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## Appeal Decision

Site visit made on 15 November 2021

**by R Jones BA(Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 13<sup>th</sup> December 2021**

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**Appeal Ref: APP/U2370/D/21/3280697**

**4 Church Road, Thornton Cleveleys FY5 2TZ**

- 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 Paul Corkhill against the decision of Wyre Council.
  - The application Ref 21/00175/FUL, dated 9 February 2021, was refused by notice dated 19 May 2021.
  - The development proposed is two-storey side extension with integral garage and rear dormer.
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### Decision

1. The appeal is allowed and planning permission is granted for two-storey side extension with integral garage and rear dormer at 4 Church Road, Thornton Cleveleys FY5 2TZ in accordance with the terms of the application, Ref 21/00175/FUL, dated 9 February 2021, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Plans and Elevations, drawing ref. W/21/34/01.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

### Main Issues

2. The main issues are:
  - The effect of the proposed two-storey side extension on the character and appearance of the host dwelling and the surrounding area.
  - The effect of the proposal on the living conditions of the occupiers of No.2C Church Road.

### Reasons

#### *Character and appearance*

3. The appeal property is a single-storey detached dwelling with first-floor accommodation served by an almost full width rear dormer. It is offset from its

neighbour, No.2C Church Road (No.2C), by over 5m and the proposal is to infill this gap to the side with an integral garage and first-floor bedroom with rear dormer.

4. The extension has been designed so that the ridge height of the existing roof is continued, but it is set off the main elevation of the host dwelling by around 0.6m and off the bay window of the projecting gable by around 1.3m. SPD Design Guidance 1B of the Council's *Extending your Home Supplementary Planning Document (2007)*(SPD) is that the bulk and scale of an extension should appear subordinate to the original property and should not change the general character of the area. Consistent with this guidance, the overall modest scale of the extension and its reasonable setback means it would not appear overly dominant and would reflect the simple design of the host dwelling.
5. Church Road has a mix of size and style of detached and semi-detached bungalows and two-storey properties. Uniform spacing, or the size of gap, between properties is not a particular defining characteristic and I saw on my site visit examples on Church Road of properties that have been extended close to, or up to, their boundaries. There is disagreement between the parties as to whether the proposed extension should be considered a single storey side extension or first-floor side extension for the purposes of the SPD guidance. From Church Road the extension would appear single storey (with two additional rooflights) and I therefore find Design Guidance 2: Single Storey Side Extensions more applicable, although I note that the guidance for both is that extensions should be a minimum of 1m from a side boundary. The proposed extension extends up to the boundary of No.2C, which tapers to the rear, and there would therefore be a conflict with part of SPD Design Guidance 2. However, the neighbouring dwelling at No.2C is offset from its boundary by around 2m and a reasonable gap would be retained between properties. The proposal would not therefore result in a noticeable linking effect or cause harm to the general mixed character and appearance of Church Road.
6. The neighbouring semi-detached bungalows at 2B and 2C Church Road are modest in size, but the children's nursery on the other side of the appeal property is two-storey in height and overall much larger in scale. Although the eaves of the proposed extension would be above those of the existing roof slope, the overall height and scale of the extension would not appear incongruous in the context of its neighbours and it would integrate well into the streetscene.
7. Consequently, the proposed extension would not cause harm to the character and appearance of the host dwelling or the surrounding area. It would accord with the guidance at paragraph 130 of the National Planning Policy Framework (the Framework) and Policy CDMP3 of the Wyre Local Plan, 2011-2031 (2019) (LP) which both require the design of development to be sympathetic to, or enhance, the local character of an area.

#### *Living conditions*

8. The guidance in SPD Design Guidance 1D is that windows to first-floor habitable rooms that overlook neighbouring gardens should be a minimum 10.5m from boundaries they face. To the rear of the appeal property is an existing first-floor dormer with windows facing toward No.2C Church Road (No.2C). The garden of the appeal property is triangular in shape and the splayed boundary means that the existing first-floor windows already overlook

most of the garden of No.2C and fall below the distance set out in the SPD guidance. The proposed extension would extend up to the splayed boundary and would include an additional flat roofed dormer to the rear. This would serve a master bedroom and the window would be closer to the common boundary than the existing dormer windows.

9. However, I saw on my site visit that the rear building line of No.2C is set back slightly from the appeal property and there is some privacy afforded to the garden area closest to the bungalow. Whilst inevitably the proposed dormer would overlook the garden of No.2C, because the extension would not project beyond the existing rear building line of the appeal property, no more of the garden would be seen. Consequently, whilst there would be a conflict with SPD Design Guidance 1D, I consider that in this instance, the proposals would not result in a significantly greater degree of overlooking than currently exists.
10. There is a door and obscure glazed window in the gable elevation of No.2C facing the appeal property but the windows to habitable rooms principally face the rear with outlook over the garden. The proposed extension would taper away from No.2C (because of the alignment of the boundary) and combined with its modest height and the orientation of No.2C, it would not appear overbearing. Further, I am not persuaded that the depth and height of the proposed extension would result in a significant loss of light to the side garden of No.2C.
11. On balance, therefore, I conclude that the proposals would not result in overlooking, loss of outlook or overshadowing such that it would cause harm to the living conditions of No.2C. There would be no conflict with LP CDMP3 because the extension would not have an unacceptably adverse impact on the amenity of occupants and users of nearby properties. It would further meet the guidance at paragraph 130 of the Framework that developments should create places with a high standard of amenity for existing and future users.

### **Conditions and Conclusion**

12. The standard time limit and a condition specifying the approved plans are required to provide certainty. In the interests of the character and appearance of the area, a condition is also necessary requiring external materials of the proposed extension to match the existing dwelling.
13. For the reasons given, I conclude the appeal should be allowed subject to the conditions above.

*R Jones*

INSPECTOR