



Appeal Decision

Site visit made on 11 December 2024

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 January 2025

Appeal Ref: APP/R2330/D/24/3351430

Rose Cottage, High Street, Oswaldtwistle, Lancashire BB5 0NS

- 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 Lee Moss against the decision of Hyndburn Borough Council.
 - The application reference is 11/24/0214.
 - The development proposed is the re-roofing of existing detached garage including construction of dormer to front elevation to form games room.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the living conditions of the residents of 11 Grange Close with regard to outlook and light; and the effect on the character and appearance of the area.

Reasons

3. The dwelling has a garage in the rear garden adjacent to the rear boundary that adjoins 11 Grange Close. Although described as being re-roofed, the proposal would also increase the height of the garage building. The garage is situated adjacent to a recently built annex which is set two metres from the rear boundary. The two buildings would have a similar overall height although the proposed new ridge of the garage would be very marginally closer to the rear boundary. The existing annex roof already dominates the rear garden and views from the rear facing windows of 11 Grange Close. Although set behind the garage of that property, the proposed changes would result in new development across almost all of the width of the neighbouring rear garden.
 4. The existing garage, being of a lower height, allows for an outlook beyond the approved annex for the neighbours. Extending to the proposed height, despite the set-back of the ridge from the boundary and the narrow gap between the buildings, would be unacceptably imposing and would result in considerable harm to the living conditions of the neighbouring residents due to the reduction in outlook. The position of the proposed building would also increase shading within the neighbouring garden, during late summer evenings, which adds to my main concern. The proposal would be contrary to the amenity requirements of policy Env7 of the Hyndburn Core Strategy 2012 (CS) and policy DM29(b) of
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the Hyndburn Development Management - Development Plan Document 2018 (DMP).

5. The existing garage currently has limited public prominence although it is partially visible in views from the road and across the public open space to the side of the property. Whilst raising the height of it would not result in concerns with regard to its wider public visual impact, the introduction of the large box style dormer, would represent poor design in this context. Despite its relatively limited wider impact, it would not enhance local character or distinctiveness and would detract from it. It would conflict with the design aspirations of DPD policies DM26(2g) and DM10(1a) and CS policy Env6(a&b).
6. The proposal would also conflict with the National Planning Policy Framework 2024 which seeks a high standard of amenity for existing and future users and is clear that development that is not well designed should be refused.
7. I have had regard to the submissions of the appellant but have found no matters that suggest that a different conclusion should be reached. As there are no matters that outweigh my concerns, I dismiss the appeal.

Peter Eggleton

INSPECTOR