

Appeal Decision

Site visit made on 22 November 2016

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6th December 2016

Appeal Ref: APP/T2350/D/16/3157387

Blue Trees, Manor Road, Copster Green, Lancashire, BB1 9EP

- 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 J Rowley against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2016/0333, dated 11 April 2016, was refused by notice dated 6 June 2016.
 - The development proposed is resubmission of application ref 3/2016/0114, for the erection of garage and boundary fence.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development, firstly, on the character and appearance of the area and, secondly, on the living conditions of the occupiers of Oaksmead with regard to an overbearing impact, overshadowing, and loss of outlook.

Preliminary Matter

3. The site was recently subject to an appeal decision (ref APP/T2350/D/16/3150282), which was dismissed, for a very similar development to that currently proposed. The previous scheme was for a garage in the same location, and with the same footprint and height as the current appeal proposal. Given the similarities between the two proposals, and the date of the recent appeal decision (10 August 2016), I must attach significant weight to the previous Inspector's findings.

Reasons

Character and appearance

4. The proposed garage would be large and the appellant states that it is required to accommodate a caravan / motorhome. It would be 4.2 metres in height to the eaves and almost 5.9 metres to the ridge. The garage would be visible from road through the gap between Hill Top Bungalow and Oaksmead.
 5. The previous Inspector found that the overall scale of the garage would not reflect the semi-rural residential character of Copster Green, and would appear incongruous to the area. These observations equally apply to the current
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appeal proposal, which is very similar in scale and design. The garage would be a large and intrusive presence that would be at odds with the character of the area. The fact that it would only be visible from a section of the road does not alter my view in this regard.

6. The proposed fence would extend along the boundary with Oaksmead, and would be 2.5 metres in height along most of its length. Whilst there would be a step down in height closer to the road, it would still be prominent in views along the street. The fence would also be taller and of a different construction to other boundary treatments in the vicinity. In my view, it would be visually intrusive and out of keeping with the character of the area.
7. The appellant highlights a recent planning permission to extend the adjacent property and considers that this sets a precedent that favours the current appeal proposal. Whilst the full details of that approval are not before me, it is clear that it related to a front extension to an existing property rather than a new outbuilding. The comparison with the current development is therefore inexact. In any event, I must consider the appeal proposal on its merits.
8. I conclude that the development would unacceptably harm the character and appearance of the area. It would therefore be contrary to Policies DMG1 and DME2 of the Ribble Valley Core Strategy (2014). It would also be at odds with the National Planning Policy Framework ('the Framework') which seeks to secure good design.

Living conditions

9. The proposed garage would be located next to the boundary with Oaksmead. The previous Inspector found that the earlier proposal was visually intrusive when viewed from the garden of Oaksmead. The current appeal scheme is the same height as that proposal, and is in the same location next to the garden to Oaksmead. In my view, it would be visually oppressive and overbearing to users of the rear garden.
10. The long stretch of fencing along the boundary would be lower in height than the existing hedge, and would not therefore have an unacceptable overbearing impact on the rear windows or garden of Oaksmead. However, at the front of the property, where the boundary is currently low and supplemented with planting, the proposed 2.5 m high fence would harmfully reduce the outlook from the nearby ground floor window to Oaksmead. Whilst this impact may change if the approved extension to Oaksmead is built, construction work did not appear to have started at the time of my site visit. I cannot therefore be certain that this extension will be built.
11. I conclude that the development would unacceptably harm the living conditions of Oaksmead with regard to an overbearing impact and loss of outlook. It would therefore be contrary to Policy DMG1 of the Ribble Valley Core Strategy (2014). It would also be at odds with the Framework which seeks to ensure a good standard of amenity for existing occupiers.

Other Matter

12. The development would be accessed via the existing driveway which runs along the boundary with Oaksmead. However, as the proposed garage would be used in conjunction with the existing dwelling I do not consider that the development would materially increase the use of this driveway.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR