



Appeal Decision

Site visit made on 29 April 2024

by C Harding BA (Hons) PGCert PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 May 2024

Appeal Ref: APP/F2360/W/23/3334581

66 Ampleforth Drive, Lostock Hall, Lancashire PR5 5TE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Lois Wrennall against the decision of South Ribble Borough Council.
 - The application Ref 07/2023/00552/HOH, dated 6 July 2023, was refused by notice dated 14 September 2023.
 - The development is described as "Retrospective application. Timber cabin 3m by 3m".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provided drawing "proposed plan" indicates a proposed 1.8m high fence to the front of the appeal property. This element is not included within the description of the development, nor did the Council make reference to it when determining the planning application. Accordingly, I have not considered it as part of the development.
3. I saw that the timber cabin was already in place at the time of my visit. I have therefore considered the appeal on a retrospective basis.
4. The appellant's evidence acknowledges that the timber cabin is used for dog grooming. However, any potential change of use of the property or the use of the timber cabin for purposes other than those incidental to the enjoyment of the dwellinghouse do not form part of the description of the development. These matters therefore fall outside of the scope of this appeal and are therefore beyond my consideration.
5. In its reason for refusal, the Council made reference to "Policy G17" of the Central Lancashire Local Development Framework Adopted Core Strategy 2012 ('CLCS'). However, it is apparent from the evidence before me that this is an error, with the Council's questionnaire, the appellant's evidence and the provided policies all clearly relating instead to CLCS Policy 17. I have therefore proceeded on this basis.

Main Issue

6. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

7. The appeal property is a bungalow located on a street containing a mix of two-storey dwellings and bungalows, mainly of semi-detached configuration. The appeal site lies at the corner of Ampleforth Drive and New Road, which links Ampleforth Drive to a further road behind. The appeal site is located towards the end of the road in an area that effectively forms a cul-de-sac of bungalows.
8. The character of front gardens of properties on Ampleforth Drive are mainly open and where boundary treatments exist, they generally allow views across gardens. There is a general absence of outbuildings in gardens fronting the road. These factors afford the street an open and spacious character.
9. The timber cabin is located within the front garden of the appeal property, and behind an existing close board timber fence, which is painted a similar colour to the cabin. Although the cabin is of an acceptable design and colour treatment, in the context of the otherwise generally open character of the streetscene, its size and location in the front garden of a corner property means that it comprises a prominent and incongruous feature which is visually jarring in longer views.
10. Whilst it is stated by the appellant, and it is not disputed, that the existing fence was erected over 10 years ago, there is no substantive evidence before me, such as a certificate of lawfulness or separate planning permission which confirms its status. Its inclusion on the proposed plan increases such uncertainty, and accordingly, I afford its presence limited weight as a mitigating factor.
11. Even if the timber cabin could be relocated to the rear garden of the property without the requirement for planning permission, and could still be visible within the streetscene when located in such a position, it is nevertheless unlikely that it would be situated in a comparably prominent and therefore, harmful, position to its present location at the corner of the street. As a result, this fact would not justify the harm that I have identified.
12. It is stated that another shed was previously located in the same position as the building subject to this appeal, but was removed in 2020. As the previous building was removed some time ago, it does not form a fallback position to which I can afford weight. Equally, although it is stated that the appeal development is not a permanent structure without long-term effects, no timeframe for its future removal has been provided, and I cannot, therefore, be sure that the building would not remain in perpetuity. Consequently, this also does not mitigate the harm that I have found.
13. The development is harmful to the character and appearance of the area. It conflicts with CLCS Policy 17 and Policies B1 and G17 of the South Ribble Local Plan 2015, which together, and insofar as they relate to this appeal state that new buildings should take account of the character and appearance of the local area and not have a detrimental impact on the streetscene.
14. The development also conflicts with advice within the South Ribble Residential Extensions Supplementary Planning Document 2013, which states that outbuildings should be designed to respond to the inherent character of the immediate area.

Other Matters

15. Even if I were to agree that the development does not harm the living conditions of occupiers of nearby properties, the absence of harm would be a neutral factor, and would not weigh in favour of the scheme.

Conclusion

16. For the reasons given above, the development conflicts with the development plan when read as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate that a decision should be taken other than in accordance with it.
17. Therefore, I conclude that the appeal should be dismissed.

C Harding

INSPECTOR