



Appeal Decision

Site visit made on 10 January 2023

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2023

Appeal Ref: APP/U2370/W/22/3307137

Hattersbrick Farm, Lancaster Road, Out Rawcliffe PR3 6BN

- 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 S Leyland against the decision of Wyre Borough Council.
 - The application Ref 21/01303/FUL, dated 20 October 2021, was refused by notice dated 22 March 2022.
 - The development proposed is the change of use of land for the siting of two timber holiday lodges.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the area;
 - Whether the appeal site would be in an accessible location with regard to local services and facilities; and
 - The effect of the proposal on the living conditions of neighbouring residents with particular regard to noise and disturbance.

Reasons

Character and appearance

3. The appeal site lies in the countryside within a small, but undefined, rural settlement forming part of the Out Rawcliffe area which contains development including dwellings, holiday accommodation, businesses and equestrian facilities. On the appeal site side of Lancaster Road, the development is sporadic with a number of gaps in the built form. Opposite the site is a continuous ribbon of dwellings, nonetheless, the open countryside is predominant over the built environment resulting in an area which is rural in character.
4. The site is a flat, open paddock forming part of a gap between a small group of buildings and a bungalow. The appeal site and other gaps in the built form allow views of the largely flat and open countryside beyond, which positively contributes to the rural character and provides a visual link to the countryside.

5. Policy SP4 of the Wyre Local Plan (2011-2031) (LP) states that the open and rural character of the countryside will be recognised for its intrinsic character and beauty. It indicates that development which adversely impacts on the open and rural character of the countryside will not be permitted unless it has been demonstrated that such harm is necessary to achieve substantial public benefits that outweigh the harm.
6. The support that LP Policy SP4 gives to holiday accommodation is predicated on it being in line with LP Policy EP9. Policy EP9 recognises that tourism is an important element of the local economy. It also recognises that unviable holiday accommodation within designated countryside areas, such as the area that the appeal site lies within, can create pressures for conversions into residential uses at locations where residential development would not be acceptable. Policy EP9 therefore requires proposals for holiday accommodation to satisfy a number of criteria which includes criterion a) that the totality of the development is of appropriate scale and appearance to the local landscape.
7. The proposed holiday lodges would be sited to the rear of the site broadly in line with the properties either side but, nonetheless, in a position that would be seen from Lancaster Road on land that is currently free from buildings and structures. The upper part of the lodges would be visible above the established front boundary hedge and through the gap formed to provide the site entrance. Therefore, they would be apparent in the street scene. In addition, the large footprint of the lodges and the associated access and parking area would take up a significant proportion of the site. Consequently, one of the existing gaps in buildings, and the views of the open countryside beyond, would be restricted to the detriment of the character and appearance of the area.
8. My attention has been drawn to a planning permission that has been granted for 10 additional holiday lodges at Wilson House Park¹. I note that such lodges are similar in scale to those before me, however, they are sited some distance from the highway to the rear of existing buildings. Consequently, unlike the appeal proposal, the permitted lodges would not be obvious from Lancaster Road.
9. For the reasons given, the proposal will erode the open and rural character by harmfully encroaching into undeveloped countryside.
10. The proposal is supported by a business plan, and the future long term potential of the business is not disputed by the Council. I have no reason to disagree with this conclusion. However, it has not been demonstrated that there is a clear need for such accommodation in this location. As such the proposal therefore also conflicts with criterion b) of LP Policy EP9, which requires any new buildings and supporting infrastructure to be necessary. The proposal does not gain support from LP Policy SP4, notwithstanding the harm to the open and rural character of the area that I have identified, as no clear public benefits have been demonstrated.
11. Accordingly, I find that the proposal would be harmful to the character and appearance of the area. Consequently, the proposal would conflict with LP Policy SP4 and EP9 and the objectives of the National Planning Policy Framework (the Framework) that require development to recognise the intrinsic character and beauty of the countryside.

¹ Application reference: 21/01236/FUL

Accessibility

12. LP Policy SP1 sets out the planning strategy and spatial approach for the Borough and directs new development to take place within settlement boundaries, unless it is specifically supported by another policy. It indicates that outside settlements with defined boundaries, the amount of new development will be strictly limited.
13. LP Policy SP2 requires that all development in Wyre should be sustainable and contribute to the continuation or creation of sustainable communities in terms of its location and accessibility. It sets out ways in which the Local Plan seeks to deliver sustainable communities. Amongst others, these considerations include facilitating economic growth in the rural area, and ensuring accessible places and minimising the need to travel by car. Policy CDMP6 requires, amongst other matters, that proposals demonstrate that measures are included to encourage access on foot, by bicycle and public transport and reduce car reliance.
14. As stated by the appellant, in supporting holiday accommodation there is an implicit acceptance in policy that there will be additional car journeys. Furthermore, the extent to which holiday makers would access local facilities is very difficult to predict. The proposed lodges would provide generous, secure and weatherproof cycle storage facilities and would be in a location close to recognised cycle routes. The accommodation proposed is, therefore, likely to attract cyclists. There are also a number of Public Rights of Way within close proximity and as such walking activities could also take place from the site. Nonetheless, the proposal is for self-catering accommodation, and it would be necessary to travel to obtain essential supplies, as well as for eating out. Such activities are less likely to be undertaken by cycle or on foot.
15. The nearest settlement to the site with a range of local services and facilities, including a supermarket, is Great Eccleston which is at least 2 miles away by road. There are other shops and restaurants in the area, however the information provided indicates that these are only marginally closer. Whilst the route from the appeal site to Great Eccleston, and other destinations providing facilities and services, is largely wide and flat, with grass verges in part, a significant part is subject to national speed limits, with no pedestrian footways and is unlit. The distance involved and the nature of the roads would be likely to deter cyclists after dark and in bad weather. Furthermore, I saw no bus stops near to the site and I have not been provided with any information regarding any bus service that occupants of the proposed lodges could reasonably access. Therefore, there would be a strong likelihood that most parties staying in the proposed holiday lodges would be dependent on the private car to access the majority of services and facilities even when on a cycling holiday. Furthermore, I agree with the Council that a condition that restricts the occupancy of the proposed holiday lodge to those seeking a cycling, or walking, holiday would not be reasonable or enforceable.
16. The Wilson House Park site, referred to above, is located a similar distance to local services and facilities as the appeal site. However, unlike the appeal before me, that proposal involved the expansion of an existing holiday site. Whilst consistency of decision making is important, from the evidence before me I have not found that the comparison to the Wilson House Park site alters my findings.

17. I therefore find that the proposed development would not be in an accessible location with regard to local services and facilities. It would therefore conflict with the requirements of LP Policies SP1, SP2 and CDMP6 with regards to the development strategy, ensuring accessible places and minimising the need to travel by car. It would also conflict with the Framework, in regard to sustainable rural tourism.

Living conditions

18. The proposed holiday lodges would be sited between two dwellings and opposite a row of several dwellings. The lodges would be positioned close to the rear of the site, with limited space to the side and rear and the most useable space located to the front of the site between the lodges and Lancaster Road.
19. I observed, on my site visit, the limited vehicular traffic along Lancaster Road and that there was a low background noise level in the proximity of the site. Nonetheless, there is nothing before me to demonstrate that noise and disturbance arising from the introduction of two, family sized holiday lodges would be materially greater to that generated by activity associated with the occupation of existing dwellings in the locality. Whilst I note that there are future plans to provide hot tubs and fire pits, which can lead to outdoor activity into the quieter later evening and night-time period, such features are not untypical in association with permanent residential occupation. I am therefore not persuaded that the proposed development, either taken on its own or cumulatively with the existing residential activity in the area, would result in an increase in levels of noise and disturbance to the extent that it would unacceptably affect the living conditions of neighbouring occupants.
20. I therefore find that the proposal would have an acceptable effect on the living conditions of neighbouring residents with particular regard to noise and disturbance. As a result, it would comply with LP Policies CDMP1 and CDMP3

Other Matters

21. I note that reference is made within the Officer Report to the location of the appeal site within the impact zone of a Site of Special Scientific Importance (SSSI). However, because the scheme is unacceptable for other reasons there is no need for me to consider the implications of the proposal upon the SSSI.

Conclusion

22. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
23. I therefore conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR