
Appeal Decision

Site visit made on 1 November 2016

by Helen Hockenhull BA(Hons) B.PI MRTPI

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

Decision date: 18 November 2016

Appeal Ref: APP/U2370/D/16/3155667

57 Fleetwood Road, Poulton le Fylde, Lancashire FY6 7NU

- 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 Nick Mills against the decision of Wyre Borough Council.
 - The application Ref 16/00164/FUL, dated 17 February 2016, was refused by notice dated 6 July 2016.
 - The development proposed is a two storey rear extension and addition of side dormers.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey and single storey rear extension at 57 Fleetwood Road, Poulton le Fylde, Lancashire FY6 7NU in accordance with the terms of the application, Ref 16/00164/FUL, dated 17 February 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No.1511/01/2A - Proposed Site Plan, Drawing No. 1511/01/07 – Proposed rear first floor plan, Drawing No. 1511/01/06 – Proposed rear ground floor plan, Drawing No. 1511/01/08A – Proposed elevations.
 - 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.

Procedural Matter

2. The description of development I have used in the banner heading is taken from the original planning application form. I am advised by the main parties that the side dormers have been removed from the scheme as they can be constructed under permitted development rights. I have considered the appeal on this basis.
 3. I also note that the description of development used by the Council refers to a two storey and single storey rear extension. I consider that this description more accurately reflects the development proposed. I have therefore revised the description in my decision accordingly.
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Main Issue

4. The main issue in this case is the effect of the development on the living conditions of the occupants of neighbouring properties with particular regard to outlook and daylight.

Reasons

5. The appeal property forms a detached bungalow located in a predominantly residential area. Neighbouring dwellings comprise detached bungalows of differing designs. The dwelling has a large single storey conservatory extension to the rear close to the boundary with No. 59 Fleetwood Road.
6. The proposed two storey rear extension would project approximately 4.5 metres at ground floor and 2.5 metres at first floor and have a pitched roof similar to the existing property.
7. The Councils Supplementary Planning Guidance Extending Your Home (SPD) provides guidance on single storey and two storey rear extensions. The neighbouring property, No. 55 Fleetwood Road has been extended beyond the existing rear elevation and the footprint of the dwelling is off set. In these circumstances the application of this guidance is not straight forward and in their evidence the Council have not assessed the proposal on this basis. I note however that the appellant has tried to demonstrate how the proposal meets the advice in this document.
8. The neighbouring dwelling No. 55 as a result of its staggered footprint, has a narrow area of amenity space running along the northern side boundary of the property adjacent to the appeal site. There is a bedroom window in the rear facing wall of the property and a small dining room window and orangery window in the side elevation. I noted on my site visit a small single storey shed located by the bedroom and dining room windows adjacent the existing 1.9 metre boundary fence between the two properties. This building together with the fence reduces light to these windows.
9. The appellant has provided copies of approved plans¹ for an extension to No. 55 which provides a ground floor layout. This indicates that the dining room window on the side elevation is not the only source of light to this room. There is an overall separation distance of around 4.7 metres between the neighbouring properties. The two storey element of the proposal would project around 2.5 metres forward of the existing rear elevation of the appeal property and the proposal would have a low pitched roof. Having regard to these factors, the separation distance between the properties and the presence of the existing boundary fence and shed, I consider that the appeal proposal would not have a materially adverse effect on the current level of light experienced at the bedroom and dining room windows of the neighbouring dwelling. The orangery window is located beyond the proposed projection of the extension. I therefore consider it would not be affected by the proposal in terms of loss of daylight.
10. The outlook from the windows on the side boundary of No 55 is already affected by the boundary fence and the shed which I have referred to above. Having regard to the position of these windows, the separation distances between the two properties and the pitch of the proposed roof, I do not

¹ Planning application ref 15/00605/FUL

consider that the proposed extension would have any greater enclosing effect on these windows. There would therefore be no material loss of outlook.

11. With regard to No 59 Fleetwood Road, I noted on my site visit that this property has an existing single storey flat roof rear extension which runs parallel to the existing conservatory at No.57. The proposed extension would project around a metre less than this neighbouring extension. Ground floor secondary windows in the side elevation of No 59 appear to me to be positioned facing the original flank wall of the appeal property. In terms of outlook and daylight they are already affected by the existing boundary fence and the side wall of the conservatory extension to No 57. Having regard to the position of the existing windows in the neighbouring dwelling, I consider that the appeal proposal would not materially affect daylight or outlook to these windows.
12. I therefore conclude that the appeal proposal would not cause harm to the living conditions of the occupants of the neighbouring properties. The development would comply with Saved Policies SP14 and H4 of the adopted Wyre Borough Local Plan 2009. These policies I consider to be generally consistent with the National Planning Policy Framework in particular paragraph 17 which seeks to ensure a good standard of amenity for all existing and future occupiers of land and buildings.

Conditions

13. I have had regard to the conditions suggested by the Council. In addition to the standard condition which limits the timespan of the planning permission I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. A condition relating to materials is also necessary to ensure that the appearance of the development would be satisfactory.

Conclusion

14. For the reasons given above and having had regard to all other matters raised, the appeal is allowed.

Helen Hockenhull

INSPECTOR