

Appeal Decision

Site visit made on 3 September 2024

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 16 September 2024

Appeal Ref: APP/M2325/D/24/3346223

24 Windmill Avenue, Kirkham, Lancashire PR4 2ZQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr David Dawson against the decision of Fylde Borough Council.
 - The application Ref is 24/0144.
 - The development proposed is double dormer to both sides of roof to increase size of bedroom and allow for upstairs bathroom.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - i) the character and appearance of the appeal property and the area; and
 - ii) the living conditions of the residential occupiers of No 22, with particular regard to outlook and loss of privacy.

Reasons

Character and appearance

3. No 24 is a detached single storey dwelling with living accommodation in the roof space. It forms part of a row of substantially similar properties finished predominantly in brick and render with steeply pitched roofs and tall brick chimneys. Properties are closely spaced, with gable ends facing the street and set back on a similar building line behind open frontages. While several properties have roof extensions, nevertheless the street scene has a coherent and harmonious character and appearance.
4. The proposal would comprise a dormer extension to each of the roof slopes. They would both be set slightly in and up from the edges of the roof and they would finish just below the main ridge line. External materials would match the existing property. There would be windows in both side elevations and the existing first floor front window would be altered.
5. At around 2.3m wide and 9.4m long, extending across much of the existing roof, the dormers would be substantially large features. The paired dormers

would create the appearance of a 2-storey property with a shallow pitched roof. While the edges of the original roof would be visible, the proposal would overwhelm the roof of No 24 and it would not be subservient to its host. The dormers would be incongruously large, dominant and visually obtrusive.

6. By virtue of its size and design, the proposal would not respect or relate well to the prevailing roofscape of the street. The overly large dormers would be out of scale with the subservient single box dormers to neighbouring properties. The proposal would be out of keeping with and it would disrupt the harmonious row of properties of which No 24 forms part. It would detract from and diminish local distinctiveness and the strong sense of place.
7. There are similar dormer extensions to properties on nearby Carrwood Drive. However, even where these are present to one roof slope only, by virtue of their scale and close approach to roof edges, they are much more conspicuous and visually obtrusive than the box dormers in the area. Even if the proposal would be seen in juxtaposition with similar dormers on Carrwood Drive, it would not mitigate the adverse visual impact on Windmill Avenue nor integrate the proposal into its surroundings.
8. The dormer extension to 1 Windmill Avenue is set quite close to the front edge of the roof, as would be the proposal. However, the dormer to No 1 is a single box dormer, set well down from the main ridge line and set in from the eaves. Irrespective of its siting, that dormer is subservient to its host. It is not directly comparable to the proposal and neither it nor larger dormers elsewhere provide a justification for the appeal.
9. Therefore, I conclude that the proposal would harm the character and appearance of the appeal property and the street scene and area. It would conflict with Policy GD7 of Fylde Local Plan to 2023 (incorporating partial review) Adopted December 2021 (the LP) which requires, among other things, that proposals should relate well and make a positive contribution to the character and local distinctiveness of the area, taking into account the surrounding context and avoiding harm to visual amenity. It would also conflict with the design aims of the National Planning Policy Framework (the Framework). Although not cited in the reasons for refusal, it would conflict with the guidance in relation to dormer extensions in the Extending Your Home Supplementary Planning Document Adopted November 2007 (the SPD).

Living conditions

10. As the neighbouring dwelling, No 26, does not have a dormer facing the appeal property, the proposal would not result in any adverse impacts on the occupiers of No 26. However, the dwelling to the other side, No 22, has a box dormer in the roof slope facing the appeal property. The 3 windows in its first floor side elevation serve a bathroom towards the front, a stairwell and then a bedroom towards the rear. These windows would be around 4.2m from the facing windows in the proposal.
11. I note the Council's concerns in relation to overlooking and loss of privacy between the proposed bedroom 2 window and the bedroom in No 22. However, from my reading of the plans, the high level window in Bedroom 3 would face the neighbours' obscure glazed bathroom window, with an obscure glazed stair window closer to the neighbours' bedroom window. There is little

substantive evidence that the high level Bed 3 window and its siting relative to the neighbours' bedroom window would result in direct overlooking between habitable room windows. In this regard, I note that the SPD allows for a relaxation in the separation distance between facing habitable room windows where the relationship would be oblique. Moreover, the risk of any oblique overlooking could be mitigated by the imposition of a condition requiring the high level window in Bed 3 to be obscurely glazed.

12. The SPD advises that large extensions can have an overbearing and enclosing impact on neighbours especially where main habitable room windows face onto extensions, particularly 2-storey or first floor. In this case, the proposal would be close to a first floor bedroom window in No 22. This window looks onto the steep roof slope of No 24, which the Council acknowledges provides a substandard outlook for the neighbours. The closer approach of the proposal to this window would further diminish the outlook. However, the neighbours' bedroom is also served by a window in the rear elevation of No 22 with views over the rear gardens. Consequently, the diminution of the already poor outlook from the first floor bedroom window in No 22 would not be significantly detrimental to the living conditions of the neighbours.
13. Therefore, I conclude that the proposal would not harm the living conditions of the neighbouring residential occupiers of No 22, with particular regard to outlook and loss of privacy. In this regard, it would accord with the residential amenity aims of LP policy GD7. It would also accord with the residential amenity aims of the Framework.

Other Matters

14. The appellant rejected the Council's suggestion that both dormers should be set back by 2m, and the Council rejected the appellant's suggestion that one of the dormers could be set back by 1m. I note that the appellant apparently suggested other alternatives, although no revised plans have been provided to illustrate any other form of proposed dormer extension.
15. The proposal would provide additional internal living space for the appellant. However, it has not been demonstrated that the appeal property provides a substandard level of internal living space or that similar benefits could be not achieved by alternative proposals without the harm that I have found.

Conclusion

16. For the reasons set out above, I conclude that the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict.
17. Therefore, I conclude that the appeal should be dismissed.

Sarah Manchester

INSPECTOR