



Appeal Decision

Site visit made on 27 February 2023

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2023

Appeal Ref: APP/A2335/D/22/3312626

Brows Farm, Glasson Dock Road, Glasson Dock, Lancashire LA2 0BP

- 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 Hodgson against the decision of Lancaster City Council.
 - The application Ref 22/00413/FUL, dated 28 March 2022, was refused by notice dated 15 September 2022.
 - The development proposed is part single part two storey rear/side extension,
 - erection of a single storey link extension, construction of front porch and reconstruction of existing garage.
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Decision

1. The appeal is allowed, and planning permission is granted for Part single part two storey rear/side extension, erection of a single storey link extension, construction of front porch and reconstruction of existing garage at Brows Farm, Glasson Dock Road, Glasson Dock, Lancaster LA2 0BP in accordance with the terms of the application, Ref 22/00413/FUL, dated 28 March 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be retained in accordance with the following approved plans: Site Location Plan PL001; Site Plan PL002; Existing Plans PL003; Proposed Plans PL004; Existing Elevations PL005 and Proposed Elevations PL006.

Preliminary Matters

2. Construction works were well advanced at the time of my visit to the site. The Council determined the application as being retrospective in part but with a second refusal reason describing that what had been built was not fully reflected on the submitted plans. It was evident during my visit to the site that there were elements of the works that did not fully accord with the details shown on the plans before me. For the avoidance of doubt, I have determined the appeal on the basis of the plans before me as being those that the Council determined the application on.
3. The original description, as provided on the application form was for 'a rear second storey extension and the reconstruction and enlargement of existing garage'. The Council in their formal decision notice describe the proposal as a 'Retrospective application for the erection of a part single part two storey rear/side extension, erection of a single storey link extension, construction of front porch and reconstruction of existing garage'. This more accurately describes the development which I observed on site and is shown on the plans submitted. I have therefore adopted the Council's description of the development in the banner heading and my decision above, albeit removing the reference to the retrospective nature of the application which does not constitute an act of development.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the appeal property and the surrounding area.

Reasons

5. The appeal property is located on Glasson Dock Road on the approach to Glasson Dock. It is prominently located adjacent to the road and is bounded to the north by a public right of way running along the Lune Estuary shoreline. It forms part of small group of traditional buildings including barns and a farmhouse which are situated on the opposite side of the road.
6. The appeal property is considered by the Council to be a non-designated heritage asset (NDHA). Whilst the appellant has challenged this assessment, and thus the weight to be afforded to it, the Council's NDHA assessment provides a useful commentary on the building's history and character. From my observations of the building and having carefully considered the Council's assessment of the building, I do not consider this to have been an unreasonable conclusion to reach.
7. The extensions to the property utilise, in part at least, pre-existing ground floor elements of the building and associated outbuildings. Although the Council consider the extensions to be excessively large and not subservient to the main building, I do not consider them to be harmfully so.
8. The extensions to Brows Farm would result in a larger building than current exists. However, the side portion of the side / rear extension would broadly follow the footprint and siting of a previous single storey element, whilst the extensions to the outbuilding and linking corridor are only limited in their scale and extent.
9. The first-floor side and single storey rear extensions represent the largest additions to the existing building. However, in my judgement they do not lack the subservience that the Council seeks. The side extension is set back from the front elevation and corner, and down from roof level, of the main building. On approach to the appeal site from the east the side element of the extension is seen as a subsidiary element to the building as a result, an effect further underlined by its position relative to the glazed link corridor and remodelled outbuildings in front of it. Furthermore, the use of contrasting facing materials – retention of the natural stonework on the main house and a mix of render and vertically-hung timber panels on the extension – underlines the subservient role, scale and position of the extension.
10. The single storey rear extension is a large extension. With its flat roof, overhanging eaves and glazed lantern, it is unmistakably modern and 'pavilion-like' in its appearance. It is also visible from the roadside across the intervening garden area. However, I do not find the adoption of such a contemporary approach here, and indeed in other elements of the building, to be harmful either visually or contextually. Indeed, the datestone incorporated within the fabric of the existing building and its later remodelling is indicative of the iterative processes that have been at work at the appeal property over a long period of time. In this instance, I consider this element of the scheme, and the extensions and alterations as a whole, to be well-considered and the latest example of the evolution of the appeal property.

11. The appeal scheme would retain the NDHA's traditional materials on the main body of the house, whilst adopting the use of timber cladding in a contemporary style on the extension elements and those parts of the scheme which are clearly intended to be read as modern design elements. I accept that the property is clearly visible in both directions along the road to / from Glasson Docks, but it does not follow that this results in an overly visually prominent scheme. Although located on the opposite side of the road to the main group of (former) farm buildings, it is still seen as part of that group, where a range of building scales, types and materials are present. It would not, in my judgement, be out of keeping with the character or appearance of the surrounding open countryside.
12. Policy DM29 of the '*Part Two: Review of the Development Management DPD*¹ (2020) (DMDPD) sets out the Council's approach to new development, seeking high quality, sustainable design that makes a positive contribution to the surrounding landscape whilst Policy EN3 of '*Part One: Strategic Policies and Land Allocations DP²D*' (2020) (SPLADPD) sets out a broad approach to proposals in the open countryside. For the reasons I have set out however, I am satisfied that the appeal scheme contributes in a positive manner to the character and appearance of the appeal property and the surrounding area. There would be no conflict with DPD Policy DM29 or SPLADPD Policy EN3.
13. DPD Policy DM41 states that the effect of an application on a NDHA will be taken into account and a balanced judgement made having regard to the scale of any harm or loss and the significance of the NDHA. For the reasons I have set out above, I am satisfied that the appeal scheme would not cause harm to the property's essential character or appearance, nor would it harm its significance as an NDHA. There would be no conflict with DPD Policy DM41.

Other Matters

14. The Council have noted what are described in the delegated officer report as anomalies between the submitted plans and what has been built. From my observations of the appeal property, I am satisfied that the single storey side / rear extension's glazing and the roof lantern are in keeping with the contemporary approach taken in respect of these elements of the extensions. These variations do not materially alter my conclusions based upon the submitted plans in terms of the extension's effect on character and appearance.
15. There was no Juliet balcony in place at the time of my visit to the site, nor is one shown on the submitted plans. I have no other indication of the appellant's intent in this respect. With regard to the extent of the roof structure which has been retained, and the previous function of the outbuildings, I have no compelling evidence before me to disbelieve the content of the submitted plans. These are not therefore material considerations to which I give any significant weight.

¹ 'A Local Plan for Lancaster District 2011 – 2031 Part Two: Review of the Development Management DPD Adoption Version' July 2020

² 'A Local Plan for Lancaster District 2011 – 2031 Part One: Strategic Policies and Land Allocations DPD Adoption Version' July 2020

Conditions

16. Although as noted above works of development were ongoing at the time of my visit to the site, I have imposed a plans condition in order to provide certainty and in the interests of good planning. The Council have also suggested a condition requiring the submission of details and samples of external materials within 3 months of the date of the decision. Whilst I have determined the appeal on the basis of the submitted plans, I am satisfied that the materials used in the construction of the extensions thus far are acceptable. I have not therefore imposed a materials condition.

Conclusion

17. For the reasons set out above, having considered the development plan as a whole and all other matters raised, I conclude that the appeal should be allowed.

K L Robbie

INSPECTOR