

**APPEAL BY KNIGHTS PROFESSIONAL SERVICES LTD AGAINST THE DECISION OF THE BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR A BUNGALOW AT BUILDERS YARD, PARK ROAD, SILVERDALE.**

<b><u>Application Number</u></b>	<b>15/00879/FUL</b>
<b><u>LPA's Decision</u></b>	<b>Refused under delegated powers 26<sup>th</sup> November 2015</b>
<b><u>Appeal Decision</u></b>	<b>Appeal allowed and planning permission granted subject to various conditions</b>
<b><u>Date of Appeal Decision</u></b>	<b>10<sup>th</sup> November 2016</b>

The Inspector identified that the main issue of the appeal to be the effect of the development on the character and appearance of the area. In allowing the appeal the Inspector made the following comments:-

- The appeal site is situated within the urban area of Silverdale and is within reasonable walking distance of shops and services. However, although it is adjacent to two dwellings, it is detached from the main built form of the settlement. To the south are open fields and to the north are allotments, which provide an open character to the area.
- The Council accepts that it is unable to demonstrate a five year supply of deliverable housing sites. Policies in the development plan relating to the supply of housing are therefore not up-to-date when considered in relation to paragraph 49 of the National Planning Policy Framework (NPPF). Paragraph 14 further advises that where the development plan is absent, silent or relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when considered against the policies in the NPPF. The Council confirm that, in principle, residential development in this location is supported.
- The appeal site comprises a builder's yard. Despite the presence of the materials, plant and structures on the site, its general openness and low profile makes some contribution to the openness of the overall area. The site also contributes to the gap between the industrial units to the east and the main built form of Silverdale to the west, which provides an important visual break. However, the site is not located within an area of special landscape quality.
- The proposed dwelling would be single-storey and would be positioned in the western half of the site, adjacent to the boundary with Robin Cottage. Although it would be single-storey in height it would nevertheless be more visually prominent than the existing use of the site and would result in a moderate loss of openness. However, the site is previously developed land and a single dwelling would be more compatible with adjacent residential properties than the existing builder's yard and would not encroach any further into the surrounding fields or adjacent woodland.
- Overall, the replacement of the existing use with a single-storey dwelling would not significantly erode the gap between the industrial units and Silverdale. The remaining gap would retain a sufficient degree of openness to ensure there would be an adequate visual break. Therefore the proposal would not significantly harm the character and appearance of the area. As such, it complies with Policy CSP1 of the Core Spatial Strategy, which seeks to ensure that new development is well designed to respect the character, identity and context of the area.

- The Inspector had regard to an appeal decision for an outline scheme comprising two dwellings on the site. However, the proposal before him was for a single-storey dwelling and therefore its effect on the character and appearance of the area would be markedly different to that of two dwellings.
- Concerns had been raised by local residents in respect of highway safety. However, as the proposal is for a single dwelling the Inspector did not find that the limited increase in traffic movements would represent a significant risk to the safety of pedestrians or create congestion problems..
- In addition, he did not find that the proposal would generate a significant level of noise that would be harmful to the living conditions of the occupants of the neighbouring property. Furthermore, there was no substantive evidence that the proposal would significantly compromise any wildlife value which the site may have.

The Inspector concluded as follows –

- the Government is seeking to significantly boost the supply of housing and the NPPF requires housing applications to be considered in the context of the presumption in favour of sustainable developments;
- The development would bring economic benefits through the creation of jobs albeit these would be short term. The site is an accessible one, close to services and a range of facilities in Silverdale;
- Whilst the proposal was only for a single dwelling, and therefore would make only a minimal contribution to the district's identified housing need, these modest benefits did weigh in its favour; and
- The proposal would not significantly harm the character and appearance of the area and there is no identifiable harm that would significantly and demonstrably outweigh the above benefits, when assessed against the policies in the NPPF taken as a whole, so in accordance with paragraph 14 of the NPPF, planning permission should be granted

### **Recommendation**

**That the decision be noted.**