
Appeal Decision

Site visit made on 21 January 2020

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 4th February 2020

Appeal Ref: APP/M4320/D/19/3240286

128 Heysham Road, Southport PR9 7ED

- 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 Jane Quinn against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2019/01141, dated 17 June 2019, was refused by notice dated 08 August 2019.
 - The development proposed is first floor bedroom extension to rear of dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of 130 Heysham Road.

Reasons

3. No 128 is a 2 storey semi-detached property in a street of closely spaced similar properties. It has a subservient 2 storey extension to the rear with a dual pitch roof that finishes at the height of the eaves, with a single storey single pitch roof extension beyond. The attached property No 130 also has a 2 storey pitched roof rear extension with a further small single storey extension to the rear of the property. The rear gardens of Nos 128 and 130 are separated by an approximately 1.8m high close-boarded fence. As a result of the modest size and close spacing of the properties, the rear extensions are located close to the shared boundary and to one another.
4. The proposal would be constructed over the single storey extension and it would be the same width and height and with a roof to match the existing 2 storey extension. Although similar to the 2 storey extension of No 130, the evidence indicates that the proposal would extend beyond the 2 storey elevation of the attached property. Consequently, by virtue of its length and height, the proposal would result in a significant increase in the bulk of built development in close proximity to the rear of No 130.
5. There are windows in the side elevation of No 130 facing the appeal site. The proposal would not result in significant adverse impacts on the neighbouring first floor habitable room window. However, it would be visually obtrusive when viewed from the ground floor kitchen window, which is the principal window of the habitable room. While the kitchen window looks out onto the tall boundary

treatment and the existing extension of No 128 beyond, the increased mass of development arising from the proposal would nevertheless be an overbearing form of development and it would result in a poor outlook from the kitchen window.

6. Furthermore, by virtue of the orientation of the dwellings and the size and proximity of the proposal, there would also be a significant loss of daylight and sunlight to the ground floor kitchen window and the patio doors to the rear of No 130. Consequently, although the proposal would not result in significant overlooking between the properties, the cumulative effects of the loss of outlook and light would nevertheless be detrimental to the internal living conditions of the occupiers of No 130.
7. I note that Sefton Council's House Extensions Supplementary Planning Document (the SPD) Adopted June 2018 suggests, among other things, that where neighbouring properties have extensions to the rear, similar 2 storey extensions may be acceptable in principle. However, the SPD is clear that extensions should avoid negative impacts on neighbouring ground floor kitchens. In addition, it advises a far greater separation distance between the blank elevations of 2 storey extensions and nearby habitable rooms than can be achieved at this site. Therefore, the proposal is not in accordance with the recommendations of the SPD.
8. My attention has been drawn to the extensions to the rear of both neighbouring properties, including No 126 which has a 2 storey flat roof extension. However, full details of those schemes have not been provided. Notwithstanding the apparent similarities, they appear to differ from the appeal scheme in a number of ways including in terms of their length, height and roof form, and the orientation and relationship of neighbouring habitable room windows. Moreover, there is nothing before me to indicate that they were considered in the current policy context. Therefore, I cannot be certain that they are directly comparable to the appeal scheme or that they provide a justification for it. Each scheme must in any case be considered on its own merits.
9. Therefore, the proposal would result in significant harm to the living conditions of the occupiers of No 130, with particular regard to outlook and light. It would conflict with Policy HC4 of A Local Plan for Sefton Adopted April 2017. This requires extensions to avoid significant effects on the living conditions of occupiers of neighbouring properties, including through loss of outlook and overbearing effects on the windows of neighbouring habitable rooms and significant loss of light/overshadowing.

Conclusion

10. I have found that the proposal would conflict with the development plan, and there are no material considerations that would outweigh that conflict. For this reason, the appeal should therefore be dismissed.

Sarah Manchester

INSPECTOR