



Appeal Decision

Site visit made on 8 August 2022

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 9 September 2022

Appeal Ref: APP/T2350/D/22/3300461

Tanner House Farm, Higher Ramsgreave Road, Ramsgreave, Blackburn BB1 9DJ

- 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 & Mrs Paul Dunlop against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2022/0031, was refused by notice dated 13 May 2022.
 - The development proposed was originally described as "rear extension and garage conversion to granny annex".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the plans and accompanying details that the development comprises "proposed two storey and single storey extensions to rear including balcony, and conversion and extension of existing garage to form granny annexe including raised decking". The Council dealt with the proposal on this basis and so shall I.

Main Issue

3. The main issue is the effect of the proposed two-storey extension on the living conditions of the occupants of Tanner House Barn, with particular reference to privacy, sunlight and outlook.

Reasons

4. Tanner House Farm is a detached, stone built, traditional house. It is in a row of properties located in a small hamlet within the open countryside. The site overlooks fields both to the front and to the rear. The detached garage, which it is proposed to convert into an annex, is accessed from the driveway at the side of the house.
5. The appeal site is built up to, and along, the boundary with Tanner House Barn, a detached residential property. Slightly inset from this boundary would be a two-storey rear extension which would extend into the garden for a considerable length and be almost the same depth as the house. The ridge of the extension would be slightly lower than the ridge of the farmhouse.
6. The proposed two-storey rear extension would include an inset first-floor balcony, with extensive glazing. Whilst views from the balcony would be

constrained by the enclosed sides, users of the balcony would be able to overlook, to a significant degree, the area of the rear garden of Tanner House Barn.

7. There would be more limited views into the gardens of some of the cottages to the other side of the host property, due to the position of the proposed extension and the more oblique viewing angle from the balcony. Occupiers using the garden of Tanner House Barn would be able to see the large opening window and balcony, which, as well as any direct overlooking, would result in a perception of being viewed from the balcony at first-floor level. This would therefore have a harmful effect on the living conditions of the occupants of Tanner House Barn.
8. Although there would be no windows on the side elevation of the two-storey extension adjacent to Tanner House Barn, it would appear as a high domineering structure affecting the outlook from the rear of this property. Planning permission¹, for alterations to Tanner House Barn, includes a new patio door on the rear elevation adjacent to the appeal proposal, and a single storey glazed link and garage conversion, with patio doors, which would look directly towards the proposed extension.
9. Furthermore, the two-storey extension would be located to the north-east of Tanner House Barn. Whilst the appellant considers that overshadowing would be limited due to the orientation of the sun, the proposed two-storey extension would reduce the level of morning sun to the rear of this property and the courtyard area, particularly at times of the year when the sun is set lower in the sky. Thus, resulting in an unacceptable loss of sunlight to this property and courtyard area.
10. The appellant argues that the proposal would protect the outlook of the adjacent property, Tanner House Barn, only affecting a functional space, used as a driveway. Whilst this may have been the situation previously, the current permission would suggest a reconfiguration of the living accommodation focusing on the rear of the house with large areas of glazing around the garden/courtyard. Instead, the outlook that the occupiers of Tanner House Barn would have expected when they were granted planning permission, would be severely impacted upon if the proposed two-storey extension was built. The height and extent of this along the boundary would result in it being overbearing and domineering to the occupiers of this property.
11. Therefore, I conclude the proposed two-storey extension would have an unacceptable harmful effect on the living conditions of the occupants of Tanner House Barn, with particular reference to privacy, outlook and sunlight. The two-storey extension would not accord with the Ribble Valley Borough Council Core Strategy, 2014, Policy DMG1 requiring design to be sympathetic to existing and proposed land uses and not adversely affect the amenities of the surrounding area; and Policy DMH5 which requires residential extensions to accord with Policy DMG1.

Other Matters

12. The proposal includes the conversion and extension of the detached garage to create a granny annex. Although the Council have accepted that the principle

¹ 3/2021/1107 Proposed internal alterations, conversion of existing garage to residential use and glass link between the house and garage. Granted December 2021.

of the granny annex would accord with Policy DMH5, I am not satisfied from the evidence before me, that the Council has assessed this element of the proposal, including the addition of rear decking to the annex on the living conditions of neighbouring occupiers.

13. Nevertheless, whilst I have the power to issue a split decision on appeal, this is discretionary, and I am not obliged to do so. Moreover, there has been no request from the main parties to do so. Therefore, a split decision would not be appropriate in this case.
14. Details of a planning permission² for a new access from the field to the rear of Tanner House Farm, were submitted with the appeal. This does, however, not affect my conclusions on this appeal.

Conclusion

15. For the reasons given above, considering the development plan as a whole and all relevant material considerations, the two-storey rear extension would have a harmful effect on the occupiers of Tanner House Barn. Therefore, the appeal is dismissed.

M J Francis

INSPECTOR

² 3/2021/1168 Proposed new land management access with gate on Saccary Lane. Granted 4 May 2022