
Appeal Decision

Site visit made on 11 October 2016

by Thomas Hatfield BA (Hons) MA MRTPI

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

Decision date: 14th October 2016

Appeal Ref: APP/U4230/D/16/3157512
3 Chester Street, Swinton, Salford, M27 5TB

- 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 Ms Amanda Barton against the decision of Salford City Council.
 - The application Ref 16/68429/HH, dated 11 June 2016, was refused by notice dated 5 August 2016.
 - The development proposed is a 2 storey side elevation extension and new front elevation roof across bay (verandah roof).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the living conditions of Nos 121 and 125 Partington Lane with regard to loss of light and an overbearing impact.

Reasons

3. No 3 Chester Street is a detached dwelling located close to the junction with Partington Lane. The proposed 2 storey extension would significantly expand the existing property, and would bring its side elevation closer to the rear of properties fronting Partington Lane, particularly Nos 121 and 125. These properties have rear habitable room windows that would face onto the proposed extension.
 4. Nos 125 and 127 Partington Lane both have commercial uses at ground floor level, with flats above. The nearest first floor windows in these properties to the proposed extension have obscure glass and appear to serve bathrooms. They would therefore not be unduly affected by the development. However, No 125 also has another first floor rear window that would face the extension that is not obscurely glazed. That window would be significantly less than 9 metres from the proposed extension, which is the minimum distance set out in Policy HE 4 of the Council's House Extensions Supplementary Planning Document (SPD). This proximity would have an unacceptable effect on the outlook from, and the level of light to, this window.
 5. No 121 Partington Lane would also back onto the development. There are rear facing windows in this property at both ground and first floor level that would face the proposed extension. Again, these would be significantly less than the
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13 metres minimum distance set out in Policy HE 3 of the Council's House Extensions SPD. The extension would have an overbearing impact on these rear windows and there would be a harmful loss of outlook and light.

6. I conclude that the development would unacceptably harm the living conditions of Nos 121 and 125 Partington Lane with regard to loss of light and an overbearing impact. It would therefore be contrary to Policy DES 7 of the City of Salford Unitary Development Plan (2006) and advice contained within the House Extensions SPD (2006). It would also be at odds with the National Planning Policy Framework which seeks to ensure a good standard of amenity for all existing and future occupants.

Conclusion

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

Thomas Hatfield

INSPECTOR