
Appeal Decision

Site visit made on 16 May 2017

by J C Clarke BSc(Hons) BTP MRTPI

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

Decision date: 9 June 2017

Appeal Ref: APP/F2360/D/17/3168264

6 Lonmore, Walton-le-Dale PR5 4LR

- 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 Javed Bhuta against the decision of South Ribble Borough Council.
 - The application Ref 07/2016/1088/HOH, dated 6 November 2016, was refused by notice dated 21 December 2016.
 - The development proposed is a first floor front extension and single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor front extension and single storey rear extension at 6 Lonmore, Walton-le-Dale PR5 4LR in accordance with the terms of the application, Ref 07/2016/1088/HOH, dated 6 November 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 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 drawing RAD/1516/16/1, except in respect of the roof detailing of the first floor front extension, which shall be constructed in accordance with further details to be submitted to and approved in writing by the local planning authority before the start of development.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of occupiers of number 3 Lonmore.

Reasons

3. The appeal dwelling is a 2 storey detached house with a single storey attached garage at its front. The north east side elevation of the house and garage face towards the rear garden and rear elevation of a house at number 3 Lonmore. The proposed development would include a first floor extension over the existing garage at the front of the appeal dwelling and a single storey rear
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- extension. The concerns raised by the Council focus upon the effects of the proposed first floor extension.
4. The Council's Residential Extensions Supplementary Planning Document (SPD) states that proposed extensions should not result in an overbearing or over dominant impact on neighbouring residential occupiers. It also states that blank walls on any proposed extension should be located no less than 13 metres from any neighbouring or facing habitable room windows. Whilst the SPD only has the status of guidance it is a material consideration in my decision.
 5. The appeal dwelling as enlarged would span the entire width of the rear boundary of number 3 mostly at 2 storey height when viewed from that property. However, the rear garden of number 3 has a fairly generous length. The distance between the proposed extension and the main rear facing elevation of number 3, identified by the Council as being about 15.5 metres, would exceed the guideline of 13 metres given in the SPD. Whilst the proposed extension would be slightly closer to an existing conservatory at the rear of number 3, this does not form part of the primary rear elevation of that dwelling.
 6. The views towards the proposed extension from number 3 would also be softened by existing landscaping within the rear garden of that property. The pitched roof on this side of the extension would slope away from number 3. Whilst the extension would, being to the south west of number 3, cause some loss of sunlight to the garden of number 3, this would be limited to late afternoons.
 7. I understand that the occupier of number 3 may have received advice from the Council concerning the possibility of building an extension over his own garage. However, as far as I am aware that proposal did not progress to a formal planning application or decision. I have in any event considered the appeal proposal as I must on its own merits having regard to the development plan and other material considerations.
 8. Taking all the above factors into account, the proposal would not have an unacceptably overbearing or dominant impact on the outlook from number 3. Its approval would not cause material harm to living conditions of occupiers of that dwelling, or conflict with the relevant provisions of Policy G17 of the South Ribble Local Plan, the National Planning Policy Framework or the SPD related to this matter.

Conditions

9. The Council has suggested several conditions for me to consider imposing if the appeal is allowed. My condition 1 is a standard condition setting the date within which development must start. My condition 2, requiring that external facing materials should match those used on the existing dwelling, is required to protect the character and appearance of the host property and the surrounding area. My condition 3, requiring the development to be carried out in accordance with the approved plan, is required in the interests of certainty. I have adjusted the wording of this condition to require further details of the roof of the extension to be submitted to and approved by the Council, as it is unclear from the currently submitted plan exactly how this will marry in with the roof of the existing house.

Conclusion

10. For the reasons given above I conclude that the appeal should be allowed.

Jonathan Clarke

INSPECTOR