
Appeal Decision

Site visit made on 2 May 2017

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 18 May 2017

Appeal Ref: APP/P2365/W/16/3165776

29 Holly Farm, Holly Lane, Rufford, L40 1SH

- 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 S Fairclough against the decision of West Lancashire Borough Council.
 - The application Ref 2016/0550/FUL, dated 13 May 2016, was refused by notice dated 15 August 2016.
 - The development proposed is the erection of a detached two storey dwelling with double garage and garden.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has submitted amended plans as part of his appeal documentation. These plans show a dwelling of a slightly reduced size and scale to the one refused by the Council. Neighbours have not been formally consulted upon these plans and the site is in a conservation area, where design is particularly critical. In my view the amended plans materially alter the nature of the proposal and if I were to accept them, the interests of the parties could be prejudiced. Therefore I have based my decision upon the refused plans.

Main Issue

3. The main issue is whether the proposed dwelling would preserve or enhance the character or appearance of the Rufford Park Conservation Area.

Reasons

4. The Rufford Park Conservation Area is characterised by residential development set within a level open landscape which provides long-range and picturesque views, including a view of St Mary's Church from the end of Holly Lane. Holly Lane contains dwellings of a wide range of style, age and size.
 5. No 29 has a traditional cottage style appearance. It is the last house in the lane with open countryside beyond it. The dwelling opposite appears to be a barn conversion. As such, both of the dwellings at the end of the lane have a rustic style which is commensurate with their position at the edge of the settlement. The garden of No 29, which forms the appeal site, is also of a rural
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- appearance, and contains agricultural style outbuildings as well as open garden land.
6. There is no set building line in the road and each dwelling has a different plot layout. However, it is common for dwellings in the vicinity to have both a front and rear garden, and for the front elevations of dwellings to face the road. I acknowledge the appellant's efforts to incorporate some features of nearby houses in the proposed design. However, the proposed dwelling would have its side elevation facing the road which would be uncharacteristic of the surrounding residential layout.
 7. Furthermore, the proposed side elevation would present a bland elevation towards Holly Lane. In addition, this elevation would have a very chunky massing. This would be due to its tall height, which would be slightly higher than the house at No 29; the "cut down" pitched roof of the single storey side element; and the projecting front gable which would give the main roof an overly bulky appearance.
 8. The height and bulk of the proposed dwelling would be exacerbated by the dwelling's lack of space between the front, western side, and rear boundaries. I appreciate that there would be garden to the east of the dwelling and that the overall size of the plot would be generous. However, the proposed house, and its detached double garage, would introduce a large footprint of development within a constrained area, very close to 3 of the site's boundaries. This would give the appearance of the development being crammed into one end of the plot.
 9. As a result of these design features and plot layout, the dwelling would look too large, bulky, prominent and confined. This would result in a more suburban than rural appearance, which would not respect its rural setting.
 10. I note the appellant's comments about the dwellings on Douglas Close, and other recent developments nearby, and whilst they might have changed the appearance of the conservation area, they do not justify further harmful development.
 11. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty upon me to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The house would be incongruous with its surroundings but, as it would be just one house, it would cause less than substantial harm to the special interest and significance of the conservation area as a whole.
 12. In these circumstances paragraph 134 of the National Planning Policy Framework says that the harm should be weighed against the public benefits of the proposal. The house would add to the choice of dwellings in the area. However, this benefit would be very limited and in consequence, I do not consider that there are any public benefits of the proposal sufficient to outweigh the harm I have found.
 13. I therefore conclude that the dwelling would fail to preserve let alone enhance the character or appearance of the Rufford Park Conservation Area. Consequently, the proposal would conflict with Policies GN3 and EN4 of the West Lancashire Local Plan 2012-2027 which, in combination, seek to ensure that new development is of a high quality design which has regard to the local

landscape and townscape; and that it does not adversely affect a conservation area.

Other Matters

14. The site is partially in the Green Belt but there would be no building or change of use within the Green Belt part of the plot. The Council therefore considers that there would be no conflict with Green Belt policy and I agree.
15. I acknowledge the appellant's comments that the site is close to local facilities; that views across to St Mary's Church would be maintained; and that the proposal would contribute to the economy in terms of its construction. However, these factors do not overcome or outweigh the harm I have found. I have considered all other matters raised but none outweigh the conclusions I have reached.

Conclusion

16. For the above reasons, the appeal is dismissed.

Siobhan Watson

INSPECTOR