
Appeal Decision

Site visit made on 11 September 2019

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2019

Appeal Ref: APP/N2345/D/19/3232276

1 Marlborough Drive, Fulwood, Preston, Lancashire PR2 9UE

- 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 Ayub Hussain against the decision of Preston City Council.
 - The application Ref 06/2019/0409, dated 8 April 2019, was refused by notice dated 18 June 2019.
 - The development proposed is described as a single storey and first floor extensions to outbuilding.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and,
 - the living conditions of the occupiers of 1a Marlborough Drive and 5 Beech Drive with particular regards to outlook.

Reasons

Character and appearance

3. The appeal site consists of 1 Marlborough Drive, a detached property occupying a corner plot with a large rear garden containing a substantial out building. The existing outbuilding is located to the rear of the appeal site, in close proximity to 1a Marlborough Drive, a bungalow, and to the side, the rear garden of 5 Beech Drive. The surrounding area is characterised by large detached and semi-detached properties set within generous gardens.
4. The existing outbuilding is effectively screened from view from the street by the tall fence, hedge and trees to the boundary with Marlborough Drive. However, as a result of the size and scale of the proposed extensions, in particular the first-floor extension, the outbuilding would appear as a large and dominant building situated in very close proximity to the adjacent building, No.1a.
5. As such, while the ancillary residential use is in keeping with the character of the area, the proposed outbuilding would nonetheless appear as a prominent and discordant feature within the area, harming the character and appearance of the area contrary to Saved Policies D13 and H8 of the Adopted Preston Local

Plan (2004) and Policy AD1(a) of the Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) in so far as they seek to protect the character and appearance of the area.

Living Conditions

6. I observed at the site visit that the existing outbuilding, being in very close proximity to the rear windows of No.1a, already has a detrimental overbearing impact on the living conditions of the occupiers of that property.
7. The proposed extensions, and in particular the increase in height, would create a large and dominant structure, the result of which would greatly increase the existing overbearing impact resulting in an unacceptable impact on the living conditions of the occupiers of No.1a.
8. Turning to the effect of the proposed development on the occupiers of No.5, the submitted plans show the extensions at ground and first floor level in close proximity, and to the west of, the boundary of the appeal site with No.5, adjacent to part of long rear garden and some distance from the dwelling of No.5.
9. As a result of the layout and orientation of the appeal site in relation to No.5 the overshadowing resulting from the proposed extensions would likely be limited to the late afternoon and evening and would affect the rear portion of the garden away from the dwelling. The overbearing impact that would result from the large structure would also affect the rear portion of the garden only and not the dwelling.
10. This is a very finely balanced decision, but I find that the proposed development would have a detrimental impact on the living conditions of the occupiers of No.5.
11. To conclude on this main issue, I find that the proposed development would have a significant detrimental impact on the living conditions of the occupiers of No.1a and No.5 with particular regards to outlook contrary to Saved Policies D13 and H8 of the Adopted Preston Local Plan (2004) and Policy AD1(a) of the Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the guidance contained within the Council's adopted Residential Alterations and Extensions Supplementary Planning Document that seek to protect the living conditions of the occupiers of properties near to new development.

Other Matters

12. The appellant states that the adult children of the owners do not wish and cannot afford to move out, hence the need for the additional accommodation that the proposed development would provide. While this is understandable, I have not been provided with any substantive evidence with regards the affordability of accommodation locally. Furthermore, the ability to accommodate the adult children in the outbuilding is largely a private benefit and it does not outweigh the harm I have identified previously.
13. I acknowledge that the proposed development would not result in the loss of privacy for occupiers of neighbouring properties. However, the absence of harm in this respect is not a positive factor to weight in favour of the proposed development.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Mark Brooker

INSPECTOR