



Appeal Decision

Site visit made on 17 December 2024

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 20 December 2024

Appeal Ref: APP/U4230/D/24/3347897

2 Eskrigge Close, Salford M7 4QL

- 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 I Klein against the decision of Salford City Council.
 - The application Ref is PA/2024/0303.
 - The development proposed is described as 'ground, first and second floor extensions to existing dwelling'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of the development proposed, which is set out in the banner heading above, is taken from the application form. However, it is clear from the plans and accompanying details before me that the proposal comprises a single storey front porch extension, part two storey/part single storey side extension, two storey rear extension, an additional second floor upward extension and the erection of a two metre high boundary fence. I have determined the appeal on this basis.

Main Issues

3. The main issues are:
 - The effect of the proposed development on the character and appearance of the dwelling and the surrounding area.
 - The effect of the proposed development on the living conditions of the residents of 4 Eskrigge Close and 32 George Street South, with particular regard to outlook and light.

Reasons

Character and Appearance

4. The appeal relates to one half of a pair of two storey semi-detached dwellings that are located in a residential area. Whilst there is some variety in the built form, the predominant character of the locality is of two storey pitched roof properties. Consequently, there is a general uniformity in the heights of the roofscape.
5. The Council has raised no objections to the proposed porch extension and boundary fence, and I have no substantive reason to disagree. However, the

other proposed extensions would be of significant size and scale. They would occupy the vast majority of No 2's side and rear garden space and be sited in proximity to the boundaries of these areas. The proposed second floor upward extension would also significantly increase the bulk and height of the existing building. When combined, these proposed developments would dominate, subsume, and substantially change the form, character and appearance of the original dwelling.

6. Accordingly, the proposal would result in the introduction of oversized, top heavy and unbalanced additions, that would appear conspicuous in the surroundings, particularly when seen in the context of the prevailing roof heights and forms of the adjoining and adjacent neighbouring dwellings.
7. The appeal site's relatively exposed position near to the junction is such that the discordant nature of the proposal would be plainly visible from George Street South, Eskrigge Close and from the windows of neighbouring properties. The proposed two metre high boundary treatment and hedge would clearly not be capable of providing effective mitigation to overcome this harm.
8. I therefore find that the proposed development would have an unacceptably harmful effect on the character and appearance of the dwelling and the surrounding area. As such, it conflicts with Policy D2 and D8 of the Salford Local Plan: Development Management Policies and Designations (2023) (Local Plan). These seek, amongst other things, for extensions to respect the general scale, character, and rhythm of the original building and for development to be a positive addition to the surrounding area, being integrated within the townscape and landscape.

Living Conditions

9. The Council's concerns relate to the proximity of the upward second floor extension element of the proposal to the habitable windows of No 4 and the rear garden area of No 32. According to the Council's uncontested measurements the distance between the gable elevation of the proposed upper storey extension and the front habitable room windows of No 4 would be approximately 13.5 metres.
10. Whilst Local Plan Policy D5, requires a minimum interface distance of 13 metres to walls that are higher than one storey, it sets out that longer distances may be required where one of the buildings is more than one storey higher than the other. The Council's Supplementary Planning Document 'House Extensions' (SPD) (2006) provides further useful guidance in this respect. It advises that in situations where the relationship is to three or more storeys the minimum distance shall be increased by the amount equal to the additional height. As such, the separation between No 4's front habitable room windows and the side elevation of the proposed second floor upward extension would fall markedly short of the SPD recommended interface distance.
11. The position of No 4's habitable windows in relation to the sun path is such that the increase in height and bulk of the proposed second floor extension would not cause an undue amount of overshadowing to them. Nonetheless, my site observations confirmed that at such proximity to these windows, which are within a two storey property, the proposed second floor upward

extension would visually dominate the outlook from these openings, thereby having an oppressive and overbearing effect.

12. Again, I am satisfied that the orientation of the appeal site in relation to the direction of the sun would ensure that an unacceptable amount of overshadowing to the back garden of No 32 would not occur. Part of this extension would also face the gable elevation of this neighbouring property, which appears to not contain any habitable room windows. However, at such proximity to the shared boundary with No 32, the mass and bulk of the proposed upper storey extension would visually dominate the outlook from this neighbouring garden area. It would thereby have an oppressive and overbearing effect, causing an undue sense of enclosure.
13. In reaching my findings I have had regard to the appellant's submitted relationship study. Nevertheless, the contents of this document, or the provision of obscure glazing, velux windows and the erection of the proposed boundary fence would not overcome the harm that I have identified above. Accordingly, I find that the proposed development would cause unacceptable harm to the living conditions of the residents of 4 Eskrigge Close and 32 George Street South, arising from loss of outlook only. It thereby conflicts with Local Plan Policy D5, which seeks to ensure that development does not have an unacceptable impact on the amenity of the users of other buildings and spaces.

Other Matters

14. I have been made aware of the appellant's family's need for additional space. Whilst I have sympathy for the appellant's household in this regard, personal circumstances seldom outweigh more general planning considerations, particularly where development would be permanent. In addition, the level of local residents' support or objection for a proposal are not determining factors in the consideration of an appeal.

Conclusion

15. For the reasons given above, the proposal conflicts with the development plan and there are no material considerations that warrant taking a decision otherwise than in accordance with it. The appeal should therefore be dismissed.

Mark Caine

INSPECTOR