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## Appeal Decision

Site visit made on 1 April 2019

**by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS**

**an Inspector appointed by the Secretary of State.**

**Decision date: 24<sup>th</sup> May 2019**

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### **Appeal Ref: APP/M2325/D/19/3221121**

### **Manyviews, Lea Lane, Preston PR4 0RL**

- 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 and Mrs John and Deborah Dallinger against the decision of Fylde Council.
  - The application Ref 18/0849 dated 30 October 2018, was refused by notice dated 21 December 2018.
  - The development proposed is a single storey side extension to the kitchen.
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### **Decision**

1. The appeal is allowed, and planning permission is granted for a single storey, side extension to the kitchen at Manyviews, Lea Lane, Preston PR4 0RL in accordance with the terms of the application, Ref 18/0849, dated 30 October 2018, subject to the following conditions:
  - i) The development hereby permitted shall begin no later than three years from the date of this decision.
  - ii) The development hereby permitted shall be carried out in accordance with the following approved plans: the location plan and plan numbers JDO1 sheet 1; JDO1 sheet 2 and JDO1 sheet 3.
  - iii) 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.

### **Main Issue**

2. The main issue is the effect of the proposed development upon the availability of smaller properties in rural areas.

### **Procedural Matter**

3. Since the submission of the appeal, an updated version of the National Planning Policy Framework (February 2019) (the Framework) has been published by the Government. This is a material consideration in planning decisions. In relation to the main issue in this appeal, Government policy has not materially changed, and it was not therefore necessary to invite any further comments from the different parties involved.

## Reasons

4. Manyviews is a former police station which has been converted to its use as a detached dwellinghouse. It is a two-storey property with 4 existing bedrooms and is located in the countryside.
5. It has been extended since its use as a police station. The Council refers to planning application 04/0701 which was approved in 2004 and where the plans show the existing property at that time to be in use for residential purposes. Moreover, the Council states that Council tax was being paid at that time showing that the building was by then in residential use. The planning application was made as a householder application. The planning approval granted permission for extensions which, with other extensions since then, the Council estimates has increased the floor area of the original dwelling property from about 98 square metres to approximately 148 square metres. The appeal proposal would increase the floor area of the dwelling to about 168 square metres which the Council estimates would constitute a 71% increase on the floor area of the original property.
6. The appellant says that the property did not become a dwellinghouse until the extensions were approved and constructed in 2004 and where subsequent extensions amount to no more than 22% of the original dwelling and that the proposed extension will bring the total to about 30.9%.
7. However, I find that the evidence of the plans submitted with application 04/0701 and in respect of Council Tax is sufficiently convincing and conclude that the extensions (including that now proposed) would amount to approximately 71% of the original dwellinghouse.
8. The Fylde Local Plan 2018 (the Local Plan), policy H7 (a) states that proposals to extend an existing home in the countryside will be limited to no more than 33% calculated in relation to the ground floor area of the original home. The Council argues that the policy should be applied strictly especially in view of the fact that the policy has only recently been adopted.
9. I find that the development would add further to extensions to the original dwelling which already exceed 33%, and therefore it would not accord with the mathematical limitations of policy H7. However, the justification for policy H7 states that *"Evidence collected by the Council demonstrates that fifty one percent of completions of rural homes – excluding barn conversion, caravans and apartments – are four or more bedroomed homes (2003 – 2016). It is vital that the stock of smaller properties in the countryside is maintained, thereby providing more affordable properties and enabling people to downsize, whilst remaining in their local area"*.
10. The appeal property already has 4 bedrooms. The justification for policy H7 is for the retention of smaller properties and, by implication, those with less than 4 bedrooms and the extension would not, in this case, weaken the Councils' desire to protect the stock of smaller dwellings.

11. I therefore conclude that while the proposed development would include an extension which would add further to the 33% limit of policy H7 of the LP, it would not undermine the purpose of the policy which aims to retain the supply of smaller affordable dwellings in the rural area and in this respect I find no conflict with Policy H7 of the Local Plan .

**Conditions**

12. I have attached the standard time condition and a plans condition to provide certainty. I have also attached a condition concerning materials to ensure a satisfactory appearance.

**Conclusion**

13. For the reasons given above, and considering all other matters raised, I conclude that the appeal should be allowed.

*Steven Hartley*

INSPECTOR