



Appeal Decision

Site visit made on 20 March 2025

by **K Winnard LL.B Hons Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 4 April 2025

Appeal Ref: APP/F2360/D/25/3358459

99 Fernleigh, Moss Side, Leyland, Lancashire PR26 7AW

- 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 Adam Chadderton against the decision of South Ribble Borough Council.
 - The application Ref is 07/2024/00714/HOH.
 - The development proposed is the raising of the ridge height to form a loft conversion with front and rear dormers.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. In December 2024, the Government published its revised National Planning Policy Framework (the Framework). In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework and that no party would be disadvantaged by such a cause of action.

Main Issues

3. The main issue in the appeal are the effect of the proposed development on (i) the character and appearance of the area and (ii) the living conditions of the occupiers of a neighbouring dwelling, 20 The Pines.

Reasons

Character and Appearance

4. The appeal property, 99 Fernleigh (No 99) is a detached property sited in a prominent location at the end of a small cul-de-sac of other detached properties set within a modern residential estate. Whilst there is variety in the design of dwellings, the area has a well balanced appearance and character of predominantly detached dwellings in a mature setting. Notwithstanding a limited number of extensions, there is a balanced form and regular rhythm of development to the estate.
5. The proposal would see the raising of the roof height and incorporation of front and rear dormers to create additional accommodation at second floor level and would result in dominant and bulky additions to No 99. The South Ribble Council's

Residential Extensions Supplementary Planning Document (SPD) indicates that changes such as increasing the height of a dwelling are unlikely to be acceptable in areas where roof pitches and heights are consistent. In this instance, rather than being a modest increase, the height of the dwelling now proposed would significantly increase the mass of the dwelling and would mark it out as being substantially different from the pattern of development within the area. Further the incorporation of dormers within the extended roof space would be an alien feature within the group of dwellings and would seek to emphasise the bulk of the extended dwelling. As such the proposed development would be unduly prominent in the streetscene detracting from the character and appearance of the area.

6. Rather than visibility of the development being limited due to the dwelling's location within a cul de sac, No 99's siting at the head of the cul de sac means that views of it are directly obtained from the main estate road. As such, its prominent height and the introduction of dormers would be conspicuous features out of keeping with the wider streetscene. There are no specific policy objections to the use of dormers and I note that the SPD accepts the use of dormers on front elevations where such features are typical of the local area. However this would not be the case in this instance. Whilst there are dormers found on Highgrove Court, an adjacent street, these are smaller and at first floor level. Further they form part of the distinctive design features of the house type found on this street. As such they do not represent the character of the area and therefore I give limited weight to these examples which in any event do not provide justification for the proposed development.
7. I therefore conclude that the development would cause unacceptable harm to the character and appearance of the area. As such it would be contrary to Policy G17(a) of the South Ribble Borough Council Local Plan (adopted July 2015)(Local Plan) which requires, amongst other matters, for development not to have a detrimental impact on the street scene by virtue of design, height and scale. It would also be contrary to guidance contained within the SPD in relation to the design and form of dormers and roof extensions.

Living Conditions

8. The rear garden at No 99 is sited adjacent to properties located on The Pines, an adjoining cul de sac. The separation distances between No 99 and No 20 The Pines (No 20) as a result of the proposed development would fall below those recommended in the SPD. I noted on my site visit that despite the presence of vegetation and boundary treatment within No 20 and the angled relationship between the two properties, there is already a strong degree of overlooking from the first floor bedroom window in the rear elevation of No 99 towards the rooms and conservatory in the rear and side elevations of No 20. Notwithstanding the current level of overlooking, the elevated nature of the dormer extension and the introduction of further windows would introduce a significantly greater level of overlooking to that already afforded. As such it would have an adverse and unacceptable impact on the privacy of the occupiers of No 20.
9. I therefore conclude that the development would cause unacceptable harm to the living conditions of the occupiers of No 20 as a result of overlooking and loss of privacy. As such it would conflict with Policy G17(a) of the Local Plan which requires amongst other matters for development not to cause harm to neighbouring

property by leading to undue overlooking. It would also conflict with guidance contained within the SPD in relation to residential amenity.

Other Matters

10. In reaching my decision I have had regard to references within the Framework which support the proposal including the sustainability of the development, the desirability of enlarging the housing stock, the effective use of land by means of use of the airspace, economic and environmental considerations. The proposal would provide additional and reconfigured living accommodation for the appellant and his family. Whilst I give moderate weight to the provisions cited in support, they do not outweigh the harm I have identified above in relation to the proposed development. The appellant also highlights the proposal would be constructed in high quality, in-keeping materials, however aspects of good design and construction are fundamental to all development as stated within the Framework and would not represent a notable benefit. Further, the Framework also provides for development to be sympathetic to local character, including the surrounding built environment.
11. I acknowledge too that no objections to the proposal have been received from the occupiers of neighbouring properties but this in itself does not indicate a lack of harm arising from the proposal.

Conclusion

12. The proposed development would have a harmful effect on the character and appearance of the area and would harm the living conditions of the occupiers of No 20 The Pines. There are no other considerations which would outweigh these findings or the conflict with the Development Plan. Accordingly I dismiss the appeal.

K Winnard

INSPECTOR