



Appeal Decision

Site visit made on 25 April 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 May 2023.

Appeal Ref: APP/U2370/W/23/3314585

Barn End, Badgers Wood, Bilsborrow, Lancashire PR3 0GQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs Julie Lonsdale against the decision of Wyre Borough Council.
 - The application Ref 22/00367/OUT, dated 7 April 2022, was refused by notice dated 29 September 2022.
 - The development proposed is to build two new detached houses on part of the field adjacent to the property; referred to separately and shaded red in the house deeds.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The application was submitted in outline form with all matters reserved for subsequent approval. I have assessed the proposal on the same basis. The indicative layout shows 2 detached dwellings and garages with access off Lydiate Lane. I have taken this plan into account only insofar as it is relevant to my consideration of the principle of residential development on the site.
3. On 26 January 2023, the Council adopted the Wyre Local Plan (2011-2031) (incorporating partial update of 2022) (LP). It is a revised replacement for the Wyre Local Plan (2011-2031) that was before the Council when it refused planning permission. The appellant was invited to submit representations in relation to the LP although no response was received. The Council has advised that the LP does not alter its position. For the avoidance of doubt, my assessment is based on the LP given that it is development plan for the area.

Main issues

4. The main issues are the effect of the proposed development on the character and appearance of the local area and whether the site would be an accessible location, having particular regard to local services and facilities.

Reasons

Character and appearance

5. The site is a rectangular shaped open field to one side of Lydiate Lane within the countryside. LP Policy SP4 states that development will not be permitted if it adversely impacts the open and rural character of the countryside unless such harm is necessary to achieve substantial public benefits that outweigh the

harm. It also lists the types of development that would be acceptable in the countryside, none of which would apply in this case.

6. The site is close to a cul-de-sac called Badgers Wood, which serves a number of houses and buildings. The appellant's opinion that the new dwellings would be grouped together and visually 'read' along with existing housing off Badgers Wood is, to my mind, overstated. In views from Lydiate Lane on the approach to the site in both directions, existing buildings are evident. However, these buildings have a relatively low profile and their presence is modest in the context of the site and the surrounding views of it. Despite the hedgerow along the highway frontage and along one side of the site, and trees within it, there is a very strong degree of visual inter-connectivity between the site and the open rural landscape further to the northeast and southeast.
7. In that context, the proposed development would obtrude into this field, palpably extending new built form into open land. It would transform its character from a pleasant area of open undeveloped green space to one occupied by new built form where people would live and visit. The obtrusion would be most keenly felt in views from Lydiate Lane. From this vantage point, the sense of encroachment into the countryside would be evident because the landscape setting of the area would be seriously eroded by the proposal. The expansive open view across the field would also be curtailed even with existing housing partly visible beyond. Although the roadside hedgerow and trees would provide some screening there would be at least one break within it for access that would allow views into and across the site.
8. The proposal would also be apparent from Badgers Wood. In these views, the appeal scheme would draw the eye because it would introduce new built form into an open field that, at present, adds to the spacious feel and rural character of the local area. With its open grassed area, trees and hedgerows, the site currently blends into the rural landscape beyond. From this direction, the proposal would appear as a visually disruptive addition to the local area.
9. The appearance, scale, layout, and landscaping of the proposed development could, to some extent, mitigate the visual impact of the new development. These are matters reserved for subsequent approval. However, it is very likely that the new built form would still be highly conspicuous in the landscape and visible from the adjacent roads notwithstanding its detailed design.
10. With regard to public benefits, the appellant asserts that the proposal would reduce the prospect of anti-social behaviour and problems associated with people congregating in the area presumably through the opportunity for additional surveillance. However, few details have been provided to explain these problems nor am I persuaded that the best way to address and resolve them is by bringing forward 2 houses on the site, as proposed. I therefore attach no more than limited weight to this consideration. No other public benefits have been put forward and none would outweigh the identified harm.
11. On the first main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the local area in conflict with LP Policies SP1 and SP4. Together, these policies aim to direct development to within settlement boundaries and safeguard the countryside for its intrinsic character and beauty. It is also contrary to the National Planning Policy Framework (the Framework), which notes that planning decisions should contribute to and enhance the natural environment.

Accessibility

12. To deliver sustainable communities, LP Policy SP2 states that proposals should ensure accessible places and minimise the need to travel by car. LP Policy CDMP6 also requires that proposals include measures that encourage access on foot, by bicycle and public transport and reduce car reliance.
13. In this instance, a limited range of shops and services are available within Bilsborrow and other settlements such as Garstang and Longridge although all are some considerable distance from the site. Very few, if any, would prompt a walk or cycle from the new dwellings especially given that the initial route along Lydiate Lane would involve an unlit rural lane to which the national speed limit applies with no dedicated footway. While the appellant says that there is a limited bus service few details have been provided on the frequency of services and it is unclear whether the stopping places would be conveniently located in relation to the site.
14. I appreciate that a taxi could be used on occasion by future occupiers although I doubt it would be the predominant mode of transport. While technological advances continue to allow a growing range of services to be available to residents on-line, such a routine health checks, many others will remain reliant on journeys to enable interaction face-to-face. While some occupations may be suited to home working, many others will still require trips to a place of work. I also acknowledge that the opportunity for home delivery could reduce the need for some residents to travel from their home to, for instance, a local pharmacy or food store. However, this arrangement would not necessarily cover most goods or reduce shopping trips to, for instance, compare items or for other purposes such as leisure.
15. On that basis, it cannot be reasonably assumed that future occupiers would regularly walk the considerable distance to most services and facilities; carry shopping or any other items over the distance involved; or walk or cycle it in inclement weather or after dark. It is very likely that car borne trips to and from the new dwellings would predominate.
16. On the second main issue, I conclude that the site is not an accessible location for local services and facilities. The appeal scheme would not reduce reliance on the car for travel. Accordingly, it conflicts with LP Policies SP2 and CDMP6.

Other matters

17. The Council is critical of the appellant in failing to provide sufficient information to allow the effect of the proposal on trees and a public right of way (PROW) that cuts across a corner of the site, to be properly assessed. However, the application is in outline with landscaping and layout reserved for later approval. From what I saw, there is ample space available within the site accommodate the new development without necessarily encroaching onto areas that might affect trees or the PROW. Conditions could be imposed to require further information on these matters and a separate application could be made to divert the PROW, if necessary, that would be assessed on its own merits.
18. In those circumstances, a lack of detail with regard to trees and the PROW is insufficient reason to withhold planning permission. On that basis, there is no conflict with LP Policies SP4, CDMP3 and CDMP6 which require development to achieve a high standard of design that respects or enhances the character of

the area and does not detract from an existing PROW, it's character or the public's enjoyment of it.

19. Lancashire County Council raises no objection to the proposal on highway safety grounds. From the evidence provided, I see no reason to reach a different conclusion. Given the generous visual separation between the site and New Bridge, there would be no discernible effect on the setting of this Grade II listed building. The building, its setting and features of special architectural and historic interest would all be preserved. My findings on all these other matters does not outweigh the identified harm.

Conclusion

20. The proposed development would conflict with the development plan. There are no material considerations, including the policies of the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan.
21. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR