



Appeal Decision

Site visit made on 7 March 2023

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th March 2023

Appeal Ref: APP/U2370/D/22/3310204

27 Larkholme Parade, Fleetwood FY7 8LL

- 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 A Sansbury against the decision of Wyre Council.
 - The application Ref 22/00850/FUL, dated 19 August 2022, was refused by notice dated 24 October 2022.
 - The development proposed is single storey front and two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for single storey front and two storey side extension at 27 Larkholme Parade, Fleetwood FY7 8LL in accordance with the terms of the application, Ref 22/00850/FUL, dated 19 August 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: Lark/001b.
 - 3) Notwithstanding any details shown on the approved plans, the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The development description on the application form includes reference to the development being a resubmission of a previous application. I have removed this wording as this is not an act of development.
3. On 26 January 2023, and since the Council made their decision on the application the subject of the appeal, the Wyre Local Plan (2011-2031) (incorporating partial update of 2022) has been adopted (the LP). It is a revised replacement for the Wyre Local Plan (2011-2031), deleting one policy therein and amending a number of other policies. The Council have confirmed that, despite the adoption of the new development plan, policy CDMP3, cited within the Council's refusal reason, remains the same. I have therefore determined the appeal on this basis.

Main Issue

4. The main issue is:

- The effect of the proposed development on the living conditions of the occupants of 29 Larkholme Parade, with particular reference to outlook and light.

Reasons

5. 27 Larkholme Parade is a residential property located within an area which is predominantly residential in character although other land uses, including a local shopping parade and a large National Health Service building, are located nearby. The property has a single storey garage to its side which adjoins the garage of neighbouring No 29. Nos 27 and 29 are each set within spacious plots and served by large rear gardens, as is the case with many of the properties within the area. Several properties on Larkholme Parade and on neighbouring streets have been extended, the designs of which vary.
6. No 29 has several windows located within its side elevation which flanks the host property. Each of these is obscurely glazed except for one ground floor window serving a kitchen. Outlook from this kitchen is presently affected by a high fence directly opposite, garaging beside this and, although set away from the boundary, the 2 storey side elevation of the host property. Collectively, these features will have some enclosing effect upon the kitchen window.
7. The proposed single storey extension to the living room, porch and garage would project farther forward than the frontage of No 29. However, the positioning of the garage at No 29 is such that it would screen the extension in views from No 29's kitchen and, therefore, the kitchen would be largely unaffected by that extension. The positioning of the garage at No 29 would also mean that the extension, sited the other side of it, would be set away from the front elevation windows and front garden of No 29.
8. The extensions proposed would run closely alongside the common boundary with No 29 and I also note that the roof ridge of the 2 storey extension, although proposed to be set below that of the existing house, would not be 0.5m below it. As a result, the design of the proposal would not comply with some of the prescriptive guidance contained within the Extending Your Home Supplementary Planning Document, 2007 (SPD).
9. However, above the proposed playroom, and opposite the kitchen window within No 29, the proposed first floor extension would incorporate a recessed element and therefore this part of the extension would be sited farther from the neighbouring property. As well as ensuring a greater separation, this recessed element would also serve to break up the mass of the proposed extension. The 2 storey extension therefore incorporates a design which would moderate effects on the neighbouring occupiers.
10. Although the proposed extension would run closely alongside a patio area to the rear of the garage at No 29, it would stop short of the large rear lawn which accounts for the majority of the rear of the plot. Substantial portions of this back garden would remain well away from the siting of the proposed extension, ensuring that the extension would not appear dominant from within it.

11. The Council have put to me that should a like extension be proposed at No 29 in the future, that a linking effect would occur with the host property and, in turn, a detrimental effect on living conditions. However, the Council's reason for refusal relates to the effects upon outlook and light that would be wrought by the extension's proximity to No 29. It has not been shown to me what bearing a further extension at No 29 would have in this regard or how such an extension may exacerbate effects upon the occupants' living conditions.
12. I find that the proposed first floor extension would result in some further effects upon outlook, light and sense of enclosure. However, given the existing layout of the properties and, given that the proposed extension does incorporate elements within its design which would moderate its effects, I find that the magnitude of any further effects would be low.
13. Accordingly, I consider that the living conditions of the occupants of 29 Larkholme Parade, with particular reference to outlook and light, would be adequately protected. The development would accord with policy CDMP3 of the LP which, in summary and amongst other matters, states that all development should be of a high standard of design and must not result in unacceptably adverse effects upon nearby property occupants. I also find that the proposed development would comply with advice within the National Planning Policy Framework, including paragraph 130, which states that developments should promote well-being and ensure a high standard of amenity for existing occupiers. I have had regard to the prescriptive design guidance contained within the SPD, guidance which the SPD explains it is appropriate, at times, to apply flexibly. For the reasons given above, and in finding the effects upon living conditions to be acceptable, the proposed extension would be well-designed and therefore accords with the overall aims of the SPD.

Other Matters

14. It is put to me, given its proposed occupancy, that the property should be served by 3 off street parking spaces. The submitted plans do not make it clear whether this would be provided for in the proposal. However, parking provision does not form the basis on which the Council refused planning permission, and I have no reason to disagree with their conclusions. Furthermore, I note that many properties on Larkholme Parade are served by lengthy driveways, whilst the road itself is quite wide. Even in the event parking provision for all occupants of the host property could not be accommodated within the plot, I have no substantive evidence that it would result in problematic parking in the area to the detriment of highway safety.
15. The garages of Nos 27 and 29 may be attached by a single skin of brickwork but I have no substantive evidence that the development works would cause damage. Even in the event that damage occurred, this would be a private matter to be resolved between the affected parties.
16. The methodology for constructing the proposed extensions close to the common boundary, subsequent maintenance requirements and implications of scaffolding placement are also principally private matters and therefore of limited weight in my decision.

Conditions

17. I have imposed the standard condition in respect of time limitation and a plans condition in the interests of clarity. To protect the character and appearance of the area, I have imposed a condition to secure appropriate use of materials.

Conclusion

18. For the above reasons, the appeal is allowed subject to the conditions above.

H Jones

INSPECTOR