



Appeal Decision

Site visit made on 3 February 2020

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2020

Appeal Ref: APP/A2335/W/19/3241279

58 Wellington Road, Lancaster LA1 4DN

- 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 Wilkinson against the decision of Lancaster City Council.
 - The application Ref 19/00655/FUL, dated 17 May 2019, was refused by notice dated 7 August 2019 .
 - The development proposed is described as 'to change the use of the existing site by converting the existing redundant joiner workshop into a new dwelling. Part of the building will be demolished and a new extension added. The exist two storey part of the building will have the roof line increased to create usable space to the first for a bedrooms and bathroom.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the development on the character and appearance of the area; and
 - the effect of the development on the living conditions of the occupiers of No 56 and 58 Wellington Road particularly with regard to outlook and light.

Reasons

3. The terraced properties at the eastern end of Wellington Road and the semi-detached houses at 158 and 160 Wellington Road, adjacent to the appeal building, are mainly stone built properties with small front gardens and rear alleyway access. Features of the properties include stone mullioned windows, gabled pitched roofs, chimneys, two storey pitched roofed rear outriggers (to the terraced properties) and enclosure of rear yards with high boundary walls.
4. The wider area is characterised by more recent terraced and semi-detached housing and a small amount of commercial and community development. These wider building characteristics do not have a significant influence over the immediate environs of the appeal site.
5. The appeal site is set back from the Wellington Road frontage to the side of No 58 Wellington Road. The gabled front elevation, stone exterior and the simple pitch roof of the main workshop building, as well as the boundary wall around it, are reflective of the attractive materials and detailing of its immediate

surroundings. The workshop building is visible from both Newsham Road and Wellington Road and its built form positively contributes to the character and appearance of the area.

6. The proposed development would increase the height of the existing workshop building and introduce a side extension which would, in terms of its height and overall mass, dominate the existing structure. A combination of the increased height of the existing building, the changes to the front elevation and the form and mass of the proposed extension, with its relatively suburban design, would detract from the appearance of the existing workshop structure and its early 20th century surroundings. Further, despite the relatively tight urban grain of the terraced properties the overall size and design of the extension would result in a building that would appear too large for its restricted plot size.
7. I appreciate that the building has undergone a variety of alterations to accommodate the former workshop use and that the appellant proposes to use stone to construct the extension. However, the existing form, scale and materials of the workshop building and the stone detail to the front elevation facing Wellington Road are elements of the site that add to the character of the area. The value of these elements of the building to the street scene would be significantly compromised as a result of the development.
8. Consequently, I find that the proposed development would harm the character and appearance of the area. As a result, the development would conflict with Policy SC5 of the Lancaster Core Strategy (2003-2021) adopted July 2008 and Policy DM35 and DM41 of the Local Plan for Lancaster District 2011 – 2031 adopted December 2014 (Local Plan). These policies collectively seek to ensure development reflect and enhance the positive characteristics of its surroundings through good design and ensure land is used effectively taking into account the characteristics of different locations. This policy approach is consistent with the National Planning Policy Framework (the Framework) with which the development also conflicts.

Living Conditions

9. The side elevation of the existing workshop building is located on the joint boundary with No 58 Wellington Road. Although the building is currently covered in vegetation the height and location of the building encloses the rear amenity area of No 58. No 58 has rear facing windows in its main elevation and windows and a door which face towards the appeal site. The additional height and mass of the proposed development adjacent to the boundary would result in a dominant and imposing structure when seen from the rear windows of No 58. It would have an adverse overbearing impact on the outlook from No.58 and increase the dominance of the structure within the rear yard of the property to the detriment of the occupier's living conditions.
10. No.56 Wellington Road is separated from the appeal site by the alley way. No 56 has an angled gable elevation facing the site. There are two kitchen windows at groundfloor. The kitchen window in the angled gable elevation looks towards the site. The second larger kitchen window has an oblique view of the site. From both these windows the additional bulk of the proposed development would be apparent. However, I am satisfied that the additional mass of the proposed development would be sufficiently separated from the windows of No 56 so that it would not be overbearing. Further, I consider that the placement of windows in the proposed extension would prevent there being

any overlooking of No 56. Nevertheless, whilst I have considered the appellants conclusions in relation to the loss of sunlight, I find that the height and form of the proposed extension would limit the light into the kitchen windows of No 56 which would be detrimental to the occupier's living conditions.

11. Consequently, I conclude that the development would harm the living conditions of the occupiers of No 56 and No 58 Wellington Road particularly with regard to outlook and light. The development would therefore conflict with Policy DM35 of the Local Plan which expects development to ensure no significant detrimental impact in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution. This policy is consistent with the objectives of the Framework with which the proposal also conflicts.

Other Matters

12. I acknowledge the appellant's reference to the possibility that the change of use of a building in industrial use (Class B2) to a residential use (Class C3) may become permitted development, however, there is currently no such legislation in place.
13. The appellant has referred to a shortfall in housing provision over the period 2017-2033 but I have not been provided with any up-to-date figures by either party. Even if I were to conclude that there is a shortfall in housing provision as the appellant suggests, the contribution of one dwelling would be small and carries very limited weight, and the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.
14. I appreciate that the scheme has been amended in consultation with the Council and that a pre-application consultation was undertaken. However, this does not justify or outweigh the harm I have identified.

Conclusion

15. For the reasons given above the appeal is dismissed.

Diane Cragg

INSPECTOR