



Appeal Decision

Site Visit made on 21 September 2021

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 6th October 2021

Appeal Ref: APP/P2365/D/21/3268899

64 Swanpool Lane, Aughton, Ormskirk, Lancashire L39 5AZ

- 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 Giles Singleton against the decision of West Lancashire Borough Council.
 - The application Ref 2020/0695/FUL, dated 11 August 2020, was refused by notice dated 27 January 2021.
 - The development proposed is described as: single story extension to rear of house. Side dormer to be made full height in line with roof of existing dwelling, come out 1.911m at the front to match the other side. Loft conversion, render the dwelling and a 1m front wall with 4 x 1.9m pillars.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the development was changed during the processing of the application. Accordingly, I have adopted the description from the decision notice and the appeal form in the banner heading above.
3. By the time of my visit, the brick front boundary wall with piers had been constructed in accordance with the submitted plans. The proposed extensions have not been constructed. I have determined the appeal accordingly.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of the residential occupiers of No 62, with particular regard to outlook and light.

Reasons

5. No 64 is a 2 storey detached dwelling with a protruding 2 storey front gable feature. It has a pitched roof first floor extension with front dormer above a ground floor garage side extension. It has a monopitch roof canopy above the front and garage doors and it has a rear conservatory. It is in a row of closely spaced detached dwellings in various sizes and styles. Front boundaries are characteristically formed by mature hedges.
6. As part of the proposal, the rear conservatory would be removed and it would be replaced with a single storey rear extension spanning nearly the entire width of the property. The existing side extension would be increased in height and size to match the ridge line and roof slope of the host property. The dormer

feature would be removed. There would be a protruding 2 storey front gable feature similar in scale to the existing front gable feature.

7. The appeal property is separated from No 66 by the neighbouring detached single storey garage and side driveway. To the other side, the appeal property is narrowly separated from the side elevation of No 62. The shared boundaries are formed predominantly by tall hedges.
8. The rear extension would be sited close to the shared boundaries. It would not extend beyond the rear elevation of No 62 such that there would be no adverse impact on the occupiers of that property. While it would extend along the garden boundary of No 66, the rear extension would be relatively low. The intervening garage would screen views of it from the neighbouring dwelling. Taking into account its size and siting and the size of the rear garden of No 66, the rear extension would not be overbearing to the neighbours in their garden.
9. The side extension would be close to No 62, including its habitable room windows. The side elevation of No 64 already projects forward beyond the front elevation of No 62 such that a small increase in the extent of ground floor projection in isolation would not be significant. However, the side extension would be 2 storeys. Consequently, there would be a significant increase in the scale and bulk of built development to the side and projecting perhaps 5m beyond the neighbouring front elevation. The large expanse of tall wall close to No 62 would be overbearing and it would significantly diminish the outlook from the closest neighbouring ground and first floor windows. The neighbours' curtains should not be relied upon to screen the development from view.
10. The submitted plans indicate that the side extension would not break the horizontal 45 degree line from the neighbouring ground floor habitable room window. However, it does not take into account the vertical component of the proposal in assessing the impact on the neighbours. The plans indicate that the side extension would be nearly directly to the south of No 62. On this basis and taking account of its size, scale and proximity, the proposal would overshadow the neighbouring windows for part of the day and it would result in a loss of light and sunlight to the rooms served by those windows.
11. Therefore, I conclude that the proposal would significantly harm the living conditions of the neighbouring occupiers of No 62, with particular regard to outlook and light. It would conflict with Policy GN3 of the West Lancashire Local Plan 2012-2027 Adopted October 2013. This requires, among other things, that development retains reasonable levels of amenity for occupiers of neighbouring properties. It would also conflict with the residential amenity aims of the National Planning Policy Statement (revised July 2021).

Other Matters

12. The Council considers that the proposal, including the front boundary wall, would be in keeping with the character of the host property and the street scene. Taking into account the existing front elevation and the varied surrounding built context, I see no reason to disagree.
13. Tree Preservation Order (TPO) No 26:1999 relates to 3 trees on the shared boundary to the front of Nos 62 and 64. However, the trees are no longer present and they would not in any case have conflicted with the proposal, subject to adequate protection during construction.

14. The residential occupiers of No 62 did not object to the proposal but there is little substantive evidence before me to demonstrate that they support it. In any case, I am required to be mindful of the impact of the proposal over its lifetime, including its effect on future neighbouring occupiers. The absence of an objection from the neighbours does not weigh in favour of the scheme.

Conclusion

15. For the reasons set out above, I conclude that the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict.
16. Therefore, the appeal should be dismissed.

Sarah Manchester

INSPECTOR