
Appeal Decision

Site visit made on 24 April 2026

by K Craddock BA (Hons) MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 June 2026

Appeal Ref: 6006256

3 Shirebrook Drive, Glossop, Derbyshire SK13 8RF

- 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 Mrs Toni Walton against the decision of High Peak Borough Council.
 - The application Ref is HPK/2025/0421.
 - The development proposed is a first floor side extension over existing garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development above is taken from the application form. However, at the site visit it was apparent that the existing garage would be subsumed into the extension and the overall proposal would be more akin to a two-storey side extension measuring the full depth of the main dwelling.
3. At my site visit I identified the effect on outlook as a potential main issue and subsequently invited both parties to comment on this matter. I have taken their responses into consideration.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of the occupants of 10 Derwent Close, with particular regard to outlook and sunlight.

Reasons

5. The appeal site is a two-storey detached house located in an established residential estate. There is a consistency of architectural style between the appeal property and those surrounding it, with garden sizes being largely comparable. Some properties have been extended at the side and rear, including the appeal property and the neighbour at 10 Derwent Close, which both benefit from a rear conservatory. The rear gardens of Nos 8, 10 and 12 Derwent Close abut the side (northern) boundary of the appeal site.
6. There are distinct changes in land level with the rear garden of the appeal property rising behind the house. No 10 sits lower than the appeal site to the extent that the apex of the main roof of No 10 sits at a similar height to the main eaves of the appeal dwelling. A tall conifer hedge in the garden of No 10 runs along the common boundary, although the upper side elevation of the existing garage at the appeal property remains visible above it from the neighbouring property.

7. The proposed side extension would extend the full depth of the host property (excluding the conservatory) and stand two storeys high throughout. It would be set back a short distance from the common boundary between the appeal property and No 10, just wide enough to provide a walkway through to the rear garden. The proposed side extension would extend along just over half the width of the rear boundary of No 10.
8. Due to the massing of the proposed extension and its proximity to the common boundary, there would be an increased sense of enclosure experienced within the garden of No 10. The change in land level exacerbates this and would result in an unacceptable effect on outlook from the neighbours' garden as well as their rear bedroom window.
9. Turning to matters of sunlight, the existing arrangement on site already causes a degree of overshadowing to No 10, arising partly from the appeal dwelling and the tree within its garden, and partly from the conifer hedge in the garden of No 10. However, the increase in height and mass of the proposed extension would compound this effect and result in an unacceptable loss of sunlight to the neighbours' garden. It is unclear from the evidence provided whether the rear bedroom window of No 10 would experience shadows falling directly upon it as a result of the extension, but I am mindful that this is a possibility.
10. The appellant has referred to BRE Guidance in their appeal statement. However, this does not amount to a detailed sunlight and daylight study nor does it constitute robust evidence to demonstrate there would be no material harm. For these reasons I am not convinced by the veracity of this part of the appellant's evidence and give it little weight. In the absence of any technical evidence on sunlight, I must rely on my own planning judgement which is that the effects on sunlight for the neighbour would be unacceptable.
11. My attention has been drawn to similar developments at nearby properties in Winnats Close and Hathersage Drive. Whilst I have taken these into account, I am not aware of the full circumstances of these other cases and, in any event, each scheme must be considered and determined on its individual merits. The examples of other extensions do not change my overall findings.
12. I conclude that the proposed extension would be harmful to the living conditions of the occupants of 10 Derwent Close due to the loss of outlook and sunlight. Accordingly, the scheme would fail to comply with Policy EQ6 of the High Peak Local Plan (2016), which, amongst other things, supports development that avoids creating undue harm on the amenity of neighbouring properties.

Conclusion

13. For the reasons given above, the proposed development does not accord with the development plan as a whole and there are no other considerations that indicate I should take a decision other than in accordance with it. Accordingly, the appeal is dismissed.

K Craddock

INSPECTOR

