
Appeal Decision

Site visit made on 12 October 2016

by Daniel Hartley BA Hons MTP MBA MRTPI

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

Decision date: 18 October 2016

Appeal Ref: APP/T2350/D/16/3158291
29 Warwick Drive, Clitheroe BB7 2BG

- 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 Mrs Jenny Davy against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2016/0655, dated 4 April 2016, was refused by notice dated 2 September 2016.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development upon the occupiers of neighbouring properties in respect of outlook.

Reasons

3. The appeal site comprises a semi-detached house within an established residential area. It includes a rear garden which has a detached garage positioned to the side/rear of the dwelling. The latter is common place for dwellings on this side of Warwick Drive.
 4. It is proposed to erect a single storey pitched roofed extension projecting just over 8 metres from the rear wall of the house. It would be positioned about 300 mm from the boundary fence with the neighbouring garden area of No 31 Warwick Drive and would be built alongside the existing detached garage.
 5. The extension would be set some distance away from the boundary with No 27 Warwick Road and most of it would be screened by the existing detached garage belonging to this property. The latter is higher than the proposed extension. Taking these factors into account, I do not consider that the proposal would have an overbearing impact upon the occupiers of No 27 Warwick Road.
 6. Whilst there is a relatively high boundary fence between the appeal property and No 31 Warwick Drive, this would not have the effect of screening all of the development. Part of the proposed side wall and the entire roof would be visible from both the garden area and rear windows of No 31 Warwick Drive. Given the height of the development, and its significant projection from the
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rear wall of the existing house, it would have an unacceptably dominating and enclosing impact when viewed from the ground floor window and garden area of this property. I do not agree with the appellant that a 300 mm gap between the extension and the boundary fence would be sufficient to mitigate the identified dominating impact. I acknowledge that the occupiers of No 31 Warwick Drive currently have a view of the detached garage, but this is at an angle and it is positioned some way off the common boundary. Consequently, the occupiers of No 31 Warwick Drive currently have a relatively open outlook.

7. Whilst the proposal would not have an adverse effect upon the occupiers of No 27 Warwick Drive, I nonetheless conclude that the proposal would have a significantly dominating and overbearing impact upon the occupiers of No 31 Warwick Drive. Therefore, the proposal would not accord with the amenity aims of Policy DMG1 of the adopted Core Strategy 2008-2028 "A Local Plan for Ribble Valley" 2014.

Other Matters

8. I acknowledge that the extension would not have any windows in its side elevations. This would ensure that there was no adverse effect upon the privacy enjoyed by the occupiers of neighbouring residential properties. However, this would not overcome the identified concern relating to the dominating effect of the proposal upon the occupiers of No 31 Warwick Drive.
9. I note the appellant's references to other extensions in Warwick Drive including an extension between No 19 and No 21 Warwick Drive and an extension to the side of No 25 Warwick Drive. I do not know the exact circumstances which led to these extensions being built/allowed, but from what I could see as part of my site visit they appeared to be totally different developments. In any event, I have determined this appeal on its individual planning merits.
10. I accept that the occupier of No 31 Warwick Drive has not objected to the proposal. However, paragraph 12 of the National Planning Policy Framework states that one of core land-use principles is that planning should *"always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings"*.
11. None of the other matters raised outweigh my conclusion on the main issue.

Conclusion

12. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Daniel Hartley

INSPECTOR