
Appeal Decision

Site visit made on 30 May 2017

by David Walker MA MRTPI

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

Decision date: 14th June 2017

Appeal Ref: APP/J9497/D/17/3173365

1 The Old School, New Street, Chagford, Newton Abbot TQ13 8BB

- 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 Philip Herbert against the decision of Dartmoor National Park Authority.
 - The application Ref 0632/16, dated 25 November 2016, was refused by notice dated 25 January 2017.
 - The development proposed is addition of small pitched roof dormer window to rear of dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposal on the living conditions of the occupant of the adjoining property having regard to privacy.

Reasons

3. The small dormer window would be added to the roof of an existing ground floor extension at the property. It is required to provide light to a small room used as a store and overlooking of a private courtyard area. However, given the close arrangement of the accommodation within the former school the dormer window would be positioned where it could afford direct views into the neighbour's living room.
 4. Under the existing use of the room as a store there would be a reasonable expectation of reduced overlooking under normal use. However, it is indicated that use of the room may change in which case increased overlooking would be a likely outcome.
 5. The proposal has been revised to reduce the size of the window and I acknowledge that some mutual overlooking is a common occurrence within densely built and historic areas. There would nonetheless remain a deleterious effect on the levels of privacy experienced by the neighbour that would cause significant harm to existing living conditions.
 6. I am satisfied, however, having regard to the small scale of the proposal, that it would have a neutral effect on the character and appearance of the Chagford Conservation Area and on the natural beauty, wildlife and cultural heritage of
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the National Park and opportunities for the understanding and enjoyment of its special qualities by the public.

7. As there is little benefit demonstrated to outweigh the harm that would occur, it would conflict with the aims of Policy DMD4 of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document 2013. The policy seeks to avoid development that would significantly reduce the levels of privacy enjoyed by the occupiers of nearby properties, amongst other things.

Conclusion

8. For the reasons given above I conclude that the appeal should be dismissed.

David Walker

INSPECTOR