



Appeal Decision

Site Visit made on 17 February 2021

by L Nurser BA(Hons) Dip UP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd February 2021

Appeal Ref: APP/M4320/W/20/3262218

Land adjacent to 6 Ansdell Grove, Southport, PR9 9UQ

- 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 Susan Rimmer against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2020/01546, dated 10 August 2020, was refused by notice dated 12 October 2020.
 - The development proposed is proposed new residential dwelling including alteration to vehicle access to existing dwelling.
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Decision

1. The appeal is dismissed.

Main issues

2. The appeal site lies within a primarily residential area, as defined by the Sefton Local Plan (LP) adopted in 2017. Therefore, the principle of housing is appropriate. The main issues in this case are the effect of the proposal on the character and appearance of host property and the wider area, and whether the proposed development would provide satisfactory living conditions for its occupiers, with particular regard to private amenity space.

Reasons

Character and appearance

3. A busy footpath cuts between nos 24 and 35 Ansdell Grove, linking Kirkham and Fylde Roads and comes out opposite the appeal site, which sits on a visually important prominent corner position. It, together with no 5 Ansdell Grove, which lies on the other side of the road, sit within large plots with generous open garden areas to both the front and side of the two properties, with private gardens at the rear, which are screened from the road by coped brick walls. As a consequence, the wider streetscene appears pleasantly spacious, visually coherent and open.
4. Ansdell Grove is a cul de sac of brick built, semi- detached properties, set within a wider established primarily residential area. The houses are typical of their period, and for the most part have not been extended. Where they have, as far as I can tell, this has mostly been over the original flat roofed brick utility room which sits at the rear of the property.
5. In contrast, the proposed development would simply extend the form of the host property to the west, with a front door on the gable wall. The ridge line would remain the same height. Therefore, the resultant scale and massing of

the proposed extension to the pair of semidetached houses, would not appear subservient to the form of the original properties. As such, the appeal proposal would appear ungainly and have an adverse impact on the appearance of the wider street scene.

6. This adverse impact would be compounded by the corner position of the appeal site. Moreover, the two-storey extension would extend beyond the building line of the neighbouring property. Consequently, it would appear overly dominant in the streetscape, both when viewed from the front of the host property, and when entering Ansdell Grove from the direction of Kirkham Road. This dominance would be further exacerbated by the unusual proposed layout of the rear garden area which would extend out beyond the line of the gable wall of the new dwelling. This would appear odd and even more obtrusive given that it would be bound by 1.8 m close boarded fencing.
7. Consequently, for the reasons set out above the proposed development would significantly adversely affect both the character and appearance of the host property and the wider area. This would be contrary to Policies SD1 and EQ2 of the LP, which require that proposals are consistent with the policies of the development plan; should make a positive contribution to their surroundings; result in good design by responding positively to the character, and local distinctiveness of the area; and contrary to the detailed provisions of New Housing Supplementary Planning Document, adopted 2018.

Living conditions

8. The detailed provisions of the New Homes SPD set out a quantum of garden area which is considered as appropriate for two bedroomed properties. In this case, in purely numerical terms, the proposal would exceed the threshold of 50 sq m contained within the New Homes SPD. However, the acid test is whether the proposed development would provide sufficient useable private garden space. I note the back garden would have an unusual layout, with a sizeable area extending out towards the highway. Given its size, I consider that in isolation, it could form part of a useable garden area. Nonetheless, there would also be a significant, narrow finger of land at the back of the garden. This would be enclosed on three sides, by the original brick garden walls of the existing house and that of no 4 Ansdell Grove, together with a 1.8 m close boarded fence. This particular element of the proposed garden would be virtually unusable for growing plants, sitting out, playing, or other outdoor use.
9. As a consequence, when considered in combination with the layout of the garden as a whole, I conclude that the proposed development would not provide sufficient, appropriately configured, useable outdoor private space to ensure acceptable living conditions for future occupants, with particular regard to private amenity space. Therefore, the appeal proposal would not be consistent with the objective of Policy EQ2 of the LP development to be of a high quality design that protects the amenity of those within the site, nor would it be consistent with the guidance set out within the New Homes SPD which stresses the importance of the quality of the outdoor space. In coming to this conclusion, I am aware that Paragraph 130 of the Framework is clear that supplementary planning documents should be taken into account when determining whether planning applications would result in poor design.

Other Matters

10. I accept that the appellant, like any householder could take advantage of a number of permitted development rights¹, which she could implement, including the erection of fencing. However, given the corner position of the appeal site, these rights would be limited. In addition, the appellant would be free to apply for planning permission for a two-storey side extension. However, there is no certainty that planning permission would be granted. In any case, I must consider the appeal on its specific merits.
11. I am aware that the proposed development would be of modern construction and there is no dispute with the Council that the proposed development would provide appropriate, accessible internal living space, built to high environmental standards incorporating modern security measures. In addition, there would be short term economic benefits from the construction of the new property. Nonetheless, for the reasons set out above, these matters are not sufficient to outweigh the harm I have identified in relation to the two main issues.

Conclusion

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

L Nurser BA (Hons) Dip UP MRTPI

INSPECTOR

¹ Town and Country Planning (General Planning and Development) (England) Order 2015