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## Appeal Decision

Site visit made on 7 October 2019 by Hilary Senior BA(Hons) MCD MRTPI

**by Susan Ashworth BA (Hons) BPL MRTPI**

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

**Decision date: 09 January 2020**

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**Appeal Ref: APP/U2370/D/19/3235035**

**Johnsons Farm, Turkey Street, Out Rawcliffe, Preston, PR3 6TA**

- 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 J Mellor against the decision of Wyre Borough Council.
  - The application Ref 19/00335/FUL, dated 3 April 2019, was refused by notice dated 31 May 2019.
  - The development proposed is erection of 1no. detached building ancillary to existing residential dwelling at Johnsons Farm.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Main Issues

3. The main issue is whether the site lies in a suitable location for development having particular regard to the effect of the proposal on the character and appearance of the area and accessibility to local services and facilities.

### Reasons

4. The appeal site, known as Johnsons Farm, includes several buildings including a detached house, a detached garage with flat above and stable block. The proposal is for a detached single storey, 2-bedroom building within the site, to be used as a house in association with the existing dwelling.
5. The Council's strategy for new development, as set out in Policy SP1 of the Wyre Local Plan 2019, advises that the majority of new development will be directed towards urban towns and key and rural service centres with some development in the main and smaller rural settlements. Outside settlements with defined boundaries, the amount of new built development will be strictly limited. To further promote sustainable development Policy SP2 requires that all development should contribute to the overall physical, social, environmental and economic character of the area and contribute to the continuation of sustainable communities in terms of location and accessibility. Policy SP4 states that the open and rural character of the countryside will be recognised for its intrinsic character and beauty. Development which adversely impacts on the

- open and rural character of the countryside will not be permitted unless it is demonstrated that the harm to the open and rural character is necessary to achieve substantial public benefits that outweigh that harm.
6. The site lies within the countryside, outside of any defined settlement boundary. The area is characterised by open land, largely free from development except for sporadic, simple dwellings and farm buildings. Narrow and unlit country lanes reflect the rural context of the area. The nearest settlement with attendant services and facilities is some distance away.
  7. I understand that the site is, and would continue to be, occupied by an extended family group. The proposed dwelling would provide accommodation for the present occupier of the house, in turn enabling the house to be occupied by other family members. I note that there is already an ancillary unit of accommodation on the site and that permission has been granted for the conversion of a ground floor of the same building to provide a third unit.
  8. There is a dispute between the main parties as to whether or not the proposal would comprise an ancillary unit of accommodation or would otherwise constitute a new planning unit. I note that the proposed building, which would be physically separate from the original house, would contain all the necessary space and facilities such that it could be occupied independently from the main dwelling, although access to the property and external space would be shared. However, notwithstanding this, the proposal would constitute new built development which, as set out in Policy SP1, is strictly limited in a rural area.
  9. The proposed development, albeit well designed in its own right, would be a substantial building with a generous footprint and would have a suburban, domestic appearance. It would be set within the Johnson's Farm complex of buildings rather than projecting into the open countryside that surrounds the site, but would nevertheless be visible from Turkey Street, particularly from the site access. Whilst I acknowledge that from some points along the lane, the bungalow would be seen against the backdrop of an existing building, it would nevertheless add significantly to the built form on site and introduce what would appear as an additional dwelling with attendant activity. Accordingly, it would reduce the openness of the site itself and have an urbanising influence on it and on the character and appearance of the rural area.
  10. Whilst I understand that the dwelling would be positioned in the same location as a previously demolished outbuilding, I have no information regarding the size or use of this building and am unconvinced the impact of the development would be comparable to it. I also note the existing landscaping which would partially screen the development from view, and I acknowledge the appellant's willingness to undertake additional planting. However, planting would take some time to become established and, in any event, would not be a permanent feature.
  11. My attention has been drawn to nearby farmsteads which contain outbuildings, although there is limited information before me about these sites. From all that I have seen, I am unconvinced that these sites are so extensively built up as the appeal site would be if the proposal were allowed. Accordingly, they are not directly comparable with the appeal site and do not justify the proposal which, in any event, I have treated on its own merits.

12. The appellant acknowledges that the site does not lie in accessible location with regard to services and facilities. The dwelling would not be isolated in physical terms and I acknowledge the appellant's point that as the site would be occupied by members of an extended family, the nature of communal living and shared care could result in potentially shared trips, which would reduce the number of journeys than might otherwise be necessary. However, given the variety of ages of occupants of the site, and therefore their different educational, employment, medical and social needs, I am unconvinced that any benefits in this regard would outweigh the disadvantages in terms of accessibility. Moreover, the proposal would not contribute to the sustainability of the wider community.
13. I acknowledge that the proposal may improve the general well-being of family members in terms of care, would enable the appellant to continue to live at the site and would provide accommodation for additional members of the family who currently live elsewhere. However, I am unconvinced that similar benefits would not be achieved by the existing accommodation on site and/or the proposed change of use of the ground floor of an existing outbuilding for which permission has already been granted. Furthermore, I have no specific details of any particular personal needs which would be met by the proposal. Accordingly, the private benefits of the scheme carry limited weight.
14. I have been directed to examples of ancillary buildings approved in the local area. However, I do not have the details of these applications before me to determine whether the circumstances were the same as those at the appeal site. Furthermore, it appears they were determined prior to the adoption of the Wyre Local Plan. In any event, I have determined this appeal on the merits of the case.
15. Accordingly, for the above reasons, the proposal would harm the character and appearance of the site and would not contribute positively to the physical or environmental character of the area. In addition, as set out above, the site would not be in an accessible location relative to services and facilities.
16. As such, the proposal would be contrary to Policies SP2 and SP4 of the Wyre Local Plan (February 2019) which together seek to promote sustainable development and protect the countryside against development that harms its rural character.
17. The Council, in its decision notice, has referred to Policy CDMP3 of the Local Plan which refers to matters of design. Given that the design of the proposed building is not in itself inappropriate, I find no conflict with this policy.

### **Conclusion and Recommendation**

18. On the basis of the evidence before me, there are not the substantial public benefits necessary to outweigh the harm caused by the proposal, as set out in Policy SP4. Furthermore, the private benefits stated carry limited weight for the reasons set out and, whilst I have taken them into account as a material consideration, they do not outweigh the conflict with policy I have identified.
19. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

*Hilary Senior*

APPEAL PLANNING OFFICER

**Inspector's Decision**

20. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*Susan Ashworth*

INSPECTOR