



Appeal Decision

Site Visit made on 22 June 2021

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 July 2021

Appeal Ref: APP/D2320/W/21/3270789

Wilbrook, Bluestone Lane, Mawdesley, Chorley, L40 2RG

- 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 Simon Malcolm against the decision of Chorley Borough Council.
 - The application Ref 19/01050/FUL, dated 1 November 2019, was refused by notice dated 9 December 2020.
 - The development proposed is the demolition of a detached dwelling (known as Wilbrook) including various outbuildings and the construction of five detached 2 storey dwelling and associated external works.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description in the banner heading above is taken from the planning application form. However, during the Council's consideration of the application the appellant submitted revised proposals reducing the number of proposed dwellings to 4. This is the basis on which the Council made its decision. The description of development subsequently appearing on the Council's Decision Notice is the 'Erection of 4no. detached dwellinghouses, following the demolition of the existing dwelling and associated outbuildings'. This was the description used by the appellant for the purposes of this appeal. I have therefore proceeded on the basis of the amended proposals.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the locality.

Reasons

4. The site lies within a rural landscape characterised by mixed arable and grazing land divided by hedges, roads and tree lines. Residential development in the locality is dispersed along the rural lane frontages and appear as short rows or small clusters of properties with intervening fields separating the groups. The houses are predominantly individually designed detached and semi-detached dwellings of 1 or 2 storeys. These are informally arranged in a variety of plot sizes. The buildings are mostly set behind hedged and landscaped front gardens which vary in depth. Properties generally benefit from dedicated vehicular access points.
5. The plot is bordered by open fields on three sides and a domestic property to the north. The land accommodates an extended detached bungalow and three

detached buildings comprising an office, a modern barn and a timber shed. The site includes landscaped gardens and an area of woodland extending along part of the site's wide frontage.

6. The scheme shows a line of four detached dwellings set adjacent to an internal access road utilising a single access point on Bluestone Lane. The identical house types have a modern chalet-style appearance which would be finished in render, timber cladding and slate. Three dwellings would be orientated with gable frontages facing the road, the southernmost building would lie with its ridge parallel to the lane. The land would be subdivided to provide short front garden areas, private rear amenity gardens and parking alongside the buildings. A 2m wide footway is shown to be provided across the site's frontage and extending into the site along the length of the internal roadway. Undefined landscaping areas along the site's frontage are also illustrated.
7. The layout would provide a density of development not dissimilar to that in the local area. The plot sizes would be commensurate with some examples in the vicinity and provide adequate private garden spaces. However, the regular siting and consistent design of the units would contrast sharply with the prevailing organic arrangement of individually styled buildings along this part of Bluestone Lane. Although the southernmost unit would have an alternative orientation, it would be largely screened by the treed area. In contrast, the 3 regimented plots to the north would be highly visible on land sitting above the level of the lane.
8. The secondary frontage created by the internal roadway and pavements would introduce large areas of hard surfacing. These would be prominent in the views of the site. The visual effect would be increased by the short front gardens, the rigid line of the gabled frontages and the intervening hardstandings backed by fencing. Although the parking areas would not be excessive in themselves, they would contribute to a significant accumulation of hard surfaces that would provide an uncharacteristic hard edge to the development. The formal layout would provide little of the softening to the built development in the area achieved through the larger enclosed gardens fronting on to the road.
9. I acknowledge that the small front gardens could be augmented by planting in the areas alongside the access road. However, those areas would be set below the houses, be broken by the wide opening of the access and footways and have a visual detachment that would limit its capability to effectively mitigate the extent of the harm arising from the contrasting character of development.
10. For the above reasons, I find the development would fail to integrate with the local character of development. This would conflict with the requirements of Policy BNE1 of the Chorley Local Plan 2012-2026 [2015] which seeks to ensure the layout and design of development respects the character of the local area.

Other Matters

11. I note the representations of a third party in relation to highways and drainage. The proposal includes a widened access with footways in either direction. This would provide adequate visibility for vehicles using the access and enhanced pedestrian facilities. Furthermore, it has been assessed by the Council's highway advisors and found to be acceptable in terms of highway safety and capacity. Having visited the site, I concur with that view. An appropriate

drainage strategy for the site, based on the hierarchy of sustainable drainage principles, could be secured through suitable condition.

Planning Balance

12. The Council do not contest that it cannot demonstrate a 5-year housing land supply. According to the evidence provided by the appellant, the shortfall is considerable. Consequently, footnote 7 of the National Planning Policy Framework (the Framework) applies which engages para 11 d).
13. There is no dispute between the main parties that the proposal would not cause harm to the Green Belt in which the site is located. As such, there are no policies in the Framework that protect areas or assets of particular importance and which provide a clear reason for refusing the development as set out in para 11d) i). Therefore, consideration must be had as to whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole (para 11 d) ii of the Framework).
14. As set out above, I have found harm to the character and appearance of the locality. The LP requirement in that respect are consistent with the Framework's aim of achieving well-designed places. Given buildings are designed to last tens of years, I afford this harm significant weight.
15. I turn now to the benefits of the proposal. The proposal would constitute a windfall site that would contribute 3 additional units to the Borough's housing supply. This could deliver social and economic benefits to the locality and contribute to the vitality of a rural community. However, 3 new units would only make a small contribution in helping to address the scale of overall housing supply shortfall. Nevertheless, this is a benefit of moderate weight.
16. In support of the proposal the appellant refers me to the fact that the site could be developed without harm to the living conditions of nearby residents or highway safety. As policy requirements these are not benefits of the scheme. The proposals would be in a location where the services in nearby villages could be supported, however, any benefit therein would be largely offset by the requirements for residents to rely on private motor vehicles to conveniently access those facilities. It is therefore a matter to which I attach little weight.
17. Set against the identified harm, the benefits associated with a gain of 3 new dwellings would be limited even taking account of the objective of boosting significantly the supply of housing in the Framework and the Council's housing land supply and delivery position. Consequently, the adverse impacts on the character and appearance of the locality would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

18. For the above reasons, the appeal should be dismissed.

R Hitchcock INSPECTOR