

## Appeal Decision

Site visit made on 28 March 2017

**by Beverley Wilders BA (Hons) PgDurp MRTPI**

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

**Decision date: 11 May 2017**

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**Appeal Ref: APP/U2370/W/16/3165354**

**Beech House Farm, Catterall Lane, Catterall, Preston, Lancashire PR3 0PA**

- 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 Mr Frank Robson against the decision of Wyre Borough Council.
  - The application Ref 16/00430/FUL, dated 15 March 2016, was refused by notice dated 22 June 2016.
  - The development proposed is described as “we propose to develop a site which has previously been a traditional barn. We propose to build off the original footprint and foundation to create a two bedroom dwelling in the style of a country barn”.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. I note that the Council identified a number of discrepancies between the submitted plans. The appellant has confirmed that the 1:50 plans accurately show the dimensions and layout of the proposed dwelling and I have determined the appeal accordingly. Whilst a number of other discrepancies were identified by the Council in relation to the proposed elevations, I am satisfied that the submitted plans show sufficient detail for me to determine the appeal.

### Main Issues

3. The main issues are:
  - whether the principle of the proposed dwelling in such a location is acceptable having regard to local and national policy;
  - the effect of the proposal on the character and appearance of the area;
  - whether the proposal is acceptable in light of the presumption in favour of sustainable development.

### Reasons

#### *Principle of development*

4. The appeal site is located to the rear of a small group of dwellings and other buildings accessed off Catterall Lane, outside of the nearest settlement of Catterall. Catterall contains a number of services and facilities as does the
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area known as Churchtown located some distance to the north of the appeal site with a wider range of facilities available further away at Garstang.

5. Access to Catterall is via Catterall Lane and though the lane is straight and flat, it is quite narrow with no footpaths and is unlit for most of its length. In addition access to Catterall via Catterall Lane involves crossing the busy A6. Consequently I do not consider that the route between the appeal site and services and facilities in Catterall lends itself to safe use by pedestrians and as such I consider it likely that occupiers of the proposed dwelling would be heavily reliant on the use of motor vehicles to access services and facilities. In addition whilst it may technically be possible to walk to the primary school and other services and facilities in Churchtown, I do not consider this to be realistic or likely given the largely narrow and unlit nature of the possible routes.
6. Whilst there are some dwellings located relatively near to the appeal site, the site is not well related to services and facilities and would therefore be an isolated home in the countryside. I do not consider that the fact that it is possible for some services to be delivered overcomes the isolated location of the appeal site.
7. Paragraph 55 of the National Planning Policy Framework (the Framework) relates to housing in rural areas and states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It further states that isolated new homes in the countryside should be avoided unless there are special circumstances such as those listed. None of these appear to be applicable to the proposal.
8. Though not specifically referred to in the Council's reason for refusal but referred to in the Council's Officer Report, Policy SP13 of Wyre Borough Local Plan (LP) relates to development in the countryside and states that unless otherwise justified by the policies of the plan, development in the countryside will not be permitted except under the circumstances listed, none of which applies in this case.
9. In reaching my decision I understand that planning permission was recently granted at appeal for the conversion of a redundant barn to create two residential properties at Rylstone House, Catterall Lane, Catterall (Ref APP/U2370/W/15/3078128) and that this site is near to the appeal site. I also understand that the appeal site is further away from Catterall than Rylstone House. Though I am not fully aware of the details or particular circumstances relating to the Rylstone House proposal, it does not appear to be directly comparable to the appeal proposal and I therefore give it limited weight.
10. I also note that it appears that prior approval has recently been granted by the Council for the change of use of a modern farm building nearby to a dwelling (Ref 15/00067/MB). However development which is permitted development is not subject to the same assessment as development which requires planning permission. In any event, I must determine the proposal before me on its own merits.
11. Taking the above matters into consideration, I conclude that the principle of the proposed dwelling in such a location is not acceptable having regard to

local and national policy and in particular paragraph 55 of the Framework which seeks to avoid isolated new homes in the countryside.

*Character and appearance*

12. The appeal site comprises a grassed area of land located to the rear of the majority of nearby dwellings and buildings set closer to Catterall Lane with the exception of a large, modern agricultural building located to the west of the appeal site. It is accessed via an existing track off Catterall Lane and adjoins open fields on two sides with existing hedging marking the site boundary. Part of the appeal site contains areas of hardstanding and a small section of block walling and I understand that the site previously contained a number of farm buildings.
13. I acknowledge that there is some variety of built form and use of materials in the immediate vicinity of the site and a number of outbuildings located to the rear of dwellings fronting Catterall Lane. However I consider that a dwelling in the position proposed would be set back from and out of character with the prevailing pattern of highway fronting residential development nearby. Though I understand that the re-use of the modern barn will combine traditional and contemporary design, at the time of my visit the building retained the appearance of a modern agricultural building. Due to its scale and appearance the dwelling would not appear as an ancillary building. It would have a very large and dominating roof structure, would incorporate various architectural design features and would be constructed from a variety of materials. Consequently it would be a visually incongruous building out of keeping with existing buildings nearby and with the rural character and appearance of the surrounding area. The adverse visual impact of the dwelling would not be mitigated by the existing hedging and screening.
14. Taking the above matters into consideration, I conclude that the proposal would have a significant adverse effect on the character and appearance of the area. It is therefore contrary to policies SP13 and SP14 of the LP. These policies seek, amongst other things, high standards of design and state that development should be acceptable in the local landscape in terms of its scale, mass, style, siting and use of materials.

*Sustainable development*

15. Both parties agree that the Council cannot currently demonstrate a five year supply of deliverable housing sites. As such, in line with paragraph 49 of the Framework relevant policies for the supply of housing should not be considered up to date. I consider that Policy SP13 of the LP constitutes such a policy insofar as it restricts the location of new housing. This may explain why Policy SP13 was referred to in the Council's Officer Report but was not referred to in the reason for refusal relating to the location of the appeal site.
16. Paragraph 14 of the Framework states that where relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.
17. The proposal would have some modest economic benefits by providing employment during the construction period and by supporting the local

economy. The proposal would provide an additional dwelling and contribute to the range of housing available in the local area. However these benefits would be very limited given that only one dwelling is proposed. The adverse impacts in terms of an isolated dwelling in the open countryside and harm to the character and appearance of the area would significantly and demonstrably outweigh these limited benefits when assessed against the policies in the Framework taken as a whole.

18. I therefore conclude that the proposal is not acceptable in light of the presumption in favour of sustainable development.

### **Other Matters**

19. In reaching my decision I have had regard to the fact that the appeal site previously contained a number of buildings and that some remnants of buildings and hardstanding remain on site. However the previous buildings on site have substantially been demolished and do not therefore justify the new build dwelling proposed. I also note that it appears that there has been some visual improvement to the site since the buildings were demolished. However this is not relevant to my consideration of the proposal.
20. The fact that no objections were raised to the proposal by interested parties or by statutory consultees is not in itself a reason to grant planning permission.
21. I note reference to various proposals within the emerging plan for the area, including proposals for additional housing along the A6 and additional services at Brock. However as the emerging plan has not yet been adopted, it does not form part of the development plan for the area and carries limited weight.
22. Finally I understand that the proposed dwelling would be a retirement property for the appellant and that it would be more suited for his needs. However whilst I have some sympathy with the appellant's desire to create a new home, this does not justify the proposal which for the reasons stated would be contrary to relevant planning policies and would result in harm to the character and appearance of the area.

### **Conclusion**

23. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

*Beverley Wilders*

INSPECTOR