

Appeal Decision

Site visit made on 17 January 2017

by B.Hellier BA(Hons) MRTPI

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

Decision date: 30th January 2017

Appeal Ref: APP/M2372/D/16/3164229

9 Peter Street, Blackburn, BB1 5HQ

- 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 Naira Sardar against the decision of Blackburn with Darwen Borough Council.
 - The application Ref 10/16/1037, dated 28 September 2016, was refused by notice dated 9 November 2016.
 - The development proposed is erection of single storey extension to rear to existing conservatory.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of a single storey extension to rear to existing conservatory at 9 Peter Street, Blackburn, BB1 5HQ in accordance with the terms of the application, Ref 10/16/1037, dated 28 September 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) 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.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plan: 084/09/16/9 dated September 2016.

Main issues

2. I consider the main issues are the effect of the extension, firstly, on the character and appearance of the existing dwelling and, secondly, on the outlook of the adjacent bungalow, 7 Peter Street.

Reasons

Character and appearance

3. The appeal property is a semi-detached house which has recently been extended at two storeys to the side right up to the boundary with the adjacent bungalow (No.7). To the rear there is an existing conservatory extending across the original width of the property. The proposal is a single storey flat roofed addition behind the new extension filling in between it and the

conservatory. It would be 2.4m wide and run for approximately 4.3m along the side boundary with No.7.

4. The proposed development would have no impact on the street scene. At the rear there would be no impact on the existing roofline and at first floor level the original building line would be unchanged. At ground floor level it would be visually subordinate to the conservatory which is wider and has a hipped roof. A small rear garden would be retained. Whilst it would result in a tighter layout at the rear than is characteristic of surrounding property I do not consider it unreasonably cramped. Furthermore, it would not be easily seen from any public viewpoint.
5. Having regard to the above and the small scale of the development I find that the proposal would not have a significant adverse effect on the character or the appearance of the host dwelling. Since the development would be of an acceptable standard of design and would respect the scale and massing of the existing dwelling there would be no conflict with the design criteria for new development set out in Policy 11 of the Local Plan¹.

Living conditions

6. The adjacent bungalow has a deeper footprint than the appeal property and has a flat roofed conservatory added to the rear. The south elevation of this conservatory would face the blank 2.5m high side elevation of the proposed extension. There would be a considerable sense of enclosure looking in this direction. However as a realistic fallback the appellant would be entitled to erect a 2m high fence along the same boundary. It is also the case that the conservatory has more open views to the east overlooking the back garden of the bungalow so I do not consider the overall effect would be unacceptably oppressive.
7. I find that the proposed development would not have a materially detrimental effect on the outlook of the occupiers of No.7 and that the requirement of Local Plan Policy 8 which seeks a satisfactory level of amenity for surrounding uses and occupiers would be met.

Conclusion

8. For the reasons given above, subject to standard conditions relating to commencement, matching materials and compliance with approved plans, I conclude that the appeal should be allowed.

Bern Hellier

INSPECTOR

¹ Local Plan Part 2: Site Allocations and Development Management Policies. Adopted December 2015