



Appeal Decision

Site visit made on 27 August 2019

by J M Tweddle BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th September 2019

Appeal Ref: APP/A2335/D/3230070

7 Meldon Road, Heysham LA3 2HJ

- 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 Gareth Lawrenson against the decision of Lancaster City Council.
 - The application Ref 19/00329/FUL, dated 20 March 2019, was refused by notice dated 15 May 2019.
 - The development proposed is described as a 'two storey extension to the side to provide a kitchen dining area with bedroom over'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council, in their formal decision notice, describe the proposal as the 'erection of a two storey side/front extension and erection of a 1.8m high fence to the front boundary'. This appears to be a more accurate reflection of what is proposed and therefore I have considered the appeal on this basis.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the host dwelling and the surrounding area; and,
 - The effect of the proposal on the living conditions of the occupants of 25 Meldon Grange, with particular regard to outlook and light.

Reasons

Character and appearance

4. The area is predominantly characterised by semi-detached houses as part of a 1980s housing estate. While there is some variation in design, properties are generally neatly laid out along the street and finished in brickwork with tiled roof coverings. The appeal site maintains this character although it is unusually part of a block of three dwellings with a neighbouring property to its side and its rear.

5. Whilst the dwelling has a small front porch, the proposal would introduce a large two storey side extension that would jut forward beyond the alignment of the existing two storey front elevation of No. 7 and the adjoining dwelling. The materials used in the external surfaces of the proposed extension would match those of No. 7. Furthermore, the appellant suggests that the extension would provide a degree of subservience due to its ridgeline sitting at a lower level than that of the host building. While a lower ridgeline can assist in providing a subservient design, in this case the forward projection of the extension and its overall massing, in the context of a relatively small property, results in a large and overly dominant addition.
6. The scale and design of these aspects is such that they would give rise to a prominent and discordant feature that would be at odds with the appearance of both the appeal property and its attached neighbours. This would result in the appeal property having a pronounced asymmetrical, and so unbalanced, appearance when viewed alongside its immediate neighbours. Consequently, this would not be a sympathetic addition that would respect the original character and appearance of the host building or its immediate surroundings.
7. Moreover, given the relatively small garden area to the side and front of the property and having considered the scale and positioning of the proposed extension, I also find the proposal to be a somewhat disproportionate addition to the host building, which would appear cramped within the plot, to the detriment of the street scene. I note that an area of garden will be retained to the front of the dwelling, but this does not outweigh the harm I have found on this main issue.
8. To conclude on this issue, I find the proposal would harm the character and appearance of the host dwelling and the surrounding area. This is contrary to Policy DM35 of the Local Plan for Lancaster District 2011 – 2032 Development Management DPD (Adopted December 2014) (the LP), which requires development to contribute positively to the identity and character of the area through good design, appropriate siting, layout and scale, and the National Planning Policy Framework (the Framework) insofar as it gives encouragement to good design.

Living Conditions

9. The proposed extension would be set approximately 500mm off the neighbouring boundary with 25 Meldon Grange, to the rear of the appeal site, and would therefore introduce a large two storey blank elevation in close proximity to this shared boundary.
10. No 25 has two large windows on its east facing elevation, one at ground floor level serving a habitable room, and one at first floor level serving a bedroom. While both of these rooms have a secondary outlook provided by two windows to the front of the property, the east facing windows provide the only direct sunlight into these rooms during the first half of the day.
11. The combination of the depth, height and proximity of the proposed extension to the east facing primary windows of No 25 would have a dominant and overbearing effect on the outlook from these windows and would significantly reduce the levels of direct sunlight entering the rooms they serve. I accept that the effects on the bedroom would be limited due to its elevated position and the fact that its secondary outlook is provided by a large window to the front of

the property. Therefore, my concerns in this regard are primarily in relation to the loss of outlook and light to the ground floor window. These adverse effects would result in an oppressive form of development that would restrict the current outlook and cause significant overshadowing of this neighbouring dwelling. Together, these effects would significantly diminish the living conditions of occupants of No 25. Whilst the appellant has indicated that the current residents of that neighbouring property do not object to the proposal, it is also important to have regard to the interests of future occupants.

12. Consequently, the proposed two storey extension would cause significant harm to the living conditions of occupants of No 25 Meldon Grange, with regard to outlook and light. This is contrary to Policy DM35 of the LP which, amongst other things, seeks to ensure no significant detrimental impact to amenity in relation to overshadowing and massing, and the Framework insofar as it seeks to ensure a high standard of amenity for both existing and future users.

Other Matters

13. I note the Council has raised no issues with the proposed 1.8 metre fencing to the front of the property and while I have no reason to disagree with its assessment in this regard, this is a neutral factor in my consideration of the appeal.
14. The appellant has drawn my attention to several other examples of two storey side extensions in the surrounding streets. I have not been provided with the full details of these other developments and therefore cannot be sure that they are directly comparable to the appeal scheme. I was able to see the two storey extensions to a property on Applegarth Road and a property on Mortimer Grove, as highlighted by the appellant, and accept that there are some similarities in the form and scale of these extensions and that of the appeal proposal. However, the spatial context differs greatly as these other properties are much less prominent in their respective street scenes and, from what I could see, they do not result in the same harmful effects to neighbouring amenity that I have found in this case. Nevertheless, I have considered the appeal on its own merits.
15. I note the appellant's view that there is no demand for one bedroom properties in the area and his desire to increase the living space to create a family home, but these matters do not justify the harm I have found in this case.

Conclusion

16. For the reasons I have set out, I conclude that the appeal should be dismissed.

Jeff Tweddle

INSPECTOR