
Appeal Decision

Site visit made on 10 October 2016

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14th October 2016

Appeal Ref: APP/F2605/D/16/3155457

4 Parkers Road, Mattishall, Norfolk NR20 3PS

- 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 Hicks against the decision of Breckland District Council.
 - The application Ref 3PL/2016/0567/HOU, dated 8 May 2016, was refused by notice dated 20 June 2016.
 - The development proposed is the demolition of the existing single storey extension and conservatory and the erection of a two storey extension with a single storey addition to the rear.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the living conditions of the occupants of 3 Parkers Road (No. 3) with particular reference to outlook and light.

Reasons

3. The appeal property (No. 4) is a semi-detached house located on the western side of the street. The adjoining house in the semi (No. 3) mirrors No. 4 in terms of scale, form and the position of fenestration. The appeal scheme is to demolish the existing single storey flat roofed rear extension and conservatory and erect a part two storey part single storey rear extension in its place. The eaves height of the existing house would continue into the two storey extension but the ridge would be set lower. The roof would be hipped and the walls finished in a brick that would match the existing property.
4. The Council are concerned that the appeal scheme would harm the living conditions of the occupants of No. 3 by dominating the outlook from the property and through a loss of light to the lounge. The Council has not specified whether the concerns in respect of 'light' relate to sunlight or daylight. I have therefore considered both.
5. It is understood that the lounge window at No. 3 is the ground floor rear window, which currently overlooks the side return. The proposed two storey rear extension would be on the northern side of this window. Consequently, there is unlikely to be a harmful impact on the level of direct sunlight penetrating the lounge.

6. Nevertheless, in my experience daylight is a different consideration to direct sunlight and is measured vertically. From what I observed during my site visit, I am of the view that the combined effect of the height, depth and proximity of the proposed two storey rear extension to the lounge window of No. 3 would result in a noticeable and harmful reduction in the level of daylight entering the room. I have not been presented with substantive evidence, such as a daylight assessment, that would indicate otherwise.
7. In addition, the combined effect of the depth and height of the proposed two storey extension would result in a dominant and imposing addition when viewed from the rear ground floor windows and side return of No 3. This harmful effect on the outlook from No. 3 would not be sufficiently softened by the proposed position of the extension in from the boundary, the hipped roof or the drop in the ridge height.
8. I therefore conclude that the proposed development would harm the living conditions of the occupants of No. 3. This would be contrary to Policy DC1 of the Breckland Council Core Strategy and Development Control Policies 2009, which seek to protect the amenity of neighbouring properties. An aim consistent with Paragraph 17 of the National Planning Policy Framework.

Other Matters

9. The appellant has referred me to a two storey side extension approved at 9 Parkers Road that he considers would have a similar visual impact on neighbours to the appeal scheme before me. However, the addition to 9 Parkers Road would be a side extension at a bend in the road where the space between properties is greater. As such, the impact would not be similar and does not justify the harmful impact on living conditions that would arise from the implementation of the appeal scheme.
10. Additionally, there is nothing before me to suggest a two storey extension could not be erected at the appeal property as 'permitted development'. However, such an extension would not be as deep as the appeal scheme before me and would thus have a materially different impact on the living conditions of the occupants of No. 3. As such, this possible fall-back position does not justify the harm I have identified.
11. Whilst the effect on the character and appearance of the area is not a reason for refusal, the Planning Officer's report suggests the proposed extension would be of an excessive scale and massing that would fail to have adequate regard to the existing house and surrounding locality. Moreover, the reason for refusal refers to Policy DC16, which is a design policy. Therefore, I would need to see further evidence before I was satisfied the depth of the proposed extension, and its position flush with the side elevation of this existing house, would have an acceptable effect on the host property and street scene. However, given my findings on the main issue I do not need to consider this point further.

Conclusion

12. For the reasons given above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Graham Chamberlain
INSPECTOR