



Appeal Decision

Site visit made on 1 November 2022

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 January 2023

Appeal Ref: APP/A2335/W/22/3301365

Halton Green House, Green Lane, Halton, Lancaster LA2 6PB

- 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 Cadman against the decision of Lancaster City Council.
 - The application Ref 22/00302/FUL, dated 10 March 2022, was refused by notice dated 20 May 2022.
 - The development is proposed new driveway and access to Halton Green House.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made to the Council on 10 March 2022 using a householder application form. This was corrected and a full planning application form was submitted to the Council on 19 May 2022. I am satisfied that the application to which this appeal relates is valid and I have determined the appeal accordingly.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the site and the surrounding area.

Reasons

4. The appeal site is located on Green Lane in open countryside to the east of the village of Halton, a short distance from a small cluster of properties at Halton Green. Houses in the locality are generally traditional stone-built properties with modest areas of hardstanding which have intimate connections to the properties themselves. Green Lane is a narrow rural lane bounded by steep verges and native hedges and trees on either side.
5. The site lies just outside the Forest of Bowland Area of Outstanding Natural Beauty (AONB), the boundary of which is formed by Green Lane itself. The appeal proposal would introduce a lengthy driveway surfaced with green granite chippings through the field to the south of Halton Green House to provide a vehicular access to the property. The proposal would introduce an additional formal vehicle access with hard surfaced permeable material onto Green Lane.
6. The proposed location for the access to the driveway from the highway is some distance from Halton Green House to its south and would cross a steeply undulating agricultural field for approximately 200 metres to reach the house.

From this location only the upper floors of Halton Green House are visible from the lane. The access would utilise an existing field entrance onto Green Lane set at an oblique angle to the highway. The appellants state that the driveway would follow a depression in the field. However, it would initially rise upwards from the lane before dropping into the depression towards the house.

7. The driveway would be surfaced with green granite chippings. The introduction of such a decorative material would be an incongruous and insensitive intrusion into this location, especially when viewed from Green Lane from the south. The green colour of the chippings would introduce an alien feature, not naturally occurring in the local area. As a result, the proposed development would not blend with its surroundings and would be visually intrusive jarring with the rural surroundings of the appeal site, especially when viewed in close proximity from Green Lane. Furthermore, the introduction of additional tree planting around the site entrance would not effectively camouflage the appearance of the driveway entrance from the highway.
8. I have been supplied with a Landscape and Visual Impact Assessment (LVIA) which concludes that the residual impact of the development would be negligible once the proposed planting matures and considers that the entrance would be an attractive replacement for the existing dilapidated field gate. However, when viewed from the south on Green Lane, the driveway entrance would remain highly visible even when the proposed planting matures. Furthermore, the replacement of the field gate with a more attractive alternative is not dependent on the proposal before me.
9. The appellant states that the proposed access is already used by vehicles to reach the house and that the proposal before me would regularise the situation. I observed that there were some vehicle tracks across the field in the approximate location of the proposed driveway. Vehicle tracks such as this are not uncommon in grazing fields and as such do not detract from the rural setting of the appeal site. From my observations the site entrance retained the appearance of a field gate in keeping with its rural location.
10. The formalisation of the field entrance into a driveway to the house would emphasise the unsympathetic character of the proposal on the field entrance. The proposed gates have been designed to be in keeping with the rural character of the area and I agree that in themselves they would not be unduly incongruous or out of keeping. However, the permeable hard surfacing at the entrance from Green Lane and the views of the driveway through the gate, would have an urbanising effect on the rural character and appearance of the site and its surroundings.
11. I acknowledge that the undulating landscape would limit views of the proposal from medium and longer distances and there are no public rights of way close to the appeal site where the proposal could be viewed from. Nevertheless, it would be visible from the public realm outside the site itself and would be clearly visible directly next to the AONB.
12. As a result, I find that the appeal scheme would be an incongruous feature in the locality and thus would harm the character and appearance of the area and the setting of the AONB. The proposal would conflict with Local Plan Part 1¹ (LPP1) Policies EN2 and EN3 which seek to protect the open countryside,

¹ Local Plan for Lancaster District 2011 - 2031 Part One: Strategic Policies and Land Allocations DPD 2020

AONBs and their settings. The proposal would be in conflict with Local Plan Part 2² LPP2 Policy DM29 which, amongst other things, seeks to ensure that development contributes positively to the character and appearance of the area and also LPP2 Policy DM46 which seeks to ensure that development does not adversely affect the setting of the AONB. The proposal would also conflict with the provisions of the National Planning Policy Framework in this respect.

Other Matters

13. The appellant states that the current location of the driveway close to the house is a cause for concern for highway safety reasons. However, although I accept that visibility is restricted, I have not been provided with any compelling evidence that the current access is unsafe or that there is a record of accidents in this location. I also note that the proposal does not include closing off the current access. I can therefore only presume that it will remain and the proposal before me would be used in addition to the existing access. Furthermore, the proximity of the existing entrance to the house and the high cream rendered walls are a clear indication to passing motorists of the existence of a vehicular access and one in which an emerging vehicle could be expected to be encountered. Improved visibility compared with that which exists at the location of the existing access does not outweigh the harm that I have found on the main issue.

Conclusion

14. For the reasons set out, having considered the development plan as a whole and all other relevant considerations, I conclude that the appeal should be dismissed.

KL Robbie

INSPECTOR

² Local Plan for Lancaster District 2011 - 2031 Part Two: Review of the Development Management DPD 2020