



Appeal Decision

Site Visit made on 14 June 2021

by R Walmsley BSc, MSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 June 2021

Appeal Ref: APP/W4325/D/20/3264851

Wethersfield, 307 Frankby Road, Greasby CH49 3PE

- 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 Ms Paula McGregor against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/20/01106, dated 11 September 2020, was refused by notice dated 11 November 2020.
 - The development proposed is a single storey rear extension to the subject property.
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Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the proposal on the living conditions of neighbouring occupiers with particular regard to outlook and light.

Reasons

3. The National Planning Policy Framework (the Framework) seeks development that is sympathetic to local character and people's well-being. Policy HS11 of the Local Plan (2000) and the associated Supplementary Planning Guidance: House Extensions (2004) (SPD) seek development that does not have an adverse effect on local character and the amenities of neighbouring properties. The Council's policy is therefore consistent with the Framework.
4. Policy HS11 and the SPD seek single storey rear extensions on the party boundary of a semi-detached house to be no more than 3 metres in length. The development would exceed this distance and therefore be contrary to policy.
5. The Council is not explicit in its reasoning as to how the neighbouring property on the party boundary would be affected by the development proposed. However, third party concerns allude to outlook and light which, following my site visit, appear legitimate concerns.
6. No 305 Frankby Road has a window at ground floor level that is close to the shared boundary with the appeal property. The outlook from this window is currently restricted by the fence on the shared boundary and by existing structures to the rear of this property, not least a single storey rear extension. Given the height and length of the proposed extension above the boundary fence, the proposal would appear unduly overbearing for the neighbouring

- occupiers and would exacerbate the sense of enclosure identified. I do not agree with the appellant that a wall 1 metre above the existing boundary fence would be imperceptible. Furthermore, the length of the garden at no 305 would not mitigate the harm found to occupier's outlook from their property.
7. The existing vegetation on the shared boundary may soften the harsh appearance of a rendered wall but it would not mitigate the harm found relating to the bulk and scale of the development proposed.
 8. The rear living space at no 305 is in shadow throughout the day given its north-west orientation and the position of the existing rear extension to the living space at this property. As the development would be in the shadow of existing built development, the proposal would not have a discernible affect on the level of light into the rear living space at no 305.
 9. I am aware that, in principle, 6 metre extensions under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) can be acceptable. However, in this case, I have found that an extension less than this would have an adverse impact on amenity.
 10. Thus, the development proposed would unacceptably harm the living conditions of the occupiers of the neighbouring property with regard to outlook. This would be contrary to policy HS11 and the SPD and also to the objectives of the Framework for the reasons identified.

Conclusion

11. For the reasons given and having regard to all other matters raised, I conclude that the development would be harmful to the living conditions of the neighbouring occupiers and therefore contrary to the development plan when taken as a whole. There are no material considerations to suggest a decision other than in accordance with the development plan and therefore the appeal is dismissed.

R Walmsley

INSPECTOR