



Appeal Decision

Site visit made on 8 May 2018

by **Alison Partington BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23rd May 2018

Appeal Ref: APP/U2370/W/18/3195781

St Thomas Church Hall, Church Street, Garstang, Preston PR3 1PA

- 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 Robin Smith against the decision of Wyre Borough Council.
 - The application Ref 17/00091/FUL, dated 5 January 2017, was refused by notice dated 24 January 2018.
 - The development proposed is the erection of one additional dwelling following demolition of existing outbuilding to former church hall and proposed alterations to car parking layout.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of one additional dwelling following demolition of existing outbuilding to former church hall and alterations to car parking layout at St Thomas Church Hall, Church Street, Garstang, Preston PR3 1PA in accordance with the terms of the application, Ref 17/00091/FUL, dated 5 January 2017, subject to the conditions set out in Annex A.

Procedural Matters

2. On the application form the address for the development was given as The Vicarage, but on the appeal form and decision notice it is given as St Thomas Church Hall. It is clear from the plans, and my site visit, that the development relates to the former church hall and not the Vicarage and so I have used that as the address in both the banner heading and my formal decision. In addition, I have used the description of development as given on the decision notice and appeal form as this was more succinct than that given on the application form.

Main Issue

3. The main issue in the appeal is the effect of the proposed development on the living conditions of future occupiers of the building with particular regard to outlook, light and sunlight for Unit 1 and the courtyard garden area.

Reasons

4. The appeal relates to a brick built extension on the rear of a former church hall. The majority of the building is an attractive L-shaped stone building and permission has previously been granted for the conversion of this to 4 dwellings. It is proposed to demolish this current extension and replace it with

- a two storey extension whose design and materials would be much more sympathetic to the host property.
5. The height, mass and projection of this proposed dwelling would be greater than the existing extension on the site, and would be similar to the existing southerly projecting part of the hall that will form Plot 1. This dwelling has two windows on the western elevation that would face the blank elevation of the proposed dwelling and would be approximately 7m from it. One of these windows serves the kitchen area, and the other the living area, of the open plan kitchen/dining and living area for this dwelling.
 6. The Council have indicated that *SPG4: Spacing Guidance for new housing layouts (adopted September 1998)* would normally require a minimum separation distance of 13m between these windows and a blank elevation. As such the proposal would fall short of this. However, the outlook of these windows would previously have been to the brick elevation of the existing extension at a similar distance. As such even though, the scale and mass of the proposed dwelling is greater than the existing building, the outlook from these windows, and the light received by them, would not be significantly different.
 7. The appellant has indicated that despite the increased size of the proposed dwelling, the window serving the lounge area would have no external obstruction above the 25 degree line which is generally considered acceptable for windows providing a main source of light and outlook. This has not been disputed by the Council. In addition, this open plan living area is also served by two other windows on the eastern elevation which have an open outlook and no restrictions on light.
 8. Given this, overall I am satisfied that Unit 1 would still have an adequate outlook from the living area and would be provided with satisfactory levels of light.
 9. The area between the proposed dwelling and Unit 1 would provide a courtyard garden for the use of residents. The proposed dwelling would be to the west. Whilst the increased scale and mass of the proposal would create some limited additional overshadowing of this area later in the day, as it is south facing, I am satisfied that it would still receive adequate amounts of light and sunlight during the day, and would be an attractive place for residents to use.
 10. All in all, I consider that the proposed development would not unacceptably harm the living conditions of future occupiers of the building with particular regard to outlook, light and sunlight for Unit 1 and the courtyard garden area. Accordingly it would not conflict with Policy Sp14 of the Wyre Borough Local Plan (adopted July 1999) which seeks to ensure that developments have a high standard of design and amenity.

Other Matters

11. The building is located within Garstang Conservation Area. I have therefore had regard to the special duty placed on decision makers in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. I note that the Council have not raised any objections in this regard. The proposal would replace an unsympathetic extension to the existing building with an extension whose design and materials are much more in keeping with the host property.

As such, I consider that the proposal would improve the appearance of the host property, and would result in a minor enhancement to the character and appearance of the conservation area.

12. I note the concern of a local resident regarding existing parking problems outside nearby houses. However, this is not a matter that is before me at this appeal. Moreover, the proposed changes to the car parking layout would create an additional 4 parking spaces on the site, and I note that the Council consider the on-site parking to be satisfactory. Nothing I have seen or read leads me to come to a different conclusion in this regard.

Conclusion and Conditions

13. For the reasons set out above, I conclude the appeal should be allowed.
14. In addition to the standard implementation condition, I have imposed a condition specifying the relevant plans, as this provides certainty. In the interests of the character and appearance of the area a condition is required to control the external appearance of the dwellings. For highway safety reasons a condition is required to secure the provision of the parking before the dwelling is occupied.

Alison Partington

INSPECTOR

Annex A

Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan Drawing No. 1632/03 Rev B; Topographical Survey Drawing No. 1632/05 Rev A; Proposed Site Plan Drawing No. 1632/08; and Proposed Plans and Elevations Drawing No. 1632/06 Rev A.
- 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 dwelling shall not be occupied until the parking and turning space has been laid out within the site in accordance with Drawing No. 1632/08 and that space shall thereafter be kept available at all times for the parking of vehicles.