

Appeal Decision

Site visit made on 16 December 2020

by R Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 January 2021

Appeal Ref: APP/M2325/D/20/3259696

Hillside Farm, Well Lane, Little Ecclestone With Larbreck PR3 0XR

- 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 Andrew Alty against the decision of Fylde Borough Council.
 - The application Ref 20/0328, dated 12 May 2020, was refused by notice dated 30 June 2020.
 - The development proposed is demolition of single storey rear outbuilding and erection of two storey rear extension.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Andrew Alty against Fylde Borough Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Well Lane Conservation Area (CA).

Reasons

4. The appeal property is located in a prominent position on the entry into the hamlet along Well Lane. Although there is variety between the houses, the hamlet is picturesque and contains a range of traditional rural properties.
5. A former farmhouse, the appeal property has a long and simple plan form, with a small single storey extension to the rear. Its architectural interest remains evident and its strong 3-dimensional form, its window detailing and chimneys, combined with its prominent position, all positively contribute to the character and appearance of the CA in this rural area.
6. Notwithstanding the differences in the main parties' calculations, even considering the existing extension to the rear, the proposal would appear as a substantial addition to the host property due to its length, width and height. Although stepped down in height from the main ridgeline of the dwelling, its substantial massing would not appear subservient to it. The proposal would be at odds with, and detract from, the strongly defined 3-dimensional form of the host property.
7. Contemporary design, can, in some circumstances, be an appropriate approach to an extension or alteration of a historic building. In this regard there are

- several examples of contemporary design within the CA, including the use of dormer windows and large areas of glazing. However, none that I saw, or have been referred to, are similar to the proposal before me in terms of the overall combination of scale, design and the character of the host property.
8. Although matching materials are proposed, the scale and massing of the extension projecting a significant length from the main rear elevation of the dwelling, would fail to harmonise with the host property. The suburban appearance of the proposed dormer window and other fenestration serving the bedroom and kitchen/dining area would exacerbate this contrast. The overall result would jar injuriously with, and be to the detriment of, the character and appearance of the host property.
 9. I understand that there were previously large barn buildings to the rear of the appeal property. However, I do not have any firm details of these buildings and the proposal would be clearly seen as an extension. It would therefore have a materially different character to such buildings.
 10. The rear elevation would not be seen from public views. However, due to the length of projection and height the proposed extension would be seen, in part, from sections of Well Lane and in private views from the rear of the property. On the approach into the hamlet along Well Lane the extent of views would vary depending on the level of cover from planting. However, even incremental changes can erode the character and quality of an area and, as such, despite the limited locations that the proposal would be viewed from, it would result in harm to the character and appearance of the CA.
 11. Although in the context of paragraph 196 of the National Planning Policy Framework (the Framework), the resulting harm to the CA would be less than substantial. Any harm to the CA is a matter that attracts great weight, having regard to paragraph 193 of the Framework and the statutory duty to preserve or enhance CA's. In accordance with paragraph 196 of the Framework I must balance that less than substantial harm against the public benefits of the proposal.
 12. There is no dispute that the proposal would not impact on the availability of small rural homes in the area, due to the size of the host property. However, the absence of harm in this respect is a neutral matter. I recognise that there is some support locally and I understand that extending the property might meet the appellant's need for increased accommodation. Moreover, the appellant is seeking to make an effective use of an existing dwelling and the design would maximise solar gain. These are objectives encouraged by the Framework.
 13. However, I afford these benefits limited weight as the benefits to the public would be low. As such, I am not persuaded that these benefits outweigh the harm to the character and appearance of the CA.
 14. The proposal would therefore conflict with the requirements of Policies GD7 and ENV5 of the Fylde Local Plan (2018) (LP) and the Framework. These stipulate, amongst other things, that proposals for development should conserve, protect and, where appropriate, enhance the character, appearance, significance and historic value of Fylde's designated and undesignated heritage assets.

15. The Council have also referred to Policies GD4 (criterion c) and H7 (criterion b) of the LP in its reason for refusal. Policy GD4 limits development in the countryside to, amongst other things, extensions to existing dwellings in accordance with Policy H7.
16. Policy H7 stipulates that its requirements apply to all dwellings in the countryside. The justification to the policy indicates that its intention is to avoid small, rural, traditional homes being replaced by much larger modern homes and to protect the character and appearance of the countryside.
17. The size of the proposed extension would exceed the level stipulated in criterion (a) of Policy H7. Any extension must also respect the character and appearance of the rural area as stipulated in criterion (b). The proposal would not impact on the availability of smaller properties in the rural area. Nonetheless, given my findings above, the proposal would conflict with Policies H7 and GD4 of the LP, insofar as they relate to the character and appearance of the rural area.
18. The main issues in other appeal decisions that I have been referred to, in relation to Policy H7, related to the effects upon the rural housing mix with particular reference to the availability of smaller properties. As such, the circumstances in those appeals are not comparable to the main issue before me.

Other Matters

19. The Council advise that the site is located within the buffer of the Morecambe Bay Ramsar site, Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA). As such, the Conservation of Habitats and Species Regulations 2017 require an assessment to be undertaken, as to whether a proposal would be likely to have a significant effect on the interest features of a protected site before any planning consent is granted.
20. Although the Council refer to this matter within its officer report, I have no firm evidence that an Appropriate Assessment has been undertaken. However, I have already identified harm to the character and appearance of the CA, such that undertaking my own Appropriate Assessment would not alter the outcome of the appeal. On that basis, there is no need to examine this further for the purposes of making my decision.
21. Concerns regarding the processing of the application are not issues that I can assess as part of this appeal. The validity or not of such matters do not affect the planning merits or effects of the proposal before me and I have made my own assessment as to its impacts.

Conclusion

22. The proposal would harm the character and appearance of the CA in this rural area. As such, it would conflict with the requirements of Policies GD4, H7, GD7 and ENV5 of the LP and the Framework.
23. Whilst I note the appellant's interpretation of Policy H7, the harm to the CA and conflict with the requirements of Policies GD7 and ENV5 would be sufficient, in any case, for the proposal to be in conflict with the development plan when taken as a whole.

24. I have taken account of all the other matters raised, including the benefits of the proposal. However, none changes the balance of these findings and the harm I have identified.
25. As such, I find there to be no material considerations, in this instance, that would indicate that the appeal decision should be taken other than in accordance with the development plan.
26. The appeal is therefore dismissed.

Robert Walker

INSPECTOR