

Appeal Decision

Site visit made on 24 February 2022

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th March 2022

Appeal Ref: APP/U2370/D/21/3289667
7 Hillylaid Road, Thornton Cleveleys, FY5 4DY

- 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 Watson against the decision of Wyre Council.
 - The application Ref 21/01140/FUL, dated 10 September 2021, was refused by notice dated 14 December 2021.
 - The development proposed is a side and rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council notes that the plans submitted as part of the application the subject of this appeal show part of the development proposed being approved under a householder prior notification and part of the development as permitted development. The Council states that as these parts of the proposal have not been substantially complete and the whole development would be completed under the same building project they would require planning permission and so it was agreed with the agent to include these elements in the application and amend the description accordingly.
3. The description on the decision notice is slightly more detailed than that provided on the application form in that it refers to a single storey side and rear extension.
4. Taking the above into account, I confirm that this appeal decision considers the submitted planning application and related plans.
5. Recent applications¹ for extensions at the appeal property that would have included two-storey development were refused; and the Council confirmed that prior approval was not required for a proposed single storey extension further to another recent application². For clarity, each of these applications was for a proposal different to that the subject of this appeal.

¹ Ref: 20/01102/FUL and 21/00372/FUL.

² Ref: 21/00993/HPN.

Main Issues

6. The main issues in this case are the effects of the proposed development on the character and appearance of the area; and its effects on the living conditions of neighbouring occupiers, with regards to outlook and daylight.

Reasons

Character and appearance

7. The appeal property is two storey semi-detached dwelling. It is situated in a prominent location along Hillylaid Road, close to its junctions with Brookfield Road and Hulme Avenue.
8. The appeal property is located in a residential area, characterised by the presence of a range of dwelling types, including semi-detached two storey dwellings and detached bungalows and dormer-style bungalows along Hillylaid Road and by bungalows along Hulme Avenue and three storey modern townhouses along Sandwell Avenue.
9. Dwellings tend to be set back from the road behind short gardens and/or parking areas and have relatively small gardens to the rear and occasionally, to the side.
10. During my site visit, I observed that many dwellings have been extended or altered in some way, but that generally, such changes appear in keeping with their surroundings.
11. As a consequence of all of the above, development in the area appears quite dense, but the presence of gardens affords a sense of spaciousness and alterations and/or extensions generally appear to respect residential amenity.
12. The proposed development would extend the dwelling to the side and rear. The side extension would be flush with the front elevation and the extension would have a flat roof. When considered as a whole, I find that the proposal would appear as a large, boxy and for the reasons below, a somewhat awkward extension.
13. The absence of a set back from the front elevation would emphasise the flat-roofed appearance of the proposal which would visually jar with that of the host property, with its hipped and gable roof form.
14. The harmful impact of this would be exacerbated as a result of the proposed fenestration, which would fail to match or respond to that of the host property. The resulting development, which would be visible from the public domain and from numerous surrounding dwellings, would appear as an incongruous addition, to the detriment of the host property and its surroundings.
15. Taking the above into account, I find that the proposed development would harm the character and appearance of the area, contrary to the National Planning Policy Framework and to Local Plan³ Policy CDMP3; and to the Council's "Extending Your Home" Supplementary Planning Document, which together amongst other things, seek to protect local character.

³ Wyre Local Plan 2011-2031 (2019).

Living conditions

16. The proposed development would extend close to the rear boundaries of Numbers 21 and 23 Sandwell Avenue. The proposal would be visible above the fence separating the appeal property from Nos 21 and 23 Sandwell Avenue.
17. I find that this would inevitably result in a small reduction in daylight to the small rear gardens of these properties and that it would, to some degree, alter the outlook enjoyed to the rear by each of the dwellings. However, given the presence of a tall boundary fence between the appeal property and Nos 21 and 23 Sandwell Avenue, I find that the impact of this would not amount to significant harm.
18. Taking the above into account, I find that the proposed development would not harm the living conditions of neighbouring occupiers, with regards to outlook and daylight contrary to the National Planning Policy Framework; to Local Plan Policy CDMP3; or to the Council's "Extending Your Home" Supplementary Planning Document, which together amongst other things, seek to protect residential amenity.
19. However, I have found that the proposal would result in significant harm to the character and appearance of the area and hence the decision below.

Other Matters

20. In support of his case, the appellant draws attention to other developments elsewhere. However, there is little to lead me to conclude that the circumstances relating to these other developments are so similar to the proposal before me as to provide for a direct comparison and notwithstanding this, I have in any case found that the proposal would result in significant harm.

Conclusion

21. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR