
Appeal Decision

Site visit made on 28 September 2020 by Hilary Senior BA (Hons) MCD MRTPI

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 22 October 2020

Appeal Ref: APP/R2330/D/20/3255808

125 Royds Avenue, Accrington BB5 2JX

- 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 & Mrs Dugdale against the decision of Hyndburn Borough Council.
 - The application Ref 11/20/0069, dated 20 February 2020, was refused by notice dated 28 April 2020.
 - The development proposed is side extension and loft conversion.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the surrounding area, and
 - the effect of the proposal on the living conditions of the occupiers of 123 Royds Avenue

Reasons

Character and appearance

4. 125 Royds Avenue is a two storey brick built detached dwelling set in an residential area. The area is characterised by detached dwellings, set back in their plots with generally open and landscaped areas fronting the tree lined highway. Properties are generally regularly spaced with obvious gaps between them, although there is a mix of architectural styles and materials. This layout creates a regular rhythm to the street scene which contributes positively to the character of the area.
5. The appeal proposal is for a two storey side extension and loft conversion. An existing single storey structure to the side of the house would be removed.

6. My attention has been drawn to Hyndburn Householder Design Guide Supplementary Planning Document (2009) (SPD) which in Design Guidance 8 states that two storey side extensions should be set back from the existing front elevation by 0.15 metres and by 1.5 metres at first floor level to avoid a terracing effect and to ensure the extension appears subservient to the original house. In addition, Design Guidance 9 seeks to protect open space between properties.
7. The existing extension has a simple lean-to form, and as it is single storey reads as a subservient addition to the property. The proposed two storey extension without any set down or set back, would significantly increase the bulk and massing of host property particularly at first floor and roof level. It would appear as a prominent addition and therefore not subservient to the original dwelling.
8. Moreover, the extension would be sited in very close proximity to the side boundary of the site. Accordingly, it would significantly reduce the gap between the neighbouring properties which currently has a positive impact on the site and the surrounding area.
9. As a result of the increase in the bulk and massing of the building, combined with the reduction in openness around it, the proposal would have a cramped appearance that would be out of keeping with the character of the area. Accordingly, the proposal would be harmful to the overall streetscene.
10. I conclude therefore that the proposal would harm the character and appearance of the area. It would therefore fail to comply with policies ENV6 and ENV7 of the Hyndburn Borough Council Core Strategy (2012) and policies DM10, DM26 and of the Hyndburn Borough Council Development Management DPD (2018) which together, amongst other things, seek to ensure that development maintains and enhances local character and distinctiveness and that it does not have an unacceptable visual impact. It would also conflict with the guidance in the SPD and the design aims of the National Planning Policy Framework (the Framework).

Living conditions

11. As set out above, the extension would lie in close proximity to the boundary of 123 Royds Avenue and would be clearly apparent to the occupiers of that property. However, there are no windows in the side elevation of the neighbouring property facing the site. In addition, it appears that the extension would not project beyond the rear building line and would not therefore be unduly dominant when viewed from the rear garden. On that basis I am satisfied that the proposal would not result in an undue sense of enclosure or have an overbearing impact on the neighbouring occupiers.
12. I conclude therefore that the proposal would not harm the living conditions of the occupiers of 123 Royds Avenue. In that respect it would therefore comply with policies ENV6 and ENV7 of the Hyndburn Borough Council Core Strategy (2012) and policies DM10, DM26 and DM29 of the Hyndburn Borough Council Development Management DPD (2018) which together, amongst other things, seeks to ensure development does not have an unacceptable adverse impact on neighbours living conditions.

Conclusion and Recommendation

13. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Susan Ashworth

INSPECTOR