



# Appeal Decision

Site visit made on 8 August 2023

**by H Senior BA (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 30<sup>th</sup> January 2024**

## **Appeal Ref: APP/E2340/D/23/3316069**

### **Cross Lane Farm, Cross Lane, Barley, Lancashire BB12 9JS**

- 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 Miss Sarah Spencer (now Mrs Sarah Lancaster) against the decision of Pendle Borough Council.
- The application Ref 22/0598/HHO, dated 1 September 2022, was refused by notice dated 18 November 2022.
- The development proposed is demolition of existing single storey outriggers and erection of single storey extension to south elevation.

## **Decision**

1. The appeal is allowed and planning permission is granted for demolition of existing single storey outriggers and erection of single storey extension to south elevation at Cross Lane Farm Cross Lane, Burnley, BB12 9JS in accordance with the terms of the application, Ref 22/0598/HHO, dated 1 September 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 EX.00; Proposed Site Plan PL.10; Proposed Floor Plans PL.11; Proposed Elevations PL.12; Proposed Elevation PL.13.
  - 3) The materials to be used in the construction of external surfaces of the development hereby permitted shall be in accordance with the details on the Proposed Elevations PL.12

## **Preliminary Matter**

2. There has recently been a revised National Planning Policy Framework (the Framework) published by Government. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach.

## **Main Issue**

3. The main issue is the effect of the proposal on the character and appearance of the area and the landscape and scenic beauty of the Forest of Bowland Area of Outstanding Natural Beauty (AONB).

## Reasons

4. The host dwelling is a detached two storey building with two single storey extensions finished with painted walls and render and a slate roof. It is accessed off Cross Lane and has open views of the surrounding undulating open countryside. It is visible from various points including from parts of public rights of way.
5. It is located within the Forest of Bowland AONB. Paragraph 182 of the Framework gives great weight to conserving and enhancing the landscape and scenic beauty of such areas which have the highest status of protection in relation to landscape and scenic beauty.
6. The Council say that the extension would be on the front of the dwelling where the guidance in the Design Principles Supplementary Planning Document 2009 states that where extensions are acceptable, they should be limited to front porches to protect the streetscene. In this case the main elevation of the existing building is at approximately 90 degrees to the highway with the proposed expansion set further back away from the road and set down into the hillside. Therefore, there is no good reason why the front extension on this site would automatically cause harm to the street scene.
7. The current appeal proposal would be smaller than a previous refused planning application, but it would still be a substantial extension to the dwelling, particularly in terms of its length when compared to that of the original dwelling. However, it would be single storey, and partly set into the hillside which would reduce the bulk and massing of the extension when viewed from the surrounding area. The large windows, whilst not a traditional feature of dwellings in the area, would not be prominent in the landscape due to their position on the proposed extension to the rear of the plot and set back from the original dwelling. In addition, they would be north facing so would be unlikely to reflect sunlight. Views of any night-time light from them would be limited in extent due to the set down and set back within the appeal site and few instances of users of the highway having sight of them.
8. The set down into the hillside of the proposed extension would again limit the views of the proposal from the nearby footpaths. From the footpath to the west only a small part of a blank side elevation would be visible which would be seen within the context of the existing built development.
9. I conclude that the proposal would not harm the character and appearance of the area or the landscape and scenic beauty of the Forest of Bowland AONB. The proposal would not conflict with Policies ENV1 and ENV2 of the Local Plan for Pendle Core Strategy 2011-2030 (2015) which together amongst other matters seek to ensure that development makes a positive contribution to the protection, enhancement and conservation of natural environments and deliver the highest standards of design. It would also not conflict with guidance in the Design Principles Supplementary Planning Document (2009), the Open Countryside Supplementary Planning Guidance (2002) and with advice within the Framework.

## Other Matters

10. I have had regard to the other examples of development within the AONB. Whilst I do not have the full details of the schemes before me, they would not

appear to be directly comparable with the appeal proposal due to the context of the AONB around them. In any event I have determined the appeal on the site-specific circumstances of this case.

11. I acknowledge the comments from the Parish Council and neighbours including those regarding the modern design and scale of the extension including the glazing. However, as describe above I have found that the proposal would not harm the character and appearance of the area.

### **Conditions**

12. I have had regard to the conditions suggested by the Council in line with the advice in the National Planning Policy Framework and the Planning Practice Guidance. In addition to the standard timeframe condition, I consider that a condition requiring the development to be constructed in accordance with the approved plans is necessary for the avoidance of doubt. A condition regarding external materials is not necessary as the details are included on the approved plans.

### **Conclusion**

13. The proposal does not conflict with the development plan as a whole and there are no other considerations, including the provisions of the National Planning Policy Framework, which outweigh this finding. For the reasons given the appeal succeeds.

*H Senior*

INSPECTOR