

Appeal Decision

Site visit made on 4 September 2024

by S Brook BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2024

Appeal Ref: APP/U2370/D/24/3345131

Rosedale House, Bradshaw Lane, Pilling, Lancashire PR3 6SN

- 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 Mr & Mrs C Gillespie against the decision of Wyre Borough Council.
 - The application reference is 23/00877/FUL.
 - The development proposed is described as 'Resubmission of Application No. 22/01201/FUL - Erection of a part two storey and part single storey side and rear extension to the northern elevation, single storey side and rear extension to the southern elevation and provision of first floor Juliet balconies (following demolition of existing side conservatory and existing detached outbuilding)'.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a part two storey and part single storey side and rear extension to the northern elevation, single storey side and rear extension to the southern elevation, and provision of first floor Juliet balconies (following demolition of existing side conservatory and existing detached outbuilding) at Rosedale House, Bradshaw Lane, Pilling, Lancashire, PR3 6SN, in accordance with the terms of the application, Ref 23/00877/FUL, and the plans submitted with it, subject to the following conditions:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

- 2) The development hereby permitted shall be carried out in accordance with approved plans 22011_LOC, 22011_11S Rev K, 22011_110 Rev K, 22011_111 Rev J, 22011_310 Rev J.

- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

- 4) The development hereby permitted shall be undertaken in accordance with the mitigation measures specified within the site-specific Flood Risk Assessment, prepared by Abbot-Hull Associates, dated January 2024.

Preliminary Matters

2. In my decision at paragraph 1, I have removed the reference within the proposal's description to it being a 'Re-submission of Application No. 22/01201/FUL', as this does not describe an act of development.
3. Since the appeal was lodged, the government has published "Proposed reforms to the NPPF and other changes to the planning system", the "National Planning Policy Framework: draft text for consultation", and the Secretary of State's written ministerial statement entitled "Building the homes we need". These documents have not raised any new matters which are determinative to the outcome of this appeal.
4. During the course of the appeal, the Fylde Coast Authorities Level 1 Strategic Flood Risk Assessment, Final Report June 2024, (SFRA), has been published. This is a material consideration in the determination of the appeal, which I will return to below.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the property itself, and the surrounding area.

Reasons

6. The proposed development relates to a generously sized, detached, two-storey dwelling, set within a large plot in the countryside. Other houses extend along the eastern side of Bradshaw Lane to the north and south. These houses vary in age, size and style, albeit they are generally set back from the road and benefit from large plots, which results in a pleasant sense of openness that contributes positively to the rural setting.
7. The dispute between the main parties relates only to the two-storey side extension proposed to the north. The Council has raised no concerns with the other aspects of the proposal. Having considered the proposed plans and following my own observations, I have no reason to disagree.
8. The proposed two storey side extension would be large in scale, extending to 8.8m in width, which would substantially increase the width and size of the property overall. I note the concerns of the Parish Council also in relation to the increased footprint of the property. However, the existing ridge height would not be exceeded, and a second gable feature would have a staggered arrangement in relation to other frontage features, which would provide articulation to the front elevation. Further, three windows at first floor level and two garage doors would serve to break up the massing of this second gable feature. While the proposed extension would be large, and it would not necessarily be sub-ordinate in scale to the original dwelling, it would be set back from the existing front gable and so it would not appear overly dominant or obtrusive. The resulting design and appearance of the dwelling itself would be cohesive.
9. Additionally, given the varying scale and style of other dwellings within the locality, many of which are substantially sized, the resulting scale and design of the proposed dwelling would not appear out of character in the wider context. The plot of the host dwelling is of a sufficient size to accommodate

the proposed extensions without appearing cramped. As a result, the sense of space that presently exists to this and neighbouring plots, which adds positively to the open and rural character of the countryside at this location, would not be adversely impacted.

10. For these reasons, the proposal would not harm the character and appearance of the property itself, or the surrounding area. The proposal would comply with policies SP4 and CDMP3 of the Wyre Local Plan (2011-2031)(incorporating partial update of 2022), adopted January 2023, which collectively and amongst other matters, require that all development is designed to a high standard that respects or enhances the character of the area, including the open and rural character of the countryside. While the proposed extension would not be sub-ordinate in scale to the host dwelling, given that I have found the proposal would not be overly dominant and that there would not be harm to the appearance of the original property as a result, the guiding design principles of the Council's Extending Your Home Supplementary Planning Document, November 2007, would be suitably addressed.

Other Matters

11. The recently published SFRA places the appeal site partially within indicative Flood Zone 3b. In respect to Flood Zone 3b, the SFRA states that for areas outside of the detailed model coverage, Flood Zone 3a has been used as a conservative indication, and that further work should be undertaken as part of detailed site-specific Flood Risk Assessment (FRA) to define and refine the extent of Flood Zone 3b where no detailed modelling exists. It goes on, that caution should be applied where the conservative Flood Zone 3b extent encompasses existing urban areas which would not otherwise be "designed to flood". While a site-specific FRA is provided for the appeal scheme, it pre-dates publication of the SFRA.
12. Both parties have had the opportunity to comment on the recently published SFRA. The Council raises no further objection to the proposed development as it does not consider that the developed property would be at risk throughout its expected lifetime, nor would it increase the flood risk to neighbouring properties. From the information before me I have no reason to disagree. However, the Council's Officer Report (OR) does suggest that the mitigation measures contained within the FRA should be secured by the imposition of a condition. Such a condition would be necessary to minimise flood risk to the appeal scheme.

Conditions

13. In addition to the condition to secure flood risk mitigation measures, I have imposed conditions for the standard time limit and specifying the approved plans, which provides certainty. I have also imposed a condition requiring matching materials to safeguard the character and appearance of the appeal property and surrounding area.
14. The Council's OR discusses the potential for the loss of privacy for the occupiers of nearby properties, from use of the flat roof extensions to the rear and south. To address this concern, the report suggests that a condition is required to secure details of the proposed 'Juliet' balconies. However, the

plans and elevations indicate fixed obscured glass balustrades to those openings leading onto these roof areas, which would restrict access. As such, it does not appear necessary to secure further details by condition.

15. Reference is also made within the Council's OR to a requirement to condition reasonable avoidance measures for newts, on the basis that there is a garden pond on the appeal site and a further pond to the east. However, I have been provided with no evidence to suggest that newts are present in the locality and so it has not been demonstrated that a condition to this effect is necessary.

Conclusion

16. For the reasons set out above, having had regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be allowed.

S Brook

INSPECTOR