



Appeal Decision

Site visit made on 1 March 2022

by Paul Singleton BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th March 2022

Appeal Ref: APP/N2345/W/21/3282636

SLATERS FARM, 207 WHITTINGHAM LANE, GOOSNARGH, PR3 2JJ

- 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 Mrs Lynne McMurray against the decision of Preston City Council.
 - The application Ref 06/2021/1034, dated 12 July 2021, was refused by notice dated 2 September 2021.
 - The development proposed is 1 no. detached dwelling and garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: (a) whether the form of development is appropriate having regard to the site's location outside of a defined settlement; (b) the effect on the setting and significance of the Grade II listed farmhouse and former barn at Slaters Farm; and (c) the effect on the character and appearance of properties in the immediate vicinity of the site and on the wider rural character of the open countryside location.

Reasons

Site location

3. The appeal site is located in the open countryside as shown on the Policies Map of the Preston Local Plan 2012-2026 (Site Allocations and Development Management Policies) (SADM). SADM Policy EN1 states that development in the open countryside will be limited to: (a) that needed for agriculture, forestry or other purposes appropriate to a rural area, (b) the re-use or re-habitation of existing buildings, or (c) infilling within groups of buildings in smaller rural settlements. The parties agree that the proposal falls to be considered against part (c) of this policy.
4. No definition is given in the SADM, the Central Lancashire Core Strategy (CLCS) or the National Planning Policy Framework (Framework) as to what constitutes 'infilling' or infill development. In its determination of the application, the Council relied upon a definition given in a previous appeal decision which indicated that 'infilling' normally refers to a plot in an otherwise built frontage whereas 'back-land' comprises development to the rear of existing built development. In that decision, the Inspector also referred to the Planning Portal definition which states that infill is development of a relatively small gap between existing buildings. I agree with that Inspector that this

reflects a widely accepted understanding as to what might constitute infill development.

5. Although the Council recited this definition in its report, it seems that it has not strictly applied this approach in the determination of some other applications referred to by the appellant. For example, whilst the Radar Station site and the site directly opposite the appeal site, on the south side of Whittingham Lane, have been judged to form part of an existing built frontage, I do not consider that either of these could reasonably be described as constituting small gaps in that built frontage. However, I accept that those permissions will lead to the further continuation of the ribbon pattern of development that is found along this section of Whittingham Lane. This form of development is distinguishable from that proposed in the appeal scheme.
6. I do not accept that the appeal site sits between the listed farmhouse, barn and the large, modern bungalow immediately to the west. On the appellant's estimate, the new dwelling would be nearly 47 metres (m) distant from the nearest part of the farmhouse. It would also be sited beyond the northernmost extent of the adjacent bungalow. Rather than fitting within an existing cluster of buildings, the proposal would result in a significant extension of built development within the wider site. It would also extend considerably beyond the general depth of the existing ribbon development along Whittingham Lane. In that regard, the proposal is also distinguishable from the permission granted at Brookside Cottage (Planning Permission Ref. 06/2019/1305).
7. The appeal scheme clearly comprises back-land development and does not fit within any reasonable definition of what might constitute infilling. As it would not comprise development within any of the other exceptions in SADM Policy EN1, the proposal conflicts with that policy and is contrary to the hierarchy of locations for accommodating new development and growth as set out in CLCS Policy 1.

Effect on setting

8. Although the Grade II listed Slaters Barn has been converted to residential use it is still readily identifiable as a former agricultural building of traditional construction and character. Its historical association with Slaters Farmhouse (also Grade II listed) and with the agricultural land to the north is also readily apparent. I do not consider that the conversion of the barn or the rendering of the farmhouse, subsequent to its listing, have significantly eroded the special interest of the two listed buildings.
9. Although the appeal site mainly comprises an area of hardstanding, its size and shape suggests that there was historically a functional relationship between this land and the farmhouse and barn. There is clear intervisibility between the site and the house. This is not blocked to any significant degree by the portal frame building to the rear of the farmhouse. A clear view is also available through the gap between the farmhouse and barn, in which the extent of open land to the rear of the house can be appreciated from the public highway. Having regard to these matters, I find that the appeal site makes a positive contribution to the setting of the two listed buildings.
10. The appeal proposal would introduce a large, two-storey dwelling and a large, detached garage which, in combination, would extend across most of the width of the site. The effect would be to block the views currently available from the

rear entrance of the farmhouse to the open land to the north, thereby severing the visual connection between the farmhouse and that land. It would also block the existing view of that open land from the public highway. The new dwelling and garage, as well as the domestic treatment of the driveway, turning area and proposed lawn to the front, would encroach into the setting of the listed farmhouse. These interventions would have a negative impact on the way in which the setting of the farmhouse and barn is appreciated from Whittingham Lane.

11. I find that the proposal would have a moderately adverse impact on the setting of the two buildings and on the contribution that this makes to their significance. This effect would amount to less than substantial harm.
12. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to have special regard to the desirability of preserving a listed building or its setting. Paragraph 199 of the Framework requires that great weight should be given to the conservation of designated heritage assets. Paragraph 202 states that, where a proposal would lead to less than substantial harm to the significance of a designated asset, that harm should be weighed against the public benefits of the proposal.
13. The appellant points to the former use of the site for the storage and repair of coaches and suggests that the removal of that use would be a benefit to the site and neighbouring properties. The Council's evidence is that the site comprises vacant land and I saw no evidence of any current use for coach parking and repairs on my site inspection. Hence, it would appear that this use has already ceased. The provision of a large new dwelling might be considered a public benefit. However, any weight that might be given to this is reduced due to the conflict with the spatial hierarchy set out in the CLCS and the harm to the open countryside that I identify in paragraph 16 of this decision.
14. In the absence of any tangible public benefits that would outweigh the less than substantial harm to the significance of the two listed buildings, I find that the proposal conflicts with the policies in section 16 of the Framework. It also conflicts with Policy 16 of the CLCS, which seeks to safeguard heritage assets from inappropriate development, and with LADM Policy EN8, which requires that proposals affecting the setting of a heritage asset should accord with national policy in the Framework and make a positive contribution to the character and local distinctiveness of the asset.

Character and appearance

15. Although there are larger houses on Whittingham Lane close to the site where new dwellings are being constructed under planning permission Ref. 06/2018/0818, that section of the road closest to the appeal site is characterised by bungalows and dormer bungalows. In terms of their footprint and overall height, these are not dissimilar to Slaters Farmhouse and Barn. Although the bungalow immediately to the west has a larger footprint, this is also of single-storey form. The immediate context of the site provides no support for the construction of a very large, two storey, 5 bedroom dwelling, extending to nearly 8m at its roof ridge.
16. In conjunction with the detached double garage, the scale and massing of the proposed dwelling would be out of keeping with that of the existing dwellings in the immediate locality and would be intrusive in that context. I note that some

of the design details seek to give the dwelling a barn-like appearance but do not consider that this would produce a successful outcome given the scale and bulk of the dwelling. I agree with the Council that the proposal would have a semi-suburban rather than a rural appearance. It would fail to respond to the local character and distinctiveness of other development in the locality of the site and would cause harm to the rural character of the surrounding open countryside.

17. The proposal conflicts with CLCS Policy 17, which states that the design of new buildings should take account of the character and appearance of the local area, and with LADM Policy EN9, which states that proposals should make a positive contribution to the character and local distinctiveness of the area.
18. As explained in paragraph 13 above, I give little weight to the potential benefit of the provision of a new dwelling. There are no other material considerations that outweigh the harm and conflict with the development plan that I have identified.

Conclusions

19. For the reasons given above I conclude that the appeal should be dismissed.

Paul Singleton

INSPECTOR