



Appeal Decision

Site visit made on 7 December 2021

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 5th January 2022

Appeal Ref: APP/F2360/D/21/3279951

23 Manor Avenue, Penwortham, Preston, Lancashire PR1 0XE

- 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 Gary Clayden against the decision of South Ribble Borough Council.
 - The application Ref 07/2021/00114/HOH, dated 01 February 2021, was refused by notice dated 7 May 2021.
 - The development proposed is porch and bay window to the front elevation. Single storey rear extension. Two storey side extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council advised that the proposal should be viewed from the neighbouring property to fully assess its impact. The neighbouring occupiers were not at home at the time of my visit and I did not enter their property. However, there are unobstructed and close views between the appeal site and No 21 and I am satisfied that no party would be prejudiced by my determination of the appeal based on the evidence before me and what I observed.

Main Issues

3. The main issues are the effects of the proposal on:
 - i) The character and appearance of the area; and
 - ii) The living conditions of the neighbouring residential occupiers of No 21, with particular regard to light, privacy and outlook.

Reasons

Character and appearance

4. No 23 is a detached 2 storey dwelling finished in brick and it has a pitched roof with gable ends. It is in a residential area with semi-detached and detached dwellings in various sizes and styles, including non-matching semi-detached properties with hipped roofs to either side. Properties are set back on relatively consistent building lines with front and side boundaries predominantly formed by hedges. The street has a relatively harmonious character and appearance.
5. The 2 storey side extension would be the same height as the ridge of its host and it would protrude forward from the adjoining front elevation. It would not be subservient to No 23. The cumulative effect of the proposal would be a

significant visual change to the dwelling. However, the existing dwelling is of little architectural merit. The extended property would have a balanced front elevation and the ground floor bay window and external materials would be in keeping with the area. It would not have a harmful visual impact on No 23.

6. The side extension would finish at the side boundary, reducing the spacing between the neighbouring dwellings. I note the Council's concerns that the proposal could result in a terracing effect. However, as is illustrated by the location plan, there is considerable variation in terms of the sizes and shapes of dwellings and their spacing. In this case, even if No 21 was extended in the future, the proposal would not disrupt a uniform or regularly spaced group of properties and it would not result in a detrimental terracing effect.
7. Therefore, I conclude the proposal would not significantly harm the character and appearance of the area. Notwithstanding the conflict with the guidance in the South Ribble Borough Council Residential Extensions Supplementary Planning Document, it would not conflict with the aims of Policies B1 and G17 of the South Ribble Borough Council Local Plan (2012-2026) Adopted July 2015 (the LP). These require, among other things, that proposals are in keeping with the character of the site and the area.

Living Conditions

8. The 2 storey gable end of the side extension and the single storey side elevation of the rear extension would be immediately adjacent to the boundary with No 21. The submitted plans indicate that the neighbouring dwelling is less than 3m from the shared boundary. Therefore, the proposal would be in close proximity to the neighbouring property.
9. The side windows in the proposal would be obscurely glazed and, subject to being non-opening, there would be no close overlooking or loss of privacy to No 21. The side door of No 21 and the ground floor window towards the front of its side elevation are obscurely glazed. The proposal would have a negligible effect on the outlook from the obscurely glazed window or door.
10. The bay window in the side elevation of No 21 is clear-glazed and it serves a kitchen. While this may be a small room not currently used for dining, there is little substantive evidence that it could not be used for such or that it is not a habitable room. The significant increase in the bulk of built development along the shared boundary would be conspicuous and it would result in a poor outlook from the kitchen window. Irrespective that the bay window is fitted with window blinds, the close proximity of such a large expanse of 1 and 2 storey walls would be oppressive and it would be detrimental to the neighbouring occupiers. The increased development along the boundary would result in a sense of enclosure to the side of the neighbouring dwelling. The overbearing effect would be exacerbated by the loss of the boundary hedge.
11. Taking into account the orientation and proximity of the neighbouring dwellings, No 23 will already overshadow the neighbouring side elevation and driveway for part of the day. Nevertheless, the increased height and scale and the closer proximity of the proposal would result in greater overshadowing over a longer time period to the neighbouring property. This would reduce sunlight and daylight to the side-facing windows, contributing to cumulative adverse effects on the neighbouring occupiers.

12. Therefore, by virtue of its size, scale and siting, I conclude the proposal would harm the living conditions of the residential occupiers of No 21, with particular regard to outlook and light. It would conflict with LP Policies B1 and G17 which require, among other things, that proposals avoid adverse effects on neighbouring occupiers. It would conflict with the residential amenity aims of the National Planning Policy Framework.

Other Matters

13. The proposal would be a larger family home with enhanced internal living accommodation and secure storage. While this would be a private benefit to the appellant and his family, the appeal property is already a 4 bed dwelling suitable to be occupied by a family. The private benefit carries little weight in favour of the scheme.
14. While the neighbouring residential occupiers have not objected to the proposal, they have not made a representation in support of it. Irrespective, I must consider the impact of the proposal over its lifetime including the way in which future neighbouring occupiers might reasonably expect to use their property. The absence of objection does not weigh in favour of the scheme. Any benefits to the neighbouring occupiers as a result of the relocation of the appeal property door would not outweigh the harm that I have found.
15. A draft amended scheme has been submitted to illustrate a smaller side extension that would be subservient to its host and that would have a lesser impact on the neighbours. However, full plans have not been submitted and there is no opportunity for the Council or interested parties to comment on the amendments through the householder development appeal process. The Procedural Guide: Planning appeals – England (13 October 2021) sets out that if an applicant thinks that amending their proposals will overcome the local planning authority's reasons for refusal they should normally make a fresh application and the local planning authority should be open to discussions on whether it is likely to view an amended scheme favourably.
16. There are properties elsewhere with 2 storey side extensions, some of which are not subservient and that are built close to boundaries and neighbouring properties. Notwithstanding apparent similarities, they appear to differ from the appeal scheme in terms of their relationship to neighbouring dwellings and the surrounding context including the street scene, building lines and spacing. In the absence of full details, I cannot be certain that any of them is directly comparable to the proposal or were considered in the same policy context. They do not provide a justification for the scheme.

Conclusion

17. The proposal would not harm the character and appearance of the area, but it would harm the living conditions of the neighbouring residential occupiers. For the reasons set out above, the proposal would conflict with the development plan and there are no considerations that would outweigh that conflict.
18. Therefore, the appeal should be dismissed.

Sarah Manchester INSPECTOR