

Appeal Decision

Site visit made on 23 May 2017

by J A B Gresty MA MRICS

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

Decision date: 02 June 2017

Appeal Ref: APP/F2605/D/17/3170841
11 Fir Park, Ashill, Norfolk IP25 7DE

- 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 & Mrs G Brooking against the decision of Breckland Council.
 - The application Ref 3PL/2016/1467/HOU, dated 2 December 2016, was refused by notice dated 20 January 2017.
 - The development proposed is first floor extension to create garage and ensuite.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed development on the living conditions of the occupiers of the neighbouring property with respect to light and outlook.

Reasons

3. The proposed development includes construction of a first floor extension to the side of the appeal property. The extension would have the same height and depth as the existing two-storey house. The flank wall of the extended house would stand close to the property's boundary with 12 Fir Park.
 4. The proposed extension would stand roughly to the south-west of the bungalow at No 12. The bungalow's kitchen faces towards the appeal property's back garden and is served by a single window and a glazed door. Because of its height and position, it is inevitable that the proposed extension would increase to a limited extent the length of the periods that shade is cast onto the kitchen window and door by the appeal property.
 5. The nearest part of the proposed extension would be about 4 metres from No 12's kitchen window. Whilst the appellant has provided evidence of the path of the sun at different times of year, this does not demonstrate what effect the extension would have on the amount of diffuse natural daylight which would reach the kitchen window and door. Whilst the proposed extension would not be directly in front of the kitchen window, I consider that its position close by to the south-west, in conjunction with its height and bulk, would result in some loss of natural daylight to No 12's kitchen.
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6. It was bright and sunny during my inspection which I carried out in early afternoon. The sun was roughly to the south and shining at a very oblique angle onto the side elevation of the bungalow. Although the appeal property was not casting any shade onto the bungalow and it was bright outside, I found the inside of No 12's kitchen to be relatively dark and at the time it would have benefited from some artificial light at the back of the room. To me, this indicated that a modest reduction in the amount of diffuse natural daylight available to the window and door would have a noticeable impact on the amount of natural daylight in the kitchen and the ability of the kitchen to be used without artificial light. In this respect I conclude that the proposed development would result harm to the living conditions of the occupiers of No 12 with regard to loss of light to the kitchen, contrary to the requirements of Policies DC16 and DC1 of the Breckland Council Core Strategy and Development Control Policies.
7. Because of its height and bulk and its close proximity to No 12, the two-storey gable end wall of the extended house would appear very prominent when viewed from No 12's front garden and driveway. However, views of the extension from within the bungalow would be oblique only and it would have very limited impact on the outlook from No 12's private back garden. Therefore, I conclude that the effect of the proposed development on the living conditions of the occupiers of No 12 with regard to outlook would be limited and would not be reason to dismiss this appeal.

Conclusion

8. Whilst the proposed extension would be in keeping with the character and appearance of the host property, on balance and for the above reasons, I conclude that the appeal should be dismissed.

J A B Gresty

INSPECTOR