

Appeal Decision

Site visit made on 20 September 2016

by Mark Dakeyne BA (Hons) MRTPI

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

Decision date: 5 October 2016

Appeal Ref: APP/N2345/W/16/3149578

The Grange, D'Urton Lane, Preston, Lancashire PR3 5LE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Dr Wiper against the decision of Preston City Council.
 - The application Ref 06/2015/0917, dated 3 November 2015, was refused by notice dated 17 March 2016.
 - The development proposed is outline planning application for the erection of 8 no. residential dwellings following the demolition of all existing buildings on site.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Outline planning permission is sought but with access and layout to be considered at this stage. I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect on the character and appearance of the area, with particular reference to (i) the impact on the significance of a non-designated heritage asset, (ii) the proposed layout and (iii) the relationship with protected trees on the site.

Reasons

4. D'Urton Lane lies between the northern edge of Preston and the M55 motorway. Despite the presence of these urban influences, including the motorway flyover to the north of the appeal site, the lane has a semi-rural character with its relatively narrow carriageway, hedge and tree lined edges and the individual dwelling plots along much of its length.

Non-designated heritage asset

5. The Grange contributes to the semi-rural character as a former farmhouse with a horseshoe of outbuildings set back from the lane in large well-treed grounds. The site itself, because of the combination of the well-maintained historic property and outbuildings and grounds and the setting provided by the mature trees, has a pleasing appearance. Lancaster County Council's Specialist Advisor indicates that The Grange is shown on maps dating from 1847. The building, with its stepped gables and architectural detailing, has characteristics reflective of early Victorian vernacular. A local resident refers to The Grange
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being one of the few remaining Duchy Farmhouses. The buildings, although not listed or appearing on a local list, are of sufficient historic interest to be considered a non-designated heritage asset.

6. The National Planning Policy Framework advises at paragraph 128 that applicants should be required to describe the significance of any heritage assets affected by development and the potential impact of the proposal on the significance. As a minimum the relevant historic environment record should have been consulted and appropriate expertise used. The buildings would be lost as a result of the development but no such assessment is before me. Therefore, there is insufficient evidence for me to reach a conclusion on the effect of the proposal on the significance of the non-designated heritage asset.

Layout

7. The loss of the farmhouse and the crescent of outbuildings and its replacement with 8 detached houses, most of which would front a relatively conventional small cul-de-sac towards the rear of the site, would lead to a noticeable change to the character and appearance of the site. The dwelling to the front, although in a similar position to that permitted in June 2012, would lead to the loss of the open appearance provided by the large area of sloping lawn. The houses on Plots 2, 3 and 4 would turn their backs on the lane.
8. The intention to make use of the existing entrance and driveway would limit the changes to the frontage and ensure that access would not encroach into the copse of trees alongside the western boundary. Moreover, there are other examples of conventional housing developments along D'Urton Lane to the east. In addition the area is to be the subject of significant change as the fields to the south and east have approval for major mixed use development and further house building is also proposed to the north filling in part of the arc of land up to the M55/M6 motorway intersection such that over 400 new homes would be constructed off the lane. Dwellings on the land to the east would back onto the lane behind a landscaped buffer. Based on the information before me the density of development on the appeal site would be lower than that proposed on nearby sites. These factors would reduce the harm arising from the layout in the longer term.

Protected trees

9. A number of mature trees lie within the site boundaries, including a large group along the western boundary and some large individual trees within the grounds, notably a lime, copper beech and sweet chestnut centrally positioned in the large lawned front garden that slopes upwards from the frontage. The tree group and six individual trees are protected by a Tree Preservation Order (TPO).
10. The development itself would lead to the loss of a number of small trees on the site which are not protected, such as cypress, cherry and willow, and the removal of a birch (T6) covered by the TPO. Two sycamores central to the large group would be removed due to declining health. The arboricultural report submitted with the application indicates that the birch has a retention category of U, indicating a tree of poor quality that cannot realistically be retained for longer than 10 years. The Council does not dispute the categorisation. It seems to me that sufficient justification has been provided to support the tree's removal in the context of the housing development.

11. The houses on Plots 1 and 2 to 4 would have the lime, copper beech and sweet chestnut between them. The layout plans indicate that the dwellings would lie just outside the Root Protection Areas (RPAs). Careful controls in terms of construction methods, level changes and protective measures, the details of which would not normally be provided at outline stage but could be secured by condition, would safeguard the trees.
12. The spread of the trees would be a significant feature of the sloping private gardens to the front of the site and some of the plots to the rear of the site. Based on what I saw on site there would be sufficient areas beyond the spread such that the gardens for Plots 1, 2 and 3 would not be over-dominated. However, I have some concerns about the spread of the lime and copper beech in terms of the rear garden of Plot 4 and the position of mature trees relative to the garden to Plot 6. The overshadowing and safety and maintenance issues that could arise may lead to pressure to cut back or remove the preserved trees in the longer term.
13. The fence line between Plots 1 and 4 is shown on the layout plan as running close to the trunk of the copper beech. However, landscaping is a reserved matter and the precise position of the fencing could be controlled by a condition.
14. Again the development would lead to a change in character and appearance of the site with loss of some tree cover and a change to the spacious garden setting of the mature trees but that change would be perceived as being less harmful once neighbouring developments were implemented.

Conclusions on main issue

15. In conclusion there would be loss of a non-designated heritage asset. In the absence of an assessment of the asset's significance, I am not in a position to consider the conflict between the asset's conservation and the proposal. The development would also lead to some harm to the existing character and appearance of the area with particular reference to the proposed layout and the relationship with protected trees on the site. As a result there would be a degree of conflict with Policy 17 of the Central Lancashire Core Strategy July 2012 (CS); Policy EN9 of the Preston Local Plan 2012-26 Site Allocations and Development Management Policies (July 2015); and the principles set out in the Central Lancashire Design Guide as the layout does not take into account, respond to or make a positive contribution to the existing character, appearance and local distinctiveness of the area.

Other matters

16. I have taken into account representations about highway safety, the noise environment, ecology and flooding but these are matters which do not affect my findings on the main issue.

Conclusions

17. The development would lead to harm to the existing character and appearance of the area through the unjustified loss of a non-designated heritage asset and due to the form of the layout and the impact of the layout on preserved trees. In arriving at this conclusion I have taken into account that the harm in the longer term would be lessened by the major changes that are to occur in the surrounding area and that the development would still be distinct from the

larger proposals nearby due to the well-defined site boundaries and the nature of the tree cover to be retained.

18. The net increase of 7 dwellings would bring economic and social benefits, including construction jobs, increased local spend and sustainably located new homes boosting the supply of housing. Considering the three dimensions of sustainable development together the economic and social benefits would not outweigh the environmental harm. In particular it has not been demonstrated that the effect on the significance of The Grange as a non-designated heritage asset would be outweighed by these benefits. Therefore, the proposal would not represent sustainable development.
19. For the above reasons the appeal should be dismissed.

Mark Dakeyne

INSPECTOR