

## APPEALS LODGED AND DECIDED

### Appeals Lodged between 15 March – 15 April 2016

<b>Application Number</b>	<b>Location</b>	<b>Proposal</b>	<b>Com/Del decision</b>	<b>Appeal Type</b>	<b>Date Lodged</b>
15/00161/OUT	833 Garstang Road, Barton Preston, Lancashire, PR3 5AA	Outline application for residential development with layout for up to three dwellings and access off Garstang Road applied for	Delegated	Written Representations	23 March 2016
15/01005/FUL	North Dene, Whin Lane Out Rawcliffe, Preston Lancashire, PR3 6TH	Erection of an agricultural workers dwelling (re-submission 15/00416/FUL)	Delegated	Informal Hearing	5 April 2016
15/00511/FUL	The Bowers Barn Bowers Lane Nateby Preston Lancashire PR3 0JD	Conversion of an outbuilding to one dwelling with single storey porch extension	Delegated	Written Representations	12 April 2016

### Appeals Decided between 15 March – 15 April 2016

<b>Application Number</b>	<b>Location</b>	<b>Proposal</b>	<b>Com/Del decision</b>	<b>Decision</b>	<b>Date Decided</b>
15/00433/FUL	Land To The South Of Beech Close Claughton-on-Brock Preston Lancashire PR3 0QX	Erection of a part three, part two-storey building containing five apartments, garages and associated parking areas	Delegated	Dismissed	24 March 2016

arm/rg/pla/cr/16/1105nc2

---

# Appeal Decision

Site visit made on 7 March 2016

by **C Thomas BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 March 2016

---

## Appeal Ref: APP/U2370/W/15/3138100

### Land to the south of Beech Close, Claughton-on-Brock, Preston, Lancashire, PR3 0QX.

- 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 Redport Ltd against the decision of Wyre Council.
  - The application Ref. 15/00433/FUL dated 22 May 2015 was refused by notice dated 21 July 2015.
  - The development proposed is erection of a part three, part two storey building containing five apartments, garages and associated parking areas.
- 

### Decision

1. The appeal is dismissed.

### Main issues

2. The main issues are, 1) the effect of the proposal on the character and appearance of the area; and 2) whether the proposal would harm the living conditions of the occupiers of nearby properties on Beech Close by reason of the effect on daylight/ sunlight and outlook and of future occupiers of the development through the absence of outdoor garden space.

### Reasons

#### *Character and appearance*

3. The appeal site lies on the edge of Caterall Village to the south of Beech Close. It is a relatively narrow, roughly rectangular strip of land formed in the main out of part of a field which at the time of my visit was under grass. Residential properties consisting of houses and an apartment block, have been constructed on the opposite side and at the blank end of Beech Close. Existing houses front onto Garstang Road (B6430) to the north and there is also a residential estate situated at the rear of the housing on Beech Close. Industrial buildings and a public house lie on the east side of Garstang Road. The agricultural land to the south stretches towards the junction of Garstang Road and the Preston Lancaster New Road (A6).
  4. The proposal comprises the erection of an apartment block at the western end of the site with three flat roofed garages located to the east, nearer to Garstang Road, and parking spaces together with a bin store and bicycle store between. The linear form of the development would front on to the south side
-

- of Beech Close, although it would not run its full length, leaving undeveloped areas at either end.
5. As referred to in the Design and Access Statement the introduction of a building on the south side of Beech Close would help to create something of a more traditional street scene than presently exists. I consider the rear, south facing elevation and the east facing elevation, visible as one approaches along Beech Close, would both have an interesting and well proportioned appearance. In contrast, however, I consider the front, north facing elevation would lack visual cohesion and present what I believe would be an austere and overbearing appearance in the street scene. This would result in large measure from the mixture of window shapes and styles and the substantial areas of wall and roof surface which would contribute to a visually poor impact on the street scene. The front elevations of the existing houses and apartment block on Beech Close have been more traditionally designed and consequently I consider the elevation of the appeal proposal on to the street would lack affinity with its surroundings, resulting in significant detriment to the character and appearance of the street scene.
  6. I agree with the Council that the garages and hard surfaced parking and manoeuvring areas would be visually dominant at the eastern end of the site, and appear somewhat disconnected and incongruous in the wider street scene. In my judgement, as a consequence there would be little visual cohesion between the different elements of the development.
  7. I note that it is proposed to maintain the existing balance of hard and soft landscaping interspersed between the proposed buildings and to keep the existing boundary hedgerow to the west of the proposed apartment building and at the junction with Garstang Road. Nevertheless, in my judgement there would be a paucity of space around the site boundaries for significant areas of landscaping which might assist in softening the hard edged appearance of the development. This would further detract from the ability of the scheme to sit well in its surroundings.
  8. I have taken into account as a material consideration the grant in principle of outline planning permission on the agricultural land to the south and west of the appeal site for a major mixed use development (ref.15/00248/OULMAJ). I have seen a copy of the master plan for the site but I have not been informed that details of the various elements of the scheme have been approved. The existence of this permission has altered the overall context for the consideration of this main issue in the appeal with respect to future built development and/or open space which will abut the site to the south. However, since the schematic master plan is all the detail that is before me, I have not been able to give the prospect of this development more than very little weight in reaching my conclusion on this matter.
  9. Overall I am of the opinion that the proposal would not take advantage of the opportunity to complement and improve the character and quality of the existing development on Beech Close. I have reached the conclusion on this main issue, therefore, that the appeal proposal would be harmful to the existing character and appearance of the area. Accordingly, it would be contrary to saved policy SP14 *Standards of Design and Amenity* of the Wyre Borough Council Local Plan 1991-2006 (WBLP), which is broadly consistent with

the National Planning Policy Framework (the Framework) and to which I have therefore given considerable weight. This seeks, amongst other matters, to ensure that consistent principles and high standards of design and amenity are applied to all types of development, and in particular that proposals should be acceptable in the local landscape in terms of their scale, mass, style, siting and use of materials. In this regard the policy would be consistent with paragraphs 17 and 64 of the Framework which alongside other matters respectively seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings and the turning down of poorly designed development that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

### *Living conditions*

10. The Council's concern with regard to the effect of the proposed apartment block on the levels of daylight and sunlight received at the existing properties on Beech Close has been addressed by the appellant through the provision of a daylight/sunlight analysis. In summary, this shows that there would be no permanent but some limited reduction in daylight/sunlight to some of the existing dwellings in Beech Close. This would chiefly affect non-habitable rooms, but nevertheless I consider even this partial shading would be undesirable given the relatively close physical relationship between the apartment block and the houses opposite.
11. Furthermore, at the distances quoted by the appellant, ranging from approximately 12.8m to 15.5m, and given that the apartment block would be taller than the houses opposite, in my judgement there would be an overbearing impact on nos. 7-10 in particular. I have taken into account their internal layout and that of the external amenity space is located to the rear. Even so, I am of the opinion that the relatively close proximity of the proposed apartment building and its overbearing appearance in the street scene would significantly diminish the quality of the outlook which the residents presently enjoy in front of their houses and from the first floor front bedroom windows. The combined effects of the limited overshadowing which has been identified coupled with the overbearing appearance of the apartment building on the houses opposite and the consequent loss of outlook, in my judgement would be harmful to the living conditions of the existing occupiers.
12. I consider the decision whether or not to provide outside garden or amenity space associated with the apartment building is, as both the Council and the appellant say, a pragmatic matter. There is no policy requirement for such provision to which I have been directed and it seems to me, therefore, that it is a matter for the appellant to judge in terms of marketing. Although the possibility of a three bedroom apartment is included in the design for the second floor, I note that the smallest bedroom could be used as a study/workroom and therefore family occupation is not a certainty. I conclude that the lack of provision of meaningful outdoor space for the enjoyment of residents would not harm the living conditions of future occupiers.

### **Conclusion**

13. The appellant has emphasised that attempts were made subsequent to the Council's decision to reach agreement over acceptable amendments to the

proposal, but that these were unsuccessful. However, since this was a procedural issue I have not considered it pertinent in reaching my decision.

14. I have given some weight to the fact that the Council has not expressed any objection in principle to the residential development of the site, and that the site is in a sustainable location. I have been made aware that the Council currently cannot demonstrate a robust 5 year deliverable supply of housing land. The contribution that the proposed scheme would make towards meeting the housing requirement in the Council's area would therefore be positive. Nevertheless, these considerations have not outweighed the substantial harm I have concluded would result from the proposal both to the character and appearance of the area and to the living conditions of the occupiers of houses in Beech Close.
15. I have taken into account all other matters raised in the representations, but for the reasons given the appeal has been unsuccessful.

*C Thomas*

INSPECTOR