
Appeal Decision

Site visit made on 1 July 2019

by Alexander Walker MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th July 2019

Appeal Ref: APP/V4305/D/19/3227617

28 Ewart Road, Roby L16 2LH

- 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 and Mrs P Brown against the decision of Knowsley Metropolitan Borough Council.
 - The application Ref 19/00019/FUL, dated 4 January 2019, was refused by notice dated 27 March 2019.
 - The development proposed is a two storey side extension, single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on the living conditions of the occupants of 30 Ewart Road, with regard to outlook and light, and the effect of the development on the character and appearance of the area.

Preliminary Matters

3. The appellant argues that the proposal is not new development and therefore Policies CS2 and CS19 of the CS are not relevant. However, the structural addition to a building, in this instance the extensions, is a building operation that falls within the definition of development as set out in section 55 of the Town and Country Planning Act 1990. Therefore, the proposal is new development and these policies are relevant.

Reasons

Living Conditions

4. The proposed extension would abut the shared boundary with 30 Ewart Road. No 30 has two first floor windows in the side elevation facing the proposed extension. One of these windows is obscure glazed and therefore there is very limited outlook from it. The Council confirms that the other window serves a bedroom and there is no other window serving this room. The outlook from this window would already be limited due to its proximity to the eastern elevation of the appeal property.
5. The proposed extension would reduce the distance between this window and the eastern elevation of the appeal property to approximately 2.4m. Such proximity would result in the extension almost entirely dominating the outlook from the bedroom. Furthermore, it would significantly reduce the level of light

entering the bedroom. Cumulatively, the impact on the outlook and the loss of light would result in the bedroom representing an oppressively confined form of accommodation that would be detrimental to its occupants.

6. I acknowledge that there is currently a window in the side elevation of the appeal property that allows intervisibility with the window in No 30. However, I do not consider that the improvements to the privacy of the occupants of No 30, and the appellants, as a result of there being no side windows in the proposed extension would outweigh the harm as a result of the impact on the outlook and loss of light in the bedroom of No 30.
7. I find therefore that the proposal would significantly harm the living conditions of the occupants of 30 Ewart Road, with regard to outlook and light. As such, it would be contrary to saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan (RUDP) 2006, which, amongst other matters, seek to ensure that new development does not unacceptably impact on the amenity of neighbouring occupiers of adjacent dwellings. It would also be contrary to Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy (CS) 2016, which seek to ensure that development promotes good quality design, respects its setting and avoids unacceptable impacts on existing residents. In addition, it would fail to comply with the advice set out in the Knowsley Householder Development Supplementary Planning Document (SPD) 2016, which states that two-storey side extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light for neighbours. It would also fail to accord with the design objectives of the National Planning Policy Framework (Framework).

Character and Appearance

8. Ewart Road is a residential street located within a well-established residential area. The street is characterised by two-storey, semi-detached dwellings. Their consistent design, spacing and uniform building lines make a positive contribution to the character and appearance of the area.
9. The SPD states that two-storey side extensions should avoid creating a terracing effect, either by themselves or in conjunction with similar extensions which may exist or potentially be proposed for adjacent properties in the future. A terracing effect is considered to be undesirable in areas of primarily detached or semi-detached dwellings as this leads, in the long term, to a significant reduction in the openness, local distinctiveness and spatial quality of these housing areas, as well as an alteration in the architectural style of the areas. To avoid such an effect, the SPD sets out guidelines, including having a minimum space of 1m between the extension and the party boundary, or the front wall of the first floor of the extension should be set back by 1m from the immediately adjoining main front wall of the original elevation.
10. The proposed two-storey extension would have a hipped roof and would be flush with the existing front and rear elevations. The ridgeline would also follow through with the existing, with no drop in ridge height. Bearing these factors into account, and as a result of the extension abutting the boundary with No 30, the two-storey extension would create a terracing effect. The erosion of the gap between the appeal property and No 30 without any relief in the front elevation of the dwelling would significantly reduce the openness of the streetscene.

11. I note the numerous properties the appellant has referred me to that it is alleged are of the same type and scale as the appeal proposal. However, these properties generally have a significantly greater space between them and their neighbouring property or are set back from the original front elevation at first floor. In any event, I have assessed the proposal based on its individual planning merits.
12. I therefore find that the proposal would significantly harm the character and appearance of the area, contrary to Policies CS2 and CS19 of the CS, which seek to ensure that development promotes good quality design and ensures that development respects its setting taking into account relevant design requirements and best practice; and, responds to and integrates positive characteristics of immediate surroundings. It would also fail to comply with the advice set out in the SPD and the design objectives of the Framework.
13. In their second reason for refusal, the Council rely on saved Policy H8 of the RUDP. However, I find no conflict with this policy in respect of the effect it would have on the character and appearance of the area. However, I do not consider that this outweighs the conflict it would have in respect of the policies above.

Conclusion

14. For the reasons given above, the appeal is dismissed.

Alexander Walker

INSPECTOR