



Appeal Decision

Site visit made on 10 June 2025

by **E Heron MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2 July 2025

Appeal Ref: APP/F2360/W/25/3360830

25 Smithy Lane, Much Hoole, Lancashire PR4 4GN

- 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 Stephen McGinty against the decision of South Ribble Borough Council.
 - The application Ref is 07/2024/00172/FUL.
 - The development proposed is erection of new dwelling and associated access in land to rear of 25 Smithy Lane.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - the living conditions of neighbouring occupiers within 55 Barnfield and 25 Smithy Lane, with regard to privacy and outlook; and
 - whether adequate living conditions would be created for future occupants with particular reference to outdoor space.

Reasons

Character and Appearance

3. The appeal site comprises land to the rear of 25 Smithy Lane, although it effectively fronts the approach road into Barnfield. It is in a residential area of predominantly two storey dwellings and some bungalows. There is cohesion and spaciousness in the arrangement of dwellings, through their set-back from the pavement behind gardens and driveways and main elevations of dwellings aligning with and fronting the road on which they are sited. Trees and hedges soften the appearance of the street scene.
4. The appeal site is prominent as it is viewed on the approach road into Barnfield, and from the Smithy Road junction. The gap between the appeal site and the flank wall of 55 Barnfield, contributes to a sense of space, opening up views into Barnfield from Smithy Road, and providing some relief from the tunnelling effect of a long run of close-boarded fencing.
5. The flank wall of the proposed dwelling would be positioned close to the boundary with the approach road into Barnfield and would not align with this boundary. The

dwelling would also be orientated such that its main elevation would face towards the rear of 25 Smithy Lane, rather than fronting Barnfield. This would be at odds with the cohesive pattern of development in the area. The development would also close the gap between the approach road and the flank wall of 55 Barnfield and would be sited in close proximity to this neighbouring dwelling. This would significantly erode the sense of spaciousness within the street scene. As an accumulation of the above, the proposed development would appear as a cramped form of overdevelopment.

6. I have taken account of other developments in the locality provided by the appellant. Most examples are of development fronting a road, conforming to a general pattern of development in the immediate vicinity. The care home development is a building of an entirely different design and size. Thus, the examples are not directly comparable with the appeal scheme.
7. I acknowledge that the materials would be harmonious with the area, and that a scheme of landscaping would assist in softening the visual appearance of the building. In addition, the size of the garden, is similar to the garden space of other properties on Barnfield. However, these factors would not resolve the harm that would arise owing to the orientation and siting of the dwelling.
8. For these reasons, the proposal would be harmful to the character and appearance of the area. As such it would conflict with Policies B1 and G17 of the South Ribble Borough Council, Local Plan (2012-2026) (the Local Plan) and Policy 17 of the Central Lancashire Adopted Core Strategy, Local Development Framework, July 2012, (the Core Strategy). These policies require new development to be in keeping with the character and appearance of the area, and respect the street scene, amongst other things.

Living Conditions of Neighbouring Occupiers

9. There would be 21 metre separation between the proposed front dormer window serving bedroom 1, and the windows in 25 Smithy Lane, and there would be a tall close-boarded fence dividing the two sites. This would safeguard privacy in relation to overlooking of windows, and meets the guidance contained within the Residential Extensions Supplementary Planning Document (the SPD). However, the proposed bedroom windows would be within 10 metres from this neighbouring boundary and would directly overlook the rear garden of 25 Smithy Lane, leading to a harmful loss of privacy.
10. The proposed dormer windows, particularly serving bedroom 2, would be uncomfortably close to the side window of 55 Barnfield. Whilst there would be an acute angle between the windows, privacy and outlook for the neighbouring occupier would be significantly eroded due to their proximity. Obscure-glazing may alleviate direct loss of privacy to some extent, particularly if the opening is restricted; however, there would still be a perception of overlooking, and this would not overcome the harm to the outlook from that neighbouring window. Given that there would be knock-on implications for the living conditions of the future residents of bedroom 2 due to an increased sense of confinement, it would not be reasonable to impose a condition to secure such details in any event.
11. I acknowledge that other separation distances are maintained, the boundary fencing prevents ground floor overlooking, and the sloping roof form, and overall scale of the dwelling minimizes any overbearing presence. This does not however,

resolve the harm to the occupiers of 55 Barnfield in respect of the way the new house would be perceived from the side window.

12. For these reasons, the proposal would have an unacceptable effect on the living conditions of neighbouring occupiers, in particular No's 55 Barnfield and 25 Smithy Lane, with regard to privacy and outlook. As such the development would conflict with Policies B1 and G17 of the Local Plan. These policies permit development that does not adversely affect nearby residents in relation to overlooking and overbearing effect, amongst other things.

Living Conditions of Future Occupiers

13. The Council asserts that the garden would be an insufficient private amenity space for the proposed dwelling. Whilst in figurative terms the garden would be small, it is apparent that the space would be functional, with space for sitting out and hanging washing, and has the potential to be enclosed on all sides by fencing to provide privacy.
14. As such, the proposal would create adequate living conditions for future occupants with particular reference to outdoor space. As such, in this regard, the proposal would not conflict with Policies B1, G17(a) of the Local Plan and Policy 17(a) of the Core Strategy. These policies require design of new buildings to take account of building to plot ratio, density and layout, as well as avoiding harm to nearby residents, amongst other things.

Other Matters

15. The proposal would be an addition to the local housing stock in an accessible location, in that specific sense, making efficient use of land in a built up area. It would potentially enable the appellant to stay in the community, close to family. These are benefits of the scheme; however they do not outweigh the harm I have found in relation to the first two main issues.
16. The appellant advises that a previously refused scheme on the site, submitted by a previous owner, was for a much larger house, (Council reference 07/1991/0041). In addition, there would be a lack of environmental disruption or an impact on the local traffic network. These factors weigh neither for nor against the proposal and do not alter my findings in relation to the main issues.
17. The Council stated that the proposal would be acceptable in highway terms, and I see no reason to disagree. Off-road parking spaces are proposed, and there are no restrictions to on road parking in the vicinity.
18. I acknowledge the appellant's procedural concerns in respect of objections, and that discussions with the Council during the course of the application, have led to revisions to the scheme. However, these matters do not alter my findings with respect to the planning merits of the scheme.

Planning Balance and Conclusion

19. Whilst I have found that adequate living conditions would be created for future occupants, I have also found that the scheme would harm the living conditions of neighbours and would have a harmful effect on the character and appearance of the area. These shortcomings draw the proposal into conflict with the development plan read as a whole. The other considerations before me, including the personal

circumstances of the appellant, do not indicate that I should make my decision other than in accordance with the development plan. Therefore, for the reasons given, the appeal should be dismissed.

E Heron

INSPECTOR