

Appeal Decision

Site visits made on 5 and 19 April 2017

by D Cramond BSc MRTPI

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

Decision date: 26th April 2017

Appeal Ref: APP/L3815/D/17/3169387
8 Caledonian Road, Chichester, PO19 7PH

- 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 Mrs S Hague against the decision of Chichester District Council.
 - The application Ref CC/16/03777/DOM, dated 15 November 2016, was refused by notice dated 11 January 2017.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on living conditions for neighbours.

Reasons

Living conditions

3. The appeal property is a semi-detached two storey dwelling with a side passage and with a semi-detached two storey outrigger with lower roof projecting rearwards across a little over one half of the width of the home. The property is nicely proportioned and of pleasing appearance and lies in an established residential area characterised by semi-detached and terraced homes which share broadly similar attributes. A large public car park lies to the rear and high walling blocks most ground level views between. The proposal is for a single storey kitchen extension with a mono-pitched roof coming from, and running the approx 7.5m length of, the outrigger to the width of the main two storey element of the dwelling. It would thus keep a distance of a little over 1m to the shared rear side boundary with the home to the west. The extension would have an eaves height of some 2.75m running up to its ridge at about 3.35m.
 4. The relationship of the home to the west (No 7) with the appeal property is an unusual one in that the former is angled a few degrees towards it because of frontage siting on the inside of a bend. This neighbouring home has a single storey projection which with this angling comes very close to the boundary wall; a traditional wall of about 1.8 in height from original ground level and ignoring any decking. Number 7 has windows serving the kitchen and a small sitting room in the area close to the boundary and has French doors and a terrace area at the end of its projection. This rear element is very much shorter than the outrigger on the appeal site. The sense of space and outlook
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for this home is relatively tight as things presently stand. Unfortunately with the significant height, even allowing for the pitch sloping away, its length and its proximity the development proposed would further reduce these aspects to an unacceptable level. There would be a marked reduction of residential amenity enjoyed by occupiers of No 7. The scheme would be overbearing and lead to an excessive blinkering effect.

5. Policy 33 of the Chichester District Local Plan 2014 - 2029 (adopted July 2015), taken together and amongst other matters, seek to ensure that development does not have any undue adverse impact on neighbouring amenity. I conclude that this scheme would conflict with these policies.

Other matters

6. I sympathise with the Appellant's wish to increase and improve the accommodation of this property. Nevertheless the matter of whether this would be permitted development in some situations is not relevant as that is not the case here and I have an appeal before me to determine on its own merits. I acknowledge the intent to use matching materials and I can see that mutual overlooking would be reduced by reason of the desired development. The restricted open area closest to the rear of the neighbouring property is not its main outside amenity space. I agree that orientation and building arrangement are such that loss of daylight and sunlight are not issues. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issue identified above.
7. I confirm that policies in the National Planning Policy Framework have been considered; the Council's policy which I cite mirrors relevant objectives within that document.
8. I should add that whilst the Council is sanguine on the matter third parties are critical of the design of the scheme bearing in mind its Conservation Area siting. The area's status does lead to a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. I would say that I firmly lean towards the opinion of those who are objecting to the design of the scheme. The development would appear over-large and fail to be suitably subservient to the present property and the extensive rear facing ground floor glazing would not represent suitably subtle or well designed fenestration. This adds to my concerns I have expressed relating to the proposed extension under the main issue above.

Overall conclusion

9. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on living conditions for neighbours. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR