



Appeal Decision

Site visit made on 12 June 2019

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 16 August 2019

Appeal Ref: APP/P2365/W/19/3221612

Willowbeck House, Wood Lane, Lathom L40 4BW

- 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 Mrs Pamela Beckett against the decision of West Lancashire Borough Council.
 - The application Ref 2018/0506/FUL, dated 9 May 2018, was refused by notice dated 3 August 2018.
 - The development proposed is a new entrance and gate to a new build property.
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This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decision issued on 30 July 2019.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I note comments from the Council with regards to elements such as a shed and landscaping details which have not been constructed in accordance with the approved plans. As the description noted on the application form and decision notice only refers to the erection of a gate and its location, I have only considered these issues and not any other elements outside of this application which may not be in conformity with approved plans.

Main Issue

3. The appeal scheme has already been constructed. Based on this, the main issue is the effect of the development upon the character and appearance of the locality, with particular regard to the gate's height, design, width and location.

Reasons

4. The appeal site is an isolated property within the open countryside that lies at the junction of Bleak Lane, Wood Lane and a vehicular track which leads to a motocross site. The dwelling was constructed recently in place of an existing dwelling and has a contemporary form and design. Despite this, the character of the surrounding area is predominantly agrarian and pastoral with the appeal site surrounded by agricultural fields and long distance views across the countryside. Roads within the area are typically narrow country lanes with road and property boundaries consisting of post and rail fences and hedges.

5. Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document (DPD) seeks that proposals be of high quality design that has regard to visual amenity and enhances local distinctiveness. This policy is supported by the West Lancashire Design Guide Supplementary Planning Document (SPD) which provides further detail with regards to the need for development to respond to the context of the site and the surrounding landscape.
6. The gate which is in situ is constructed of horizontal metal panels, painted dark grey with small gaps in between the panes. The gate is electric sliding and is approximately 4.5 metres wide and approximately 1.7 metres tall.
7. I note comments that the gate is of modern materials and appearance in order to reflect the contemporary design of the dwelling, however the gate is like nothing surrounding when taking the rural context in consideration where boundary treatments are typically lower in height and more open, natural and rural in appearance, design and materials. Whilst the gate may match the appearance of the dwelling, the gate is quite stark when viewed within this rural environment and has a very defensive appearance in terms of its design, materials and height. Whilst I appreciate that the gate is required for security, privacy and for enclosing pets, this may be able to be achieved via other means which are more sympathetic to the rural environment.
8. A number of examples of gates within a 2 kilometre radius have been submitted with the appeal, however their addresses are not detailed and their relevance to the appeal site in terms of their locational aspects is not detailed. Many of the photos appear to be situated within settlements, rather than isolated locations within the open countryside as per the appeal site. As such I can only afford these examples limited weight.
9. With regards to the location of the gate, it has been moved an additional 25 metres and is situated on a access track which leads to the motocross site. I also note comments that it is believed that the gate is not constructed on a 'highway' but on a private access track. The Council are unclear of the ownership of the access track, however despite this, a highway can refer to both public and private accessways such as where the gate has been located. Having reviewed the new location of the access, this does not in my opinion cause unacceptable impacts to the highway and as such would be appropriate.
10. That said, the proposed gate as a result of its height, design, and width is incongruous to the character and appearance of the area and does not embrace the qualities that reflect the distinctiveness of this rural location. As such, the scheme would be contrary to Policy GN3 of the DPD (which seeks that proposals be of high quality design that has regard to visual amenity and enhances local distinctiveness) which is supplemented by the Design SPD (which provides further detail with regards to the need to respond to the context of the site and the surrounding landscape).

Conclusion

11. For the reasons given above, the appeal is dismissed.

J Somers

INSPECTOR