
Appeal Decision

Site visit made on 11 July 2017

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 14 July 2017

Appeal Ref: APP/M4320/D/17/3174079

20 Carnarvon Road, Birkdale, Southport, PR8 4SE

- 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, Part 1, Class A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Mr P Formby against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2016/02462, dated 6 December 2016, was refused by notice dated 27 January 2017.
 - The development proposed is the erection of a single storey rear extension to the dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the extension upon the amenity of the occupiers of the adjoining premises in respect of light and outlook.

Reasons

3. The provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining premises, taking into account any representations received. My determination of this appeal has been made in the same manner.
4. The appeal property has a small outrigger which would be demolished. The extension would be 6m long from the rear elevation. It would be some 2.5m to the eaves and 3.8m to the ridge of the roof. The garage on the boundary with No 22 would also be demolished to make way for the extension. Given that the garage projects further along and closer to, the side boundary with No 22 than would the proposed extension, I consider that the extension would not have a detrimental impact upon the living conditions of the occupants of No 22.
5. However, the extension would be against the boundary with No 18, the dwelling attached to the appeal property. No 18's rear elevation is on the same building line as that of the appeal property. Attached to the rear elevation of No 18 is a conservatory which is next to the joint boundary. This conservatory is attached to a living room. The proposed extension would run alongside this conservatory but it would be almost twice its length.

6. The proposed extension's long projection beyond the conservatory, combined with its close proximity to the conservatory, would make for an enclosing and overbearing outlook from both the living room and the conservatory of No 18 and it would also result in some loss of daylight to these rooms.
7. I conclude that the proposed extension would have a harmful impact upon the amenity of the adjoining premises in respect of daylight and outlook and would therefore harm the living conditions of its occupants. This would be contrary to Paragraph 17 of the National Planning Policy Framework which says that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
8. I have had regard to the evidence the appellant submitted in relation to the mobility and health issues that affect a resident of the appeal dwelling. I understand that the extension would help to enable ground floor living. However, whilst this may represent a social benefit of the scheme, it does not outweigh the harm that would be caused to the living conditions of the adjoining neighbour.
9. For the above reasons, the appeal is dismissed.

Siobhan Watson

INSPECTOR