The Planning Inspectorate

Appeal Decision

Site visit made on 26 June 2017

by Helen Hockenhull BA(Hons) B.Pl MRTPI

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

Decision date: 14 July 2017

Appeal Ref: APP/U2370/W/17/3172443
New Dwelling, Bailtons Farm, Turners Lane, Barnacre PR3 1GJ

- 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 Matthew Turnbull against the decision of Wyre Borough Council.
- The application Ref 16/00756/FUL, dated 11 April 2016, was refused by notice dated 20 October 2016.
- The development proposed is the erection of a detached garage /storage facility.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council have described the proposed development as being part retrospective as it is suggested that the footings have been put in place. However on my site visit there was no evidence of this on the ground. I therefore consider that the proposal has not commenced and I have dealt with the appeal accordingly.

Main Issues

3. The main issues in this case are :

   - whether the proposal would be ancillary to the main use of the dwelling;
   - the effect of the development on the character and appearance of the area.

Reasons

Ancillary Use

4. The appeal proposes the erection of a detached garage and storage building for domestic purposes. The building would be located on land to the south east of the main dwelling in an area which comprises rough hardstanding and car parking. The building proposed would be 8.3 metres by 13.7 metres with a pitched roof of 4.5 metre ridge height. It is proposed to use the building for garaging for vehicles, the storage of a caravan, a larger van and also for hay and feed for livestock on the property. There is a newly constructed domestic storage building, smaller in size than the appeal proposal, close to the existing house.

5. The building proposed would be much larger than a domestic garage due to the number and nature of the vehicles proposed to be accommodated. There is already a domestic storage building on the site and I have no substantive evidence to explain why further storage is required. However, I accept that there may be a requirement for secure garaging which the appeal building would provide. The submitted plans suggest that the building would also store hay and feed for 5 sheep and 5 pigs kept on the smallholding. However I note from the Design and Access Statement that no livestock are currently on the property. At the time of my visit I observed this to be the case. Additionally I saw no evidence of any agricultural related equipment.

6. Whilst I accept that the appeal building would not be domestic in scale, I consider that the proposed uses would be ancillary to the residential use. The Council has raised concern about the siting of the building as it is some distance from the dwelling and cannot therefore be described as being ancillary. The physical separation distance in this case does not mean that there is a poor relationship in functional terms between the buildings on the site. It does however raise issues with regard to the character and appearance of the countryside which I will turn to below.

7. In conclusion I am not persuaded based on the evidence before me that the proposed building, whilst being large, would not be ancillary to the residential use of the dwelling. The appeal scheme would in this regard form an appropriate development in the countryside in compliance with the broad principles of Saved Policy SP13 of the Wyre Borough Local Plan.

Character and appearance

8. The appeal site is located at the southern corner of the plot lying next to hedgerows that bound the site. The land is generally flat and the appeal building would be able to be viewed from nearby public footpaths. The boundary hedgerow would be of insufficient height to screen the building.

9. The proposed garage and store would be sited some 26 metres away from the existing house and the newly built storage building. Visually it would appear set apart from the existing cluster of buildings on the site. Having regard to the scale and height of the proposed building, it would therefore appear dominant in the landscape and encroach into the open countryside.

10. I acknowledge that the proposed building would be of an acceptable design and materials having regard to its rural location. However due to its siting, scale and height, I consider it would cause harm to the character and appearance of the countryside. The proposal would therefore fail to comply with Saved Policy SP14 of the Wyre Borough Local Plan which seeks to ensure that development is acceptable in the local landscape in terms of a range of factors including its scale and siting. The proposal would also conflict with the Framework which in paragraph 17 recognises the intrinsic character and beauty of the countryside.

Other matters

11. The appellant has brought my attention to discussions that have taken place with Council officers to reduce the size of the building and re site it closer to the main dwelling. I note the appellant's view that the repositioning of the building would compromise the car parking area. Having regard to the distances involved and the size of the hardstanding area it would appear likely

that parking could still be accommodated with the proposed garage/store closer to the existing group of buildings on the site.

12. Furthermore the appellant has made reference to permitted development rights and that a building could be erected with a larger footprint but with a lower height without planning permission. Whilst this may be the case, the building proposed requires planning permission and would be around 500 mm greater in height than that allowed under permitted development rights. It must therefore be considered with regard to the policies of the development plan controlling development in the countryside.

Conclusion

13. Whilst I have found that the appeal proposal would be ancillary to the residential use, I have concluded that the development would cause harm to the character and appearance of the area.

14. For the above reasons and having regard to all other matters raised I dismiss this appeal.

Helen Hockenhull

INSPECTOR