



Appeal Decision

Site visit made on 24 April 2024

by J Hobbs MRTPI MCD BSc (hons)

an Inspector appointed by the Secretary of State

Decision date: 18th June 2024

Appeal Ref: APP/B2355/W/23/3334033

Land adjacent to Goodshaw Lane, Stonefold, Rising Bridge, Accrington

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr John Collinson against the decision of Rossendale Borough Council.
 - The application Ref is 2023/0437.
 - The development proposed is an agricultural building.
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This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decision issued on 21 May 2024.

Decision

1. The appeal is allowed and planning permission is granted for an agricultural building at land adjacent to Goodshaw Lane, Stonefold, Rising Bridge, Accrington in accordance with the terms of the application, Ref 2023/0437, 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: JC.310523.A and GH-19-01-23.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan No. GH-19-01-23.

Main Issue

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

Reasons

3. The appeal site is located within the "Rossendale Hills" landscape area, as identified by the Landscape Strategy for Lancashire¹. The description of the character within the Landscape Strategy includes "A network of gritstone walls encloses virtually the whole of the upland area and the landscape is dotted with a network of small, remote farms."
4. The area is characterised by rolling-hills, with irregularly shaped fields dissected by dry stone walls. The appeal site comprises a flattened piece of land in a valley. There are views from the site of the farmyard and Stonefold

¹ A Landscape Strategy for Lancashire, Landscape Character Assessment, Lancashire County Council

Village in the distance, but the appeal site is remote from other buildings. As such, the appeal site is characteristic of the Rossendale Hills Landscape Area.

5. The appeal proposal comprises the erection of an agricultural building on the flattened land. Whilst the proposed agricultural building would be in a remote location away from nearby buildings, it would be in a valley. Moreover, the scale of the building and height of the building is modest, given its intended use.
6. Despite the above aspects, it would be prominent in the landscape due to its isolated location, away from the farmhouse and other agricultural buildings, as well as its upland location. It would be particularly prominent in views from nearby public footpaths. Nonetheless, the appearance of the proposed storage building is agricultural and would be expected in a rural location. Furthermore, the proposed storage building would be in the least prominent position within that field. As such, whilst the proposal would lead to the introduction of a building into open countryside, it would not appear incongruous with the agricultural character of the wider countryside landscape. In fact, it would be characteristic of the Rossendale Hills Landscape Area.
7. The Council suggest that the building would be better sited within the existing farmstead or that the appellant could make better use of an existing building. However, there is only a policy requirement to demonstrate a need for a countryside location, which is accepted by all parties. Also, my assessment is based upon the merits of the scheme before me and not potential alternatives.
8. The proposal would not have a harmful effect on the character and appearance of the area. It would therefore comply with Policies SD1, SD2, ENV1 and ENV3 of the Rossendale Local Plan 2019 to 2036, December 2021. These policies indicate that only development that needs to be located within a countryside location and enhances the rural character of the area will be allowed, and the distinctive landscape character of Rossendale will be protected, amongst other factors.
9. It would also be in accordance with sections 12 and 15 of the National Planning Policy Framework (the Framework). These sections advise that the creation of beautiful places is fundamental to what the planning process should achieve, and planning decision should contribute to and enhance the natural environment by recognising the intrinsic character and beauty of the countryside.

Other Matters

10. I note concerns about the location of the proposed storage building in relation to security and the welfare of animals. Whilst it may not be the optimum location, with these aspects in mind, there is no substantive evidence that the proposed location would have a harmful effect.

Conditions

11. The Council did not propose any conditions as part of their appeal submissions. I have therefore included conditions necessary to ensure the proposal is acceptable and kept them to a minimum in accordance with the Framework.
12. Conditions specifying a time limit to implement the permission and the approved plans are required in the interest of certainty. A condition requiring

the materials of the external surfaces to be constructed as shown on the approved plan is required to ensure that the character and appearance of the area is preserved.

Conclusion

13. For the reasons given above the appeal should be allowed.

J Hobbs

INSPECTOR