



Appeal Decision

Site visit made on 10 March 2020

by Conor Rafferty LLB (Hons), AIEMA, Solicitor

Decision by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2020

Appeal Ref: APP/P2365/D/19/3242848

Oak Barn, 7 Mercer Court, Altcar Lane, Great Altcar, West Lancashire, L31 4LF

- 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 G Owen against the decision of West Lancashire Borough Council.
 - The application Ref 2019/0449/FUL, dated 2 May 2019, was refused by notice dated 25 September 2019.
 - The development proposed is described as 'single storey side extension with conservation style rooflights, new upper front window, plus replacement windows and cills throughout'.
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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.

Procedural Matter

3. The appeal site is located in the Green Belt in close proximity to the Grade II Listed Building at Upper Gore Farmhouse. The parties agree that the proposal would not represent inappropriate development in the Green Belt and would not have a harmful impact on the setting of the Listed Building. From observations made during the site visit I have no reason to conclude otherwise.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the building.

Reasons for the Recommendation

5. The appeal site comprises a former barn that has been converted into a two storey semi-detached residential property. It forms part of a group of agricultural buildings now used as dwellings within Mercer Court. While the property is characterised by its current residential use its original agricultural nature is nonetheless evident, primarily due to its shape which, although

stepped in nature, remains simple, pleasing and reminiscent of its previous use.

6. The proposed development relates to a single storey side extension which, while modest in scale, would nonetheless fail to respect the character or form of the host dwelling. In particular, on the left side elevation, the dual pitch gable roof would sit uncomfortably with the single sloping profile of this side of the main roof. The extension would also be adjacent to a large glazed 'barn door' opening which presently forms an important rural feature of the building. The awkwardness of the roof form and its proximity would diminish the visual dominance of this attribute. Consequently, the proposal would unbalance the characteristic simple form such that it would appear as a disjointed suburban addition out of place in the rural context of the dwelling.
7. Although views of the proposal would be limited in the wider area, the adverse effects of the proposal would be readily apparent from the grounds of the appeal site. In any event, limited public views should not justify poor design which in this case would fail to maintain the intrinsic form and character of the building.
8. For these reasons I find that the development would have a significantly adverse visual effect on the character and appearance of the host building. Accordingly, it would fail to comply with Policy GN3 of the West Lancashire Local Plan 2012 – 2027 Development Plan Document, October 2013 (DPD) and West Lancashire District Council Supplementary Planning Document Design Guide, January 2008 which seek to protect the character and identity of buildings.
9. The Council makes a minor reference to the appeal property as a non-designated heritage asset and the reasons for refusal refer to DPD Policy EN4 which in part relates to the protection and enhancement of existing non-heritage assets, such assets to be identified through a Local List. However, I have not been provided with information such as a local list or historic environment record that identifies the building as a non-designated heritage asset. There is also little indication from the Council as to why the building is considered important in this respect or which establishes the degree of heritage significance that is attached to it. I therefore give this matter limited weight in my assessment.

Other Considerations

10. Reference has been made to other examples of similar development in the surrounding area. From the available evidence these mostly relate to existing gable ended properties and are therefore sympathetic in their form. Similarly, the recent approval at 3 Mercer Court responds to the existing gable form of the building. I must also consider the effect of the development on the character and appearance of the individual host property with regard to the adopted development plan and SPD. I have considered this appeal on its own site-specific circumstances and, in view of the degree of harm I have identified, the reference to other development nearby does not alter my recommendation.
11. The personal circumstances of the appellant are also acknowledged, whereby the existing dwelling does not adequately meet the needs of modern living. However, personal circumstances will seldom outweigh more general planning

considerations and the matters raised in this instance do not attract sufficient weight in planning terms to override the harm that would arise.

12. The appellant contends that the proposal would amount to permitted development but for the fact that permitted development rights have been removed. Regardless of whether that is the case, permitted development rights have been removed and there is no legitimate fallback position in terms of any consent granted through The Town and Country Planning (General Permitted Development) (England) Order 2015. In such circumstances, I must consider the planning merits of the proposal and reference to what may be erected under a hypothetical scenario has not altered my recommendation in relation to the main issue above.

Conclusion and Recommendation

13. Having had regard to all matters raised, I recommend that the appeal should be dismissed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

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

P J Davies

INSPECTOR