

Report to Planning and Licensing Committee



Date of Meeting	27 November 2019
Portfolio	Councillor Carol Wardle, Cabinet Member for Planning, Development & Housing
Report Author	Michael Atkinson-Smith
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<b>Application:</b> 18/01352/FUL	<b>Township:</b> Middleton	<b>Ward:</b> East Middleton
<b>Appeal Reference:</b> APP/P4225/W/19/3232874		<b>Decision level:</b> Delegated
<b>Site Address:</b> 13 Sedgley Close, Middleton M24 2SP		
<b>Proposal:</b> Erection of 3 no. bedroom single storey bungalow with raised decking to rear together with demolition of existing detached garage and erection of double garage (one to be used by existing dwelling) on shared driveway		
<b>Applicant:</b> Miss Julie Leahiff		<b>Agent:</b> Mr Thomas DiFelice
<b>Planning Inspectorate Decision:</b> Appeal Dismissed – 10 <sup>th</sup> October 2019		
<ul style="list-style-type: none"> <li>– The application was refused on the grounds that the proposed bungalow in an existing side garden would result in a cramped layout, constituting an over-development of the plot, which would be harmful to the street scene.</li> <li>– Additionally, a number of unacceptable residential amenity impacts were identified, notably in respect of overlooking, loss of privacy and overbearing impact for the occupiers of Nos. 131-137 Grimshaw Lane, and also in respect of overlooking and insufficient outlook in respect of the proposed dwelling itself. Many of the impacts related to non-adherence to the required minimum separation distances, a situation exacerbated by changes in level across the site.</li> <li>– The Inspector's assessment largely concurred with the Council's assessment, although additional harm was considered to occur to No. 139 Grimshaw Lane due to the proximity of the garage to the boundary which was not listed in the refusal reason, although acknowledged in the report.</li> <li>– The Inspector did not agree, however, that the position of a habitable room window within the proposed dwelling directly overlooking the shared driveway with No. 13 Sedgley Close would lead to undue loss of privacy, or that the impact of vehicle movements from the neighbouring property immediately to the front of the proposed bedroom would be excessive enough to cause harm.</li> <li>– The Inspector gave little weight to the intended occupation of the proposed dwelling by the appellant's family member on the basis that personal circumstances are rarely a determinative factor.</li> <li>– The Inspector agreed with the lack of objection from the Councils' Highways Officer, despite objections received in relation to parking and access.</li> <li>– On the basis that the proposed development would appear as an incongruous addition to the street scene with harmful residential amenity impacts identified, the Inspector dismissed the appeal.</li> </ul>		

