



Appeal Decision

Site visit made on 25 January 2023

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 February 2023

Appeal Ref: APP/F2360/W/22/3304673

The Warren, Funeral Parlour, Broadfield Drive, Leyland PR25 1DL

- 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 Ben Tuson against the decision of South Ribble Borough Council.
 - The application Ref 07/2021/01098/FU, dated 20 October 2021, was refused by notice dated 27 April 2022.
 - The development proposed is a detached bungalow dwelling (Plot 7) built on part of original plot of land owned by 'The Warren'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are a) the effect of the proposal on the character and appearance of the area, b) whether satisfactory living conditions would be provided for future residents, with particular regard to light and garden space, and c) the effect of the proposal on the living conditions of neighbouring occupiers, with particular regard to outlook and privacy.

Reasons

Character and appearance

3. The appeal site is a parcel of land close to the entrance of a small, gated housing development. Whilst there is a mix of property types within this development, the over-riding character is of properties which are all of a substantial size, including the bungalows at the far end which have large footprints and a high ridge line. The scale of the dwellings, along with the generous plot sizes for each dwelling and the gated entrance, gives the area an executive character.
4. In sharp comparison, the proposed dwelling would have a much reduced ridge height and footprint. Its design would result in an overall limited bulk and mass, which would be noticeably considerably smaller than the other properties within this development. It would appear contrived within its plot and this would be readily apparent given its close positioning to the access drive and at the entrance of the development. The proposal would be visually incongruous within this context and thus it would fail to respond to the characteristics of the locality.
5. The use of similar materials to the adjacent dwellings would fail to overcome this harm or assist in assimilating the dwelling into the street scene. Whilst

there may be smaller properties within the wider area, the proposal would be primarily read in context with the immediately adjacent larger properties.

6. Accordingly, the proposal would harm the character and appearance of the area, thus it would conflict with Policies B1 and G17 of the South Ribble Borough Council Local Plan 2012-2026 (July 2015) (the LP) and Policy 17 of the Central Lancashire Adopted Core Strategy (July 2012). Collectively these policies seek to ensure that developments take account of and are in keeping with the character and appearance of the area and do not have a detrimental impact on the street scene by virtue of their design, scale, orientation and massing, amongst other things.

Living conditions of future occupiers

7. The appeal site is of a generous size overall, however it is bound to the north and east by a mature group of trees which are covered by a Tree Preservation Order. I note that one bedroom would face directly towards and be in very close proximity to the trees in the eastern part of the site. Whilst this may limit the amount of light reaching this bedroom, as it is the smallest of the three bedrooms and, given the nature of the room, this does not raise significant concern in my mind.
8. As a vast proportion of the site has woodland like qualities the useable garden area for the proposed dwelling would therefore be of a very significantly reduced size. My attention has not been drawn to a suggested minimum garden size as recommended by the Council. Notwithstanding this however, it is clear that the useable garden area would be of an awkward and restricted shape. There would be very limited space for future occupiers to sit outside and enjoy good weather, to dry clothes and for children to play. It would also be an unpleasant space to be as it would be considerably enclosed by virtue of its size and its relationship with the built form and the mature trees.
9. Whilst not all occupiers of dwellings may seek large gardens, the proposed development is not specifically for people with mobility issues, or similar, who may prefer smaller and more manageable gardens. Nevertheless, it remains that the garden is particularly limited, thus this matter would not negate the need for an appropriate level of private external space.
10. By virtue of the poor-quality garden space, the proposal would fail to provide satisfactory living conditions for future occupiers. It would therefore conflict with Policy G17 of the LP which, in respect of this main issue, seeks to ensure that the layout, design and landscaping of developments are of a high quality.
11. The Council's decision notice refers to paragraph B2.5 of the South Ribble Borough Council Residential Extensions Supplementary Planning Document (January 2013). However, this concerns extensions thus is not directly relevant to this proposal.

Living conditions of neighbouring occupiers

12. The proposed dwelling would be sited close to the access drive and opposite the dwelling at Plot 1. However, due to the proposal's scale, orientation and internal layout, it would not result in a loss of privacy or harmful outlook to occupiers of Plot 1.

13. I note that the rear facing windows would be orientated towards the adjacent dwelling known as The Warren. Nevertheless, the windows are at ground floor level and there is a high boundary fence separating both sites. A side facing window would serve a bedroom and would predominantly be angled over the narrow space to the side of the proposal. Whilst views of the driveway of The Warren may be achievable from this window, I consider this relationship would be no different than the existing mutual overlooking which currently occurs over driveways in this locality. As such, it would not result in a harmful loss of privacy.
14. Whilst the proposed dwelling would be sited close to the western boundary of the site, by virtue of its oblique positioning and siting forward within its plot, there would remain good separation between it and the ground floor habitable room windows on the side of The Warren. It would not therefore considerably impact outlook in this regard.
15. Consequently, the proposal would not result in harm to the living conditions of existing occupiers and thus would accord with Policy G17 of the LP which seeks to ensure that developments do not cause harm to neighbouring properties.
16. The reason for refusal also refers to the effect of the proposal on light to The Warren however this is not expanded upon within the Council's evidence. Based on all I have seen and read, I consider that the proposal would not reduce the amount of light reaching The Warren.

Conclusion

17. The proposal would provide an additional dwelling which would contribute towards the Council's housing supply and would bring economic benefits during construction and on subsequent occupation. However, given the small scale of the development, I afford limited weight to these benefits.
18. For the reasons noted, the proposal would result in harm to the character and appearance of the area and would fail to provide satisfactory living conditions for future occupiers. Accordingly, the proposal conflicts with the development plan when taken as a whole and the other considerations do not indicate that a decision should be made other than in accordance with it. Therefore, the appeal should be dismissed.

H Ellison
INSPECTOR