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## Appeal Decision

Site visit made on 13 January 2026

**by K Mee BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 January 2026

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**Appeal Ref: APP/A2335/D/25/3374942**

**344 Heysham Road, Heysham, Lancashire LA3 2BW**

- 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 Emily Burzacki against the decision of Lancaster City Council.
  - The application Ref is 25/00929/FUL.
  - The development proposed is described as: second storey side extension, loft conversion with dormer, change of front and rear fenestration, replacement garage and garden room.
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### Decision

1. The appeal is dismissed insofar as it relates to the second storey side extension, loft conversion with dormer and change to front and rear fenestration.
2. The appeal is allowed and planning permission is granted insofar as it relates to the replacement garage and garden room at 344 Heysham Road, Heysham, Lancashire LA3 2BW in accordance with the terms of the application, Ref 25/00929/FUL, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with drawing nos 25-010 001 Rev B Elevation Floor Site Location Plan and 25-010 002 Rev B Elevation Floor Plan Garage/Garden R.

### Preliminary Matters

3. The description of the proposals differs from the application form to the decision notice. The above description has been taken from the application form, which adequately describes the proposals.
4. The Council has identified inaccuracies in the submitted existing and proposed elevation drawing. From my observations, I agree that the front porch roof, turret and main house roof are not accurately depicted. In all other respects the drawing appears to be correct. Nevertheless, the information before me is sufficient to enable a full and proper assessment of the proposal. Had the appeal been successful in respect of the extensions and alterations to the existing dwelling, I would have pursued this matter further with the parties including a request for new plans, in the interests of precision.

## **Main Issue**

5. The main issue is the effect of the proposed development on the character and appearance of the existing property and surrounding area.

## **Reasons**

6. The appeal property is a distinctive elevated detached two-storey dwelling notable for its prominent corner turret, which rises above the main roof, decorative roof finials and mock-Tudor gable detailing. The neighbouring properties on this side of Heysham Road are characterised by individually designed detached dwellings on generous, elevated plots set well back from the wide road. In contrast, the opposite side of Heysham Road is characterised by a more uniform pattern of semi-detached and detached dwellings on smaller, less spacious plots.
7. The proposal comprises a second storey side extension, with hipped roof, above the existing single storey element, which would also be extended rearwards to align with the main rear elevation. It further includes a rear dormer, alterations to window and door fenestration, with an increased number and larger proportioned windows and doors, and the erection of a replacement garage and new garden room within the rear garden.
8. The proposed side extension would result in the formation of a substantial roof mass that diminishes the prominence of the corner turret feature. Moreover, introducing a second storey directly alongside the side boundary would erode the visual separation that characterises the immediate street scene. Taken together with the other alterations, in terms of their size, positioning and fenestration, the proposal would result in an architecturally incohesive built form that fails to respect the character and appearance of the existing dwelling and established surrounding area. The Council have not raised any concerns with regards to the impact of the replacement garage and garden room on the character and appearance of the existing dwelling or surrounding area, given the significant set back from the street scene and large plot size, and I agree with that finding.
9. I therefore conclude that cumulatively the proposed second storey side extension, loft conversion with dormer, and changes to front and rear fenestration would have a significantly harmful effect on the character and appearance of the existing property and surrounding area. They would therefore be contrary to Policy DM29 of the Part Two: Development Management Development Plan Document (January 2025) which seeks to ensure that new development makes a positive contribution through good design. In contrast, I conclude that the replacement garage and garden room would not have harmful effect on the character and appearance of the surrounding area such that they comply with the above policy.

## **Other Matters**

10. I note the appellant's concerns over the Council's handling of the application, with regard to the lack of opportunity to make amendments and reference within the officer report to the lack of pre-application engagement. However, these are not matters that I can consider under a Section 78 planning appeal and do not alter my findings, in which I have had regard solely to the planning merits of the proposals.
11. My attention has been drawn to other properties in the area which feature dormer extensions, large expanses of glazing and various forms of side and rear

extensions. I do not know the circumstances under which they were constructed or their status with regard to planning permission and therefore cannot draw any direct comparison with the proposals that would weigh in its favour. The presence of these does not overcome the harm that I have otherwise found.

12. I note the appellant's assertion that the proposals would result in increased levels of natural light, improved rear facing views and enhanced functionality. However, these factors do not outweigh the harm I have identified above.
13. The Council have not raised any concerns with regards to the impact on living conditions of neighbouring residents, including on privacy, light, outlook, noise or flooding, and there is no substantive evidence before me that would lead me to a different conclusion. While I acknowledge the representations relating to potential damage to neighbouring property and local property values, the Planning Practice Guidance (PPG) confirms that planning is concerned with land use in the public interest. Therefore, these purely private concerns do not attract weight in my decision making.

### **Conditions**

14. In addition to the standard time limit condition, I have imposed a condition requiring the development be carried out in accordance with the approved plans, in the interests of certainty.
15. Within the delegated report, it is suggested that a condition could be imposed limiting the use of the replacement garage and garden room to ancillary residential use. This is based on concerns about the potential use of the outbuildings for short-term holiday lets. However, the proposal includes ancillary outbuildings to be used in connection with the residential use of the property. If the outbuildings were to be used for any purpose that was materially different to the established residential use, then planning permission would be required. If such development took place without the necessary permission that would be a matter for the Council to consider. As such, having considered this against the tests in the National Planning Policy Framework and advice provided in the PPG, I find the suggested condition to be unnecessary.

### **Conclusion**

16. I consider that the proposed replacement garage and garden room are physically and functionally independent to the proposed changes to the existing dwelling including the second storey side extension, loft conversion with dormer and changes to window and door fenestration. Given the different conclusions I have reached on each, I propose to issue a split decision in this case.
17. I therefore conclude that whilst the appeal in relation to the second storey side extension, loft conversion with dormer and change to front and rear fenestration should be dismissed, the replacement garage and garden room should be allowed.

*K Mee*

INSPECTOR