed.

J D Clark

INSPECTOR

¹ Rossendale Borough Council Rossendale Local Plan 2019 to 2036, Adopted 15 December 2021.

² Ministry of Housing, Communities and Local Government National Planning Policy Framework, 2021 (the Framework).

³ Rossendale Borough Council Alterations and Extensions to Residential Properties *A Supplementary Planning Document (SPD)*, June 2008.

⁴ Planning Practice Guidance, Published 6 March 2014 – Updated 23 July 2019.