



Appeal Decision

Site visit made on 31 October 2017

by Mike Worden BA (Hons) DipTP MRTPI

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

Decision date: 16th November 2017

Appeal Ref: APP/R2330/W/17/3179418
2 Beaconsfield Street, Accrington, BB5 2AE

- 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 Mr and Mrs P Cronshaw against the decision of Hyndburn Borough Council.
 - The application Ref 11/17/0151, dated 29 March 2017, was refused by notice dated 25 May 2017.
 - The development proposed is a single detached dwelling (single storey).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made in outline with all matters reserved for approval. I have dealt with the appeal on that basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is a garden which lies to the side of a semi-detached house. It is a rectangular shaped garden separated from Beaconsfield Street by a substantial coniferous hedge. The land falls away from Beaconsfield Street steeply towards parkland and woodland to the rear and the garden is on two levels. There is a small part of the garden to the rear of the house which is not within the appeal site.
5. Beaconsfield Street is characterised by a long row of terraced properties on its southern side and a number of more modern semi-detached and detached houses on the opposite side. The appeal site lies at the entrance to Beaconsfield Street. The modern properties contrast significantly with the long and uniform row of terraced properties which sit right on to the street. The relationship between the form of the properties either side of the street provides a more open feel than in some nearby streets where terraced houses face each other directly across the street. Behind the appeal site the tall and established trees on the valley side present a noticeable and attractive back-drop to the street. Those trees and those on the corner of Beaconsfield Street as it leaves Bridge Street provide an attractive, open and leafy character to the entrance to Beaconsfield Street.

6. The proposed development is for a single storey detached dwelling. No indicative layout has been submitted with the appeal but given the shape of the site and its landform, it is extremely likely that the dwelling would have to sit well forward of the building line of 2 Beaconsfield Street. This would bring it close to the edge of the highway. Whilst the more modern houses on the appeal site side of Beaconsfield Street are not in a straight building line, the proposed dwelling would have to sit significantly further forward, albeit it possibly at a lower level, than any of them. This would have the effect of significantly narrowing the gap between properties at the entrance to Beaconsfield Street. It would appear unbalanced within the rhythm of the street form and would be harmful to its established character and appearance.
7. I conclude that the proposed development would be harmful to the character and appearance of the area and would be contrary to Policy BD1 of the Council's *Local Development Framework The Core Strategy 2012* (the Core Strategy) which is concerned with promoting a balanced development strategy for Hyndburn, and Policy Env6 of the Core Strategy which seeks to achieve high quality design in new developments including amongst other things maintaining and enhancing local distinctiveness and the character of townscape. I also consider that the proposal would be contrary to Policies H2 and E10 of the saved *Borough of Hyndburn Local Plan* which both set down criteria for the design of new development.
8. The proposed development would also be contrary to Policy H1 of the Core Strategy, which, amongst other things, sets out a presumption against new housing development within existing gardens. I have given limited weight to Policy DM13 of the emerging *Hyndburn Borough Local Plan Development Management DPD* which sets out criteria relating to the development of housing within residential gardens, given that it has yet to be adopted. The other policies referred to me by the Council do not add to its case.
9. The proposal would also be contrary to the fifth bullet point of the Core Planning Principles set out in paragraph 17 of the National Planning Policy Framework (the Framework), which requires planning to take account of the different roles and characters of different areas and to paragraph 53 of the Framework which states that inappropriate development in residential gardens which causes harm to the local area, should be resisted.

Other matters

10. The appellant has referred me to a planning permission for a recreation related development close to the site at Bank Mill House in the valley below the appeal site and points out that the development would involve the loss of a significant number of trees. I do not have details of that case before me, but its nature and circumstances appear to be quite different to the current case which is concerned with the character and appearance of Beaconsfield Street itself.

Conclusion

11. For the reasons given above, and having considered all matters raised, I conclude that the appeal should be dismissed.

Mike Worden

INSPECTOR