



Appeal Decision

Site Visit made on 22 June 2021

by Sarah Manchester BSc MSc PhD MIEEnvSc

an Inspector appointed by the Secretary of State

Decision date: 21st July 2021

Appeal Ref: APP/F2360/W/21/3270520

367 Brindle Road, Bamber Bridge, Preston, Lancashire PR5 6AP

- 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 Chadwick against the decision of South Ribble Borough Council.
 - The application Ref 07/2020/00860/FUL, dated 13 November 2020, was refused by notice dated 15 January 2021.
 - The development is described as change of use of part of the domestic land, erection of a workshop building and raising of the boundary fences (retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form states the development was completed in August 2020. At the time of my visit, I saw that the building has been constructed and it is in use. A 2.4m high close-boarded timber fence has been erected to the rear of the site and also between the appeal building and No 367. The 2.4m fence to the side boundary with No 365, illustrated on the submitted plans, had not been erected. I have determined the appeal on the basis that retrospective planning permission is sought for the development that has been implemented and permission is sought for the proposed fencing not yet implemented.
3. Amended plans (Ref 2020-SP02A) submitted with the appeal illustrate timber cladding to the building elevations. Although not the scheme that was considered by the Council, interested parties have been provided with the opportunity to comment on it in the appeal process. I am satisfied that no party would be prejudiced by my taking it into account in my determination.

Main Issues

4. The main issues are the effects of the proposal on:
 - i) The character and appearance of the area; and
 - ii) The living conditions of neighbouring residential occupiers.

Reasons

Character and appearance

5. No 367 is a detached dwelling set back from the road and with a large garden to the rear. It is in a predominantly residential area characterised by irregularly sized and sited dwellings in plots of various sizes and shapes. There is large

industrial estate on the opposite side of Brindle Road, but it is separated and screened from the residential area by dense mature planting. Consequently, the visual context for the appeal scheme is the surrounding built environment, which has a suburban residential character and appearance.

6. The appeal building is a large detached building roughly 12m long, 7.5m wide and 4m tall. It is finished in grey steel cladding with a steel pitch roof with roof lights. It has a steel roller shutter door and a pedestrian door to its front elevation. Although to the rear of the site, the building is visible and conspicuous between Nos 365 and 367. Its industrial urban appearance and overly large size and scale are incongruous and discordant in juxtaposition with the surrounding suburban residential styles and traditional palette of materials.
7. The 2.4m high fences to the rear of No 367 and behind the appeal building are not readily visible from the front of the property. However, the 2.4m high fence proposed along the side boundary of No 365 would be more than 30m in length and it would be visible from the street. By virtue of its height and length, the long side boundary fence would be visually obtrusive. It would be out of scale and discordant in juxtaposition with the low eaves and single storey elevation of the neighbouring property. Moreover, it would be out of keeping with the lower heights of side and rear boundary fences elsewhere in the area.
8. The development as a whole does not relate well and it is not sympathetic to the surrounding built environment or townscape character. In combination with the appeal building, the large expanse of blacktop hardstanding to the front of the building and its enclosure by tall fencing compounds the unsympathetic industrial appearance of the development. The development does not make a positive contribution to sense of place or local distinctiveness.
9. I accept that a different external finish, such as the cladding illustrated by the amended plans, might result in a less industrial appearance. However, the appeal site is not in the countryside and it is not part of or near to a rural farmstead. Large timber clad agricultural sheds and barns are not characteristic of suburban gardens in residential areas. In any case, timber cladding would not mitigate the cumulative adverse visual impact arising from the size and scale of the building, the large industrial roller shutter door, the extensive hardstanding and the height and length of close-boarded fencing.
10. Therefore, the development harms the character and appearance of the area. It conflicts with Policy G17 of the South Ribble Borough Council Local Plan Adopted July 2015 (the LP). This requires, among other things, that development should avoid detrimental impacts on the street scene and that it should respect the character of the area. Although not cited in the reason for refusal, the development also conflicts with the aims of Policy 17 of the Central Lancashire Adopted Core Strategy Local Development Framework Adopted July 2012 (the CS), in that it fails to take account of the character and appearance of the local area including in terms of its layout, scale, design and materials.

Living conditions

11. The Council's reasons for refusal relate to the detrimental impacts of increased traffic on residential amenity. However, the Council's evidence and the third party representations to the application and the appeal raise additional concerns. The appellant is aware of the third party representations and he has

been provided with the opportunity to comment on them in the appeal process. Therefore, I have taken them into account.

12. The appeal building is to the rear of the plot close to the shared boundary with 7 Craigflower Court. By virtue of the siting and size of the building and the 2.4m boundary fence, the occupiers of No 7 are unlikely to be disturbed by vehicles or people in the appeal site. At its closest point the appeal building it is roughly 10.5m from the neighbouring dwelling, which is less than the minimum separation distance recommended between windows facing a blank elevation. However, the oblique siting of No 7 relative to the appeal building will mitigate the adverse visual impact of the proposal to a degree.
13. The submitted plans illustrate, and I saw during my visit, external cameras and lights attached to the appeal building. While these are for security purposes, I note the neighbours' concerns in relation to loss of privacy and disturbance by the motion-sensitive lights which are activated by the residential use of No 7's garden. There is little before me to demonstrate the field of view of the cameras or that they do not and could not overlook the neighbours. Moreover, even if it was appropriate to use vegetation to screen the cameras and the intrusive security lights, there appear to be no proposals for planting to soften or screen the development. In any case, given the proximity to the boundaries, it seems unlikely that there could be any meaningful screen planting.
14. No 365 is a detached dormer dwelling sited close to the boundary with No 367. The neighbouring residential occupiers will therefore be acutely aware of the comings and goings in the appeal site. The evidence refers to 4 full-time employees, these being the appellant, his wife and 2 employees. However, this does not account for the entirety of the activity at the site. Notwithstanding the apparently low number of delivery vehicles, there will be cumulative effects from the activity of residential occupiers, business employees, and commercial and private visitors to both No 367 and the appeal building. I accept that the increase in online shopping deliveries during the pandemic will have contributed to an increase in vehicles along Brindle Road. Nevertheless, the proposal will have resulted in a significant intensification of activity within and adjacent to the site and this will be materially different to a solely residential use of No 367. Consequently, the increased noise and disturbance will be detrimental to the neighbouring occupiers of No 365, both in their dwelling and its garden.
15. Submitted photographs illustrate that the driver seating of commercial vehicles is elevated above the existing side boundary fence, allowing overlooking into No 365 and its garden. The low fence also allows views of the appeal building from the neighbouring habitable room windows and garden. Particularly from the rear garden of No 365, the appeal building will be a dominant and incongruous feature and it will be overbearing to the neighbouring occupiers. The proposed 2.4m boundary fence would screen vehicles and pedestrians from No 365. However, taking account of the proximity of No 365 and the width of the neighbouring rear garden, the extensive tall fence with views of the building above would nevertheless be an unneighbourly form of development.
16. The submitted noise assessment indicates that neither the current industrial processes within the appeal building nor the ventilation system would result in significant noise disturbance to neighbouring residential occupiers. However, a future Use Class E(g) use of the building might not be similarly benign. The

Council's Environmental Health Officer recommends that a planning permission should be restricted to the appellant, to Use Class E(g) and specifically the assembly of circuit boards, that operating hour should be restricted and all openings should remain closed except for access and egress. However, for reasons set out above, such measures would not be adequate to mitigate the adverse impacts.

17. Therefore, by virtue of noise and disturbance and visual intrusion, the development is harmful to the living conditions of neighbouring residential occupiers, including 365 Brindle Road and 7 Craigflower Court. It conflicts with the residential amenity aims of LP Policy B1. Although not cited in the reason for refusal, as the development is detrimental to residential amenity, it also conflicts with the aims of CS Policy 17 in this regard.

Other Matters

18. The former 2 bay garage was replaced with the appeal building during the first coronavirus pandemic lockdown in 2020. The evidence states this was to allow the appellant's business to operate from home on a temporary basis. However, the application is not seeking a temporary change of use of the appeal site and there is little before me to indicate that the light industrial appeal building would revert to an ancillary domestic use. Therefore, the pandemic does not weigh in favour of the proposal.
19. Irrespective of the commercial use, the appellant wishes to retain the appeal building. However, he states that, if the appeal should fail, the building would be altered to benefit from permitted development rights. This would require it to be reduced in height or moved further from the boundary. The boundary fences would be reduced to 2m height to comply with the permitted development rights. No illustrative plans have been provided, but it seems likely that a smaller building further from the boundary and lower fences would have a less adverse visual impact. On this basis, even if the permitted development rights would be a valid fallback position at the site, this does not provide a justification for the proposal.

Conclusion

20. For the reasons set out above, the development conflicts with the development plan and there are no material considerations to outweigh that conflict.
21. Therefore, the appeal is dismissed.

Sarah Manchester

INSPECTOR