

Appeal Decision

Site visit made on 14 November 2017

by S R G Baird BA(Hons) MRTPI

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

Decision date: 21st November 2017

Appeal Ref: APP/M4320/W/17/3181982

31 Hartley Road, Southport, Merseyside PR8 4RY

- 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 P Bailiff against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2017/00142, dated 25 January 2017, was refused by notice dated 8 March 2017.
 - The development proposed is the erection of a 1½-floor apartment to the side of the existing building.
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Preliminary Matters

1. Since the application was determined by the local planning authority (lpa), the Sefton Local Plan (LP) has been adopted. The relevant LP policies against which this proposal is to be assessed are Policies SD2 and EQ2.
2. Although it is not shown on the proposed block plan¹ considered by the lpa, I understand the appellant's intention is to retain that part of the garage that lies within the rear of No. 50.

Decision

3. The appeal is dismissed.

Main Issue

4. The implications for neighbours' living conditions with particular reference to outlook and the effect on daylight/sunlight.

Reasons

5. In June 2016 planning permission² was granted for an attached bungalow (width some 9.3m, an eaves height of some 2.45m and a ridge height of some 4.13m) whose blank rear elevation would form the common boundary with No. 50 Richmond Road. This scheme would replace an existing semidetached outbuilding with No. 50 and a garage that straddles the boundary and appears to have the same depth as the outbuilding belonging to No. 50. The outbuilding and garage have chimney/ridge heights of around 4m. The extension would have the same width as the approved scheme but would increase the eaves height to some 4.13m and the ridge height to some 6.15m.
6. The rear elevation of the outrigger to No.50, which contains rear facing windows at ground and first-floor level, is set back behind the side (north)

¹ Drawing No. 27901-003 Rev C.

² DC/2016/00464.

facing elevation of Nos. 29-31 Hartley Road. The adjacent property, No. 48 Richmond Road, has ground and first floor windows and a set of patio doors within its rear outrigger that face towards Nos. 50, 29 and 31. No. 48 has been extended with a single-storey extension to the rear of the outrigger. Nos. 48 and 50 have an open aspect to the north, north-west and north-east created by the gardens of dwellings on Hartley Road and Hartley Crescent and the gap between Nos. 29/31 and No. 27 Hartley Road.

7. Given the orientation of the rear elevations of Nos. 48 and 50 and the position of Nos. 29 and 31, the potential reduction in daylight and sunlight would be minimal and would not be material. However, the proposed increased height of the solid rear elevation of the proposed extension from some 2.45m to 4.45m for a depth of some 9.3m on the common boundary with No. 50 would, despite the presence of the retained outbuilding (No. 50) and that part of the garage to its rear, would be substantial and materially reduce the open aspect experienced by Nos 48. and 50. The scale and mass of the proposed extension would appear dominant and overbearing when viewed from the rear amenity areas of Nos. 48 and 50 and the habitable room windows within No. 48. As a result, the rear amenity areas and the habitable rooms to the rear of Nos. 48 and 50 become materially less pleasant places use and live in. In this context, this proposal would unacceptably affect the living conditions of neighbouring residents through appearing dominant and overbearing.

Conclusion

8. Having regard to all other matters, including the appellant's reference to local demand, I conclude that the proposed extension would unacceptably affect the living conditions of the occupants of Nos. 48 and 50 Richmond Road and as such conflict with the objectives of LP Policies EQ2 and SD2. Accordingly the appeal is dismissed.

George Baird

Inspector