The Planning Inspectorate

Appeal Decision

Site visit made on 15 May 2018

by S R G Baird BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th May 2018

Appeal Ref: APP/M2325/D/18/3194963
Windmill House, 22a East Beach, Lytham St Annes, Lancashire FY8 5EX

- 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 P Akroyd against the decision of Fylde Borough Council.
- The application Ref 17/0850, dated 5 October 2017, was refused by notice dated 5 December 2017
- The development proposed is the relocation of one original stone gatepost, the partial removal of a brick wall and the installation of wrought iron gate together with the creation of a dropped kerb to provide vehicular access and off-street car parking to the front of Windmill House.

Preliminary Matter

1. The pedestrian gate and wall/hedge for a short length either side has been removed. From the submissions, I understand that this is a temporary measure to allow for building work to the property.

Decision

2. The appeal is dismissed.

Main Issue

3. The effect on the character and appearance of the area having regard to the location of the No. 22a within the Lytham Conservation Area (CA).

Reasons

4. The appeal site is located within several blocks of mature residential properties on the edge of the CA. Other than at one property, (No. 24) the remaining houses in this block have retained the original low garden wall and pedestrian gate. Whilst in blocks further to the east, where several modern flat blocks have been developed, there are examples of vehicle accesses the overriding feature of this part of the CA is the absence of vehicular accesses. The combination of the low walls with pedestrian only gates makes a significant contribution to the attractive and mature character, appearance and significance of the CA. The proposed hard surfacing of the garden area to the front of No. 22a would not, on its own, have an adverse impact on the character or appearance of the CA. However, the introduction of a vehicular access would break the pleasing rhythm of wall, gate and hedging resulting in less than substantial harm to the significance of CA.

5. The National Planning Policy Framework (Framework) identifies CAs as Designated Heritage Assets (DHA) and advises that great weight should be given to the effect of a proposed development on the significance of a DHA and

its conservation. Where less than substantial harm would occur the Framework advises that the harm should be weighed against the public benefits of the proposal. As in most urban CAs long stay parking is permitted on the highway. I acknowledge that parked cars do impinge on views of the terraced properties from the south. However, the impact of such parking is neutral in terms of its effect on the character and appearance of the area. The reduction in on-street parking, the limited opening up of views and the absence of harm relating to the provision of hard surfacing are not outweighed by the harm to the character and appearance of the area. Accordingly, the proposal would fail to preserve or enhance the character or appearance of the CA.

Conclusion

6. For the above reasons and having taken all other matters into consideration, I conclude that this scheme would fail to preserve or enhance the character or appearance of the Lytham Conservation Area. As such the proposal would conflict with the objectives of development and emerging development plan Policies HL5, EP3, GD7 and ENV5. Accordingly, this appeal is dismissed.

George Baird

Inspector