



Appeal Decision

Site visit made on 29 June 2019

by Conor Rafferty LLB (Hons), AIEMA, Solicitor

Decision by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 22 July 2020

Appeal Ref: APP/A2335/D/20/3247057

Medina, 9A Meadow Park, Galgate LA2 0NH

- 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 and Mrs Watts against the decision of Lancaster City Council
 - The application Ref 19/01378/FUL, dated 30 October 2019, was refused by notice dated 23 December 2019.
 - The development proposed is described as 'proposed dormer to rear, two pitched dormers to front. Rear single storey extension'.
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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.

Preliminary Matters

3. The Council raised no objection to the front dormer element of the proposal. I see no reason to take a different view, having regard to the minor impact those changes would have on the external character of the building.
4. Two sets of plans have been provided by the appellant. I have made this recommendation on the basis of Drawing. No. 001 Rev.D (Elevation Floor Site Location), which it is stated was under consideration when the application was determined.

Main Issue

5. The main issues are the effect of the development on (i) the character and appearance of the host dwelling and the surrounding area; and (ii) the safe and efficient operation of the highway network in the vicinity of the appeal site.

Reasons for the Recommendation

Character and appearance

6. The appeal site is located on the southern side of Meadow Park, close to the junction with Lime Avenue. It comprises a detached bungalow with modest gardens to the front and rear. The surrounding area is characterised by its residential use, with a variety of styles and designs of dwellings in the vicinity of the appeal site.

7. The proposed development comprises dormers to the front and rear of the property, and a rear single storey extension. It would be constructed from external materials to match the existing brickwork at the dwelling, but would represent a considerable increase to the property, resulting in a level of built form with dimensions that would not respect the scale or massing of the building.
8. The proposal would add a significant amount of bulk along the rear elevation, resulting in a material change to the overall character and appearance of the dwelling by upsetting its simple shape and modest dimensions. The extension element would lead to a substantial reduction of the private amenity space to the rear, dominating this section of the appeal site and appearing as an obtrusive form of development. The rear dormer element of the proposal would also represent a prominent addition to the appeal property, spanning across almost the entire width of the roof. This would serve to highlight the imposing nature of the proposal, further emphasising the obtrusive nature of the development within the site.
9. The rear dormer and extension elements of the proposal would not be visible from Meadow Park. However, due to the positioning of the site surrounding dwellings would have direct and clear views into the rear garden. From such viewpoints these elements of the proposal would appear as incongruous and awkward additions to the modest appeal property due to the increased scale and massing they would create. Having regard to the restricted visibility of the proposal and the high level of variation in design approach within the immediate vicinity, the impact on the character and appearance of the surrounding area is limited. Nonetheless, the resultant building, taken in its entirety, would not represent a high quality of design or an overall improvement to the existing appearance of the site.
10. For all of those 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 DM35 of the Local Plan for Lancaster District 2011 – 2031 Development Management DPD, adopted December 2014, which seeks to ensure a high level of design.

Highway Safety

11. In accordance with the plans submitted, the appeal property would benefit from four bedrooms following the development of the proposal. Appendix B to the Local Plan for Lancaster District 2011 – 2031 Development Management DPD states that residential dwellings with four or more bedrooms must provide a minimum of three spaces for car parking. The Council has stated that as a result of the proposal the reduced dimensions of the garage would be below the minimum standard for a motor vehicle. While the Council do not provide evidence of any such minimum standard, the appellant has conceded that the current dimensions of the garage are too small to comfortably accommodate the car. As such, it would stand to reason that the resulting smaller garage would also be incapable of representing a parking space from the point of view of the appellant.
12. The dimensions of the appeal site are such that it could not provide three spaces for car parking. As such, the proposal would not comply with the requirements of Policy DM22 of the Local Plan for Lancaster District 2011 – 2031 Development Management DPD and would be likely to result in additional parking outside of the site, most probably directly outside of the appeal site along the Meadow Park vehicular highway.

13. It is recognised that this highway does not currently have any parking restriction in place. However, the appeal site is located close to both the junction with Lime Avenue to the east and a bend in the highway when travelling west along Meadow Park. As such, additional parking of vehicles in this location could restrict visibility for other road users and lead to an increase in the risk of collisions as a result of obscured views.
14. For all of those reasons I find that the development would have an adverse effect on the safe and efficient operation of the highway network. Accordingly, it would fail to comply with Policies DM22 and DM35 of the Local Plan for Lancaster District 2011 – 2031 Development Management DPD, adopted December 2014, which seek to promote highway safety.

Other considerations

15. The personal circumstances of the appellant are acknowledged, whereby they have suggested that the appeal property is unsuitable for 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.
16. The appellant has also referred to various examples of rear dormers and comparable plot coverage within the immediate area. However, limited information has been provided and I must also consider the effect of the development with regard to the adopted development plan. 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 does not outweigh this.
17. The appellant has further stated that the garage space could be converted under permitted development rights. It is acknowledged that conversion of the garage alone would not have an adverse effect on the safe and efficient operation of the highway network, in retaining space for the parking of two cars at a three-bedroom property. However, the policy conflict arises when the conversion of the garage is combined with the other works at the appeal property such that it would become a four bedroom house with inadequate parking. Accordingly, limited weight is attached to this fallback position.

Conclusion and Recommendation

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

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be dismissed.

C Searson

INSPECTOR