

Appeal Decision

Site visit made on 19 July 2023

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th August 2023

Appeal Ref: APP/M4320/D/23/3323991

1 Oulton Close, Lydiate, Sefton L31 4JX

- 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 P Rooney against the decision of Sefton Council.
 - The application Ref DC/2023/00147, dated 29 January 2023, was refused by notice dated 23 March 2023.
 - The development proposed is a small extension to existing rear extension to enable reorganisation of internal space to re-orientate the dwelling to the garden, including internal work.
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Decision

1. The appeal is allowed and planning permission is granted for a small extension to existing rear extension to enable reorganisation of internal space to re-orientate the dwelling to the garden, including internal work at 1 Oulton Close, Lydiate, Sefton in accordance with the terms of the application, Ref DC/2023/00147, dated 29 January 2023, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 21.020.001 and 21.020.002_P01 to 21.020.007_P01.

Main Issues

2. The main issues are the effect on the character and appearance of the area; and the effect on the living conditions of the residents of 15 Cadwell Road with regard to outlook.

Reasons

3. The proposal would add a small toilet and utility room, 1.7 metres deep, to the back of the existing rear single storey extension. A new roof would cover the existing and proposed which would have a slightly shallower pitch and would be marginally higher at both its highest point and along the length of the side elevation that adjoins the shared boundary. It would close the gap between the extension and the large timber outbuilding in the garden close to the shared fence line with the attached property, 15 Cadwell Road.
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4. Although this is a corner plot, the property is bounded by a high fence which limits views of the rear and side garden. The altered extension would as now, not be readily evident from outside the site and would not take up a significant area of garden. In combination, the changed extension would be of suitable materials and design. Despite the amount of development in this enclosed garden, given the set back of this addition from the road and its limited height, together with the screening provided by the high fence, the changes would not detract from the character or appearance of the area.
5. The existing extension is built along the shared boundary with 15 Cadwell Road. Although the original plans showed the new addition to follow the alignment of the boundary, the amended plans show the new element, set away from the boundary. The existing extension does enclose the neighbouring garden and this would be very marginally increased by the slight increase in its height where it adjoins the boundary. However, this increase in height would not be so significant that it would materially change the living conditions of the neighbouring residents with regard to outlook. The additional new rear element would not reduce outlook given its height and its step away from the boundary.
6. The existing large timber outbuilding does also reduce the outlook from the neighbouring garden but this would not be changed. Given the limited height increases along the boundary and the step in from the boundary of the new element, the re-modelling of the extension overall, would not significantly increase the level of enclosure experienced by the residents of 15 Cadwell Road. It would not therefore result in unacceptable harm to their living conditions with regard to outlook.
7. Given the orientation and position of the house, the proposed changes would not result in significantly greater shading which is a concern of the neighbouring owner. The other matters raised, such as house values, are not planning matters. The proposal would retain a large area of garden to the side of the house which would provide a suitable level of amenity.
8. Policy HC4 of the Local Plan for Sefton (2017) relates to house extensions. Given my findings above, the proposal would not conflict with the design or amenity requirements of that policy. As the policy accords with the aspirations of the National Planning Policy Framework, with regard to design and amenity, it can be afforded full weight. Similarly, there would be no material conflict with the council's supplementary planning document, House Extensions 2018.
9. In conclusion, the proposal would not result in unacceptable harm to the living conditions of the residents of 15 Cadwell Road; or to the character or appearance of the area. As there are no other matters that weigh significantly against the proposal, I allow the appeal.
10. I have imposed conditions relating to the commencement of development and the details of the amended plans for the avoidance of doubt and in the interests of proper planning. The plans set out the details of the materials to be used and a condition in that respect is therefore unnecessary.

Peter Eggleton
INSPECTOR