

Appeal Decision

Site visit made on 30 January 2017

by Louise Nurser BA (Hons) Dip UP MRTPI

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

Decision date: 14 February 2017

Appeal Ref: APP/W4325/D/16/3161712

Napps Croft, 21 Downham Road North, Heswall CH61 6UN

- 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 Mike Beecham against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/16/00820, dated 7 June 2016, was refused by notice dated 26 August 2016.
 - The development proposed is first floor rear extension.
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Decision

1. The appeal is dismissed.

Procedural matter

2. I am aware that planning permission (16/00126) has been granted for a single storey rear extension and single storey front extension to the property. At the time of my site visit building works had commenced at the property. For the avoidance of doubt I confirm that my determination of the appeal is based on the drawings submitted and not on the works as constructed.

Main Issue

3. The main issue is the effect of the first floor element of the proposed rear extension on the living conditions of the occupants of number 19 Downham Road North, with particular reference to outlook.

Reasons

4. As part of my site visit I took the opportunity to view the appeal site from the large rear garden of number 19 Downham Road North. Due to the positioning of the properties the back wall of no 19 lies around 7 m behind the partly extended host property. Moreover, I observed that the existing fencing and tree specimens within the garden of no 19 do little to screen the side elevation.
 5. Consequently, the proposed second storey and increased height of the side elevation and the introduction of an elongated pitch roof would significantly adversely compound the impact of the relationship between the two properties and would not be modest in scale. Living conditions of the occupants of no 19 would be adversely affected by the oppressive overbearing outlook when viewed from the kitchen and the conservatory, as well as the garden area closest to the property. I also was aware that due to the configuration of the
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property that the sitting room has restricted outlook. It appeared that the occupants use the conservatory as a sitting room, as I was able to observe a sofa which would give direct views to the proposed two storey side elevation. Consequently, I attach considerable weight to the impact of the proposed development on the occupants' enjoyment of the conservatory.

6. I am aware that both numbers 19 and 23 have two storey extensions. However, their scale and impact are substantively less than that proposed. Number 19 does not extend beyond the original rear elevation of no 21 and no 23 is considerably smaller. I understand that the appellant wishes to further extend his property to provide additional living accommodation. However, the scale of the proposed extension would have a significant adverse impact on the living conditions of the occupants of no 21. As such, it would be contrary to Policy HS11 of the Wirral Unitary Development Plan, adopted February 2000, and Supplementary Planning Guidance Houses Extensions July 2004, which require proposals due to their scale and dominance not to adversely impact on outlook from neighbours' habitable. These principles of good design remain consistent with those set out in Framework

Other matters

7. I have been referred to objections to the scheme being received following the close of the consultation period. However, this does not outweigh the significant harm which I have found.

Conclusion

8. For the reasons above the appeal should be dismissed.

L. Nurser