
Appeal Decision

Site visit made on 4 November 2025

by **J D Clark BA (Hons) DpTRP MCD DMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 November 2025

Appeal Ref: APP/P2365/D/25/3374031

3 Clucas Gardens, Ormskirk, Lancashire L39 1QA

- 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 Ms Kate Graham against the decision of West Lancashire Borough Council.
 - The application Ref is 2025/0239/FUL.
 - The development proposed is two storey side extension and single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extensions on the living conditions of the occupiers of No 1 Clucas Gardens by reason of outlook.

Reasons

3. The appeal site is a semi-detached two-storey house. The adjacent property, No 1 Clucas Gardens is one of a pair of semi-detached houses on the corner of Clucas Gardens and Scarisbrick Street. No 1 has previously been extended to the side and rear. It has a small triangular rear garden.
4. The proposal would add a two-storey extension to the side of No 3 adjacent to the boundary with No 1. It would wrap around the rear of No 3 with a single storey extension. The space between Nos 1 and 3 is small, especially due to No 1's extension. Whilst there are no windows in the side elevation of No 1, there are openings in the rear elevation. Due to the proximity of the two houses and their orientation, the outlook from these openings would be poor. A ground floor door would open onto the amenity space directly facing the side of the proposed extension. Also, although I note that an upper floor window is obscurely glazed so is probably a bathroom, it is likely that this room would experience some loss of light. There are also other windows in the rear elevation which are a little further away and would not directly face the proposed side extension. Nevertheless, because the rear amenity space to No 1 is so small, the houses are so close that the proposed two storey side extension would appear very prominent and overbearing.
5. Also, from No 1's garden areas/private amenity space, the proposed extensions, especially the two storey element would have an overbearing impact due to its proximity. The space between the houses would be reduced at first floor level so that the rear garden of No 1 would be dominated by the proximity of the proposed extensions.

6. Whilst the appellant considers that the primary garden space to No 1 is further to the rear of the property, the overall amenity space is very small. Therefore, some parts of the garden may be more affected than other parts, but as the amount of space is small, any impact, even on the lesser area of amenity space, is harmful. Also, whilst No 1 is to the south of No 3 and overshadowing would not occur, the distance is such that there is little space within No 1's garden that would not be dominated by the neighbour's proposed extension. Although the side extension has been designed with a hipped roof which would lessen its impact on the neighbouring property, due to the proximity between the two houses, this would not sufficiently overcome the harm I have identified.
7. I note that the appeal site is within the settlement boundary and is not within a Conservation Area or adjacent to a Listed Building. Also, Clucas Gardens is a cul-de-sac characterised by similarly designed properties some of which have been extended.
8. However, for the above reasons, the proposed extensions would have a harmful effect on the living conditions of the occupiers of No 1 Clucas Gardens. The proposal would conflict with Local Plan¹ Policy GN3 which requires development to retain or create reasonable levels of amenity for occupiers of neighbouring properties, amongst other things. It would also conflict with Local Plan Policy GN1 which indicates that development proposals within settlement boundaries will be assessed against all relevant Local Plan policies. It would also be inconsistent with the Council's Design Guide SPD² which recognises that the sheer physical presence of an extension is such that its overall mass (size, height and form) can result in a serious loss of amenity in terms of having an overbearing impact, as is the case here.

Other Matters

9. The proposed single storey element would have some impact on No 5 Clucas Gardens, the attached semi, but given that it would be single storey and of modest height and projection, the Council has not objected to this element of the proposal in the context of No 5. I have no reason to disagree.

Conclusion

10. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Consequently, for the above reasons the appeal should be dismissed.

J D Clark

INSPECTOR

¹ West Lancashire Local Plan 2012-2027 Development Plan Document October 2013.

² West Lancashire District Council Supplementary Planning Document Design Guide January 2008 (SPD).