
Appeal Decision

Site visit made on 28 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: 09 December 2016

Appeal Ref: APP/U4230/D/16/3159687

5 Dronfield Road, Salford, Manchester M6 7FN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part1, Paragraph A4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr A Baree against the decision of Salford City Council.
 - The application Ref 16/68417/PDE, dated 20 June 2016, was refused by notice dated 1 August 2016.
 - The development proposed is a single storey rear extension to form additional living accommodation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining properties, taking into account any representations received. My determination of the appeal has been made in the same manner.

Reasons

3. Schedule 2, Part 1 Paragraph A4 of the GPDO allows for the enlargement, improvement or other alteration of the original dwelling house. Until 30 May 2019, paragraph (g) of that Class makes provision, subject to conditions, for single storey rear extensions up to 6 metres in length and 4 metres in height for properties other than detached dwellings. The appeal proposes a single storey rear extension of 6 metres in length, 4 metres high and 3 metres in width. There is no dispute that the proposal falls within the scope of the GPDO.
 4. The Council notified the occupants of neighbouring properties in respect of the proposed development. Objections were received resulting in the need for the Council's prior approval in respect of the effect of the development on the amenity of neighbouring premises. This was refused on the grounds of the overbearing effect of the development and loss of light to the ground floor habitable room window of the neighbouring property No.3 Dronfield Road.
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5. I saw on my site visit that the neighbouring property has a bay window serving a dining room immediately next to the common boundary and beyond that an existing single storey rear extension.
6. Saved Policy DES7 of the Salford Unitary Development Plan (UDP) 2006 states that development will not be permitted where it would have an unacceptable impact on the amenity of users of other development. In this case, as a result of the proposed length of the extension and the proximity to the side boundary, together with the existing single storey extension to the rear of No.3 Dronfield Road, I consider that the development would have an enclosing and overbearing effect on the dining room window of the neighbouring property. This would create a poor outlook for the occupants. Having regard to the orientation of the two properties as well as the proposed 6 metre length of the extension, I consider that there would also be a reduction in daylight to this window.
7. The proposal would therefore cause harm to the living conditions of the occupants of the neighbouring house and would fail to comply with Saved Policy DES7 of the UDP. I consider this policy generally consistent with the National Planning Policy Framework (the Framework), in particular paragraph 17 which seeks to achieve a good standard of amenity for all existing and future occupants of land and buildings.
8. I note that a number of objections to the proposal from neighbouring residents relate to the potential increase in the number of student tenants at the property, noise and anti-social behaviour issues. I acknowledge the appellant's point that without such objections, the proposal would not have required the prior approval of the Council. Furthermore these matters do not directly relate to the amenity of adjoining dwellings and therefore do not fall to be considered under the provisions of the GPDO. I also note the appellant's intention to occupy the property so that it would no longer be tenanted overcoming neighbours' concerns. Nevertheless, the relevant procedure set down in the GPDO must be followed.
9. I have also taken account of the appellant's need for extended ground floor accommodation as a result of medical issues. Whilst this benefit adds support to the proposal, it does not outweigh the harm I have identified to the living conditions of the occupier of the neighbouring dwelling.

Conclusion

10. I have found that the appeal proposal would cause harm to the living conditions of the occupants of the neighbouring property as a result of poor outlook and loss of daylight.
11. For the reasons given above and having regard to all other matters raised, including letters of support for the proposal, I dismiss this appeal.

Helen Hockenhull

INSPECTOR