

Appeal Decision

Site visit made on 24 February 2022

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15TH March 2022

Appeal Ref: APP/A2335/D/21/3289999
48 Schoolhouse Lane, Halton, LA2 6QX

- 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 I Khan against the decision of Lancaster City Council.
 - The application Ref 21/00328/FUL, dated 15 March 2021, was refused by notice dated 11 November 2021.
 - The development proposed is a first floor extension and garage extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor extension and garage extension at 48 Schoolhouse Lane, Halton, LA2 6QX in accordance with the terms of the application Ref 21/00328/FUL, dated 15 March 2021 and in accordance with the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building;
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: K01 Rev B; K02 Rev B; K03 Rev B; K04 Rev A;
 - 4) No occupation or use of the development shall occur until the first floor windows on the rear (southwest) elevation have been fitted with obscure glazing only. The windows shall be maintained with fixed obscure glazing at all times thereafter. Furthermore, these windows shall have a minimum cill height of 1.7m above finished floor level.

Procedural Matters

2. Amended plans were submitted following submission of the planning application the subject of this appeal but prior to its determination. The submission of amended plans followed discussions with the Council's case officer.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the area.
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Reasons

4. The appeal property is a two storey detached dwelling located on the inside of a bend along Schoolhouse Lane. It has a single storey garage facing the driveway and a single storey extension to one side.
5. The appeal property is set well back from Schoolhouse Lane. It sits at an angle to its closest neighbour, Number 46 Schoolhouse Lane and has a small rear garden adjacent to that of No 46. It has extensive gardens to three sides, most notably to the south and east.
6. The character of Schoolhouse Lane changes as it turns around the appeal property. To the north and west of the appeal site, the road has an urban feel, but to the east of the appeal property, it appears much more rural, with thick hedgerows, trees and countryside comprising predominant features.
7. Located at the edge of the countryside, the area is residential in character, comprising largely detached and semi-detached dwellings and includes bungalows, dormer bungalows and two storey properties.
8. Houses tend to be set well back from the road behind gardens and or/parking areas and sit within comfortable garden plots. Whilst Schoolhouse Lane in this area lacks pavements, the presence of grass verges, hedgerows, trees, large gardens and plentiful glimpses through to surrounding countryside, provides for a green and spacious character.
9. During my site visit, I noted that many dwellings have been altered and/or extended and that generally, such changes tend to appear in keeping with host properties and their surroundings.
10. In addition to small single storey additions, the proposal would extend the appeal property at first floor level above the existing single storey side extension. The Council has raised no concerns in respect of residential amenity or in respect of the single storey elements of the proposal.
11. Whilst the Council asserts that "corner plots are very prominent," as noted above, Number 48 sits well back from Schoolhouse Lane, from which the house is separated by expansive areas of garden. During my site visit, I observed that the property is not unduly prominent in its surroundings and that the side of the dwelling where the first floor extension is proposed is separated from Schoolhouse Lane by a tall, thick hedgerow and the property's largest area of garden to the south and east.
12. The closest neighbouring dwelling to the south, Number 50 Schoolhouse Lane, is some considerable distance away from this east-facing elevation and it is difficult to get more than a passing glimpse of the property above the hedgerow from Schoolhouse Lane, as it passes along the eastern side of the property.
13. Taking the above into account, I find that the proposed development would not appear prominently.
14. The proposed first floor extension has been carefully designed to include a hip roof to match, but sit lower than and appear subservient to, the main roof and includes a modest, barely visible link roof, which, I find, serves to tie the roofscape together in a sensitive and unimposing manner.

15. Whilst the Council's officer's report states that the rear elevation "raises concerns," no substantive detail is provided and from assessment, it is clear to me that the rear elevation of the proposal has been designed to complement the host property, whilst providing for residential amenity in the form of carefully designed fenestration at first floor level.
16. The proposed development as a whole is not especially large and in the context of the appeal property's large garden plot, it would appear proportionate and appropriate within its green and spacious surroundings.
17. Taking all of the above into account, the proposed development will provide additional living space in a way that would not result in any significant harm to local character.
18. Consequently, I find that the development does not harm the character and appearance of the area and is not contrary to the National Planning Policy Framework or to DPD¹ Policy DM29, which together amongst other things, seek to protect local character.

Conditions

19. I have considered the conditions suggested by the Council against the tests set out in Paragraph 56 of the Framework. A condition specifying the approved plans is necessary for the avoidance of doubt and in the interests of proper planning.
20. A condition controlling external surfaces is necessary in the interests of local character. A condition controlling the windows to the southwest elevation is required in the interests of residential amenity.

Conclusion

21. For the reasons given above, the appeal is successful.

N McGurk

INSPECTOR

¹ A Local Plan for Lancaster District 2011-2031. Part Two: Review of the Development Management DPD (2020).