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## Appeal Decision

Site visit made on 10 October 2017

**by Brendan Lyons BArch MA MRTPI IHBC**

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

**Decision date: 6<sup>th</sup> November 2017**

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**Appeal Ref: APP/F2360/D/17/3181858**

**17 Holland Avenue, Walton-le-Dale, Preston PR5 4RJ**

- 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 Caroline Whiteside against the decision of South Ribble Borough Council.
  - The application Ref 07/2017/0928/HOH, dated 2 April 2017, was refused by notice dated 15 June 2017.
  - The development proposed is a single-storey extension to side and rear following demolition of existing garage.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue in the appeal is the effect on the living conditions of residents of the adjoining house, 19 Holland Avenue, with regard to their outlook.

### Reasons

3. The appeal property is a dormer bungalow situated in a suburban residential area. The house forms part of a row of matching semi-detached pairs along one side of Holland Avenue. The house has previously been extended to the rear across the full width of the ground floor, and this extension links to a flat-roofed garage built along the common boundary with No.19.
4. Permission is sought to remove the garage and to erect a single-storey extension along the side of the house, continuing along the boundary over much of the depth of the rear garden and partly wrapping around the width of the former extension. The proposed extension would contain an enlarged kitchen, utility room and wc, together with a bathroom and a garden room with potential for use as a bedroom/sitting room by the appellant's elderly mother.
5. A previous application to add a larger extension, comprising two storeys to the side and a single storey to the rear, was refused planning permission in 2016 and later dismissed at appeal.<sup>1</sup>
6. The extension now proposed, whose design was amended during consideration of the planning application, would have a shallow pitched roof, appearing from the front as a lean-to against the side gable of the house. The Council raises

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<sup>1</sup> Appeal ref APP/F2360/D/16/3162420

no objection to the proposal's appearance, and I agree that the extension would have a very limited impact on the character of the house and of the surrounding area. The concern is focused on the effect on outlook from the side windows of No.19, which was also the issue that led to dismissal of the previous appeal.

7. The two houses are separated by a distance of some 5m, with No.19 set back slightly behind the appeal dwelling. No.19 has side windows serving its small kitchen and linked dining area, which also gains light from a glass door to the rear and an adjoining conservatory. Outlook from the two side windows is already constrained by the close relationship with the blank side wall of No.17's garage, which stands less than 3m away. However, it is still possible on looking out of either window to see a portion of the sky above the garage, which prevents a feeling of total enclosure. The front of the garage is also sufficiently set back to allow a partial view past to the main gable of No.17.
8. The appeal proposal would be slightly set away from the boundary but would extend further forward, thereby closing off that oblique side view from the kitchen window and presenting a longer extent of blank wall. But more significantly, the proposed roof would also virtually eliminate any view of the sky from the two windows. Although adequate levels of daylight would probably be maintained, this would greatly increase the sense of enclosure within No.19. The dining room has the benefit of other sources of light and outlook, but the kitchen relies on this one aspect. As the kitchen is an important space where residents would be spending considerable time, I consider that their living conditions would be affected to an unacceptable degree.
9. I recognise that the proposal has been reduced in scale from the previous appeal and would have less impact on outlook than the two-storey side extension then proposed, which the Inspector found to be 'oppressive'. I acknowledge that the amended eaves height next to the side boundary has been kept as low as possible, slightly lower than the existing garage. Nevertheless, I consider that the revised proposal would still have significant adverse effects, considerably greater than would be caused by a boundary wall built under permitted development rights.
10. The scheme was also amended in response to concerns by residents of No.19 to omit most of the windows proposed along the common boundary. Although the placement of the one remaining window would be rather unneighbourly, fixed obscure glazing would ensure no loss of privacy at No.19.
11. I acknowledge the appellant's wish to make provision for her mother's declining mobility in a way that would enable her to live semi-independently, although this appears to be a contingency for the future rather than an immediate imperative. This would be consistent with national policy guidance, and could eventually trigger a potential saving to public funds. However, the harm in the present case would arise mainly from the form of the proposed enlarged kitchen and utility room rather than the future bed sitting room. Like the previous Inspector, I consider that the objective of providing accessible ground floor accommodation could be achieved in other ways that would not compromise neighbours' living conditions.
12. I find for the reasons set out above that the proposal would be contrary to Policy 17 of the Central Lancashire Core Strategy, adopted 2012, which seeks

to ensure that neighbours' amenities will not be adversely affected by new development, and to Policy G17(a) of the South Ribble Local Plan (2012-2026) adopted 2015, which seeks to prevent harm from new development with an overbearing effect, and which is amplified by the South Ribble Residential Extensions SPD 2013. The conflict with the development plan would not be outweighed by other material considerations.

13. I therefore conclude that the appeal should be dismissed.

*Brendan Lyons*

INSPECTOR