
Appeal Decision

Site visit made on 15 August 2017

by Andrew McCormack BSc (Hons) MRTPI

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

Decision date: 11 September 2017

Appeal Ref: APP/N2535/D/17/3179121

23 Ashfield, Sturton-by-Stow, Lincoln LN1 2BN

- 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 Julia Wallhead against the decision of West Lindsey District Council.
 - The application Ref 136171, dated 26 April 2017, was refused by notice dated 25 May 2017.
 - The development proposed is erection of a sunroom to front of property.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mrs Julia Wallhead against West Lindsey District Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are the effect of the proposed development on the:
 - character and appearance of the surrounding area; and
 - living conditions of neighbouring occupiers, with regard to outlook.

Reasons

Character and appearance

4. The appeal property (No.23) is a one and a half storey dwelling which is set back from the public highway. It is of a similar design and appearance to many properties within the streetscene which is of a modern character. The property has a small front garden with a similarly sized garden to the rear. There is a driveway which leads along the southern elevation of the property to a single storey detached garage. The boundaries of the appeal property are demarcated by a mix of timber fencing and hedging with mature pampas grass running along the front portion of the boundary with its neighbouring property to the north, 25 Ashfields (No.25). No.25 is to the north west of the appeal property and has a poor relationship to No.23 which is set back into a corner plot within the streetscene.
5. The proposed extension would be single storey and would have a similar pitched roof and slope to its host property. However, whilst I acknowledge the

modern character and appearance of the surrounding area, I find that the proposal would result in a significant projection from the existing front elevation of No.23. This would be of a scale and extent which would be out of keeping with the prevailing design and appearance of similar surrounding properties. Furthermore, the proposed extension would project to such a degree that it would diminish the visible presence of No.25 in the streetscene which would only be glimpsed between the extension and the nearby detached garage of No.25.

6. Having had regard to the evidence before me, I find that the proposed extension would be an uncharacteristic and alien extension to No.23. It would therefore be detrimental to the design and appearance of the property and the character of the streetscene and wider locality. Furthermore, its diminishing of the visibility and appearance of No.25 would have a material harmful effect on the overall character and appearance of the locality.
7. Consequently, I conclude that the proposed development would have a significant adverse impact on the character and appearance of the surrounding area. It would therefore be contrary to Policies L17 and L26 of the Central Lincolnshire Local Plan (LP) and the relevant guidance within the National Planning Policy Framework (the Framework). Amongst other matters, these policies and guidance seeks to ensure that development achieves high quality sustainable design, contributes positively to local character, landscape and townscape and has no significant detrimental effect on the character, appearance and visual amenity of its surroundings.

Living conditions

8. From what I have seen and read, I find that the proposed development would be positioned on or close to the boundary with No.25. The elevation of the proposed extension facing No.25 would be a blank single storey brick wall extending forward of the existing front elevation of No.23 by around 4.75 metres. Furthermore, I note from the submitted plans that the roof of the proposed extension would reach a ridge height of about 4 metres.

I acknowledge that the proposed roof would be pitched and would slope away from No.25 in a similar way to the existing roof of the No.23. Notwithstanding this, I find that the overall scale, extent and height of the proposed extension would create an unacceptable sense of enclosure for the occupiers of No.25. This was confirmed by my observations from within No.25 during the site visit which indicated to me that the outlook from the rooms at the front of the property would be significantly diminished by the proposed extension. Moreover, in my view, such an impact would only be exacerbated by the presence of the blank side elevation of the existing garage which faces the front elevation and windows of No.25.

9. Having considered all relevant matters regarding this, I find that the impact of the proposed blank wall elevation which would face No.25 would result in creating a significant sense of enclosure for the occupiers of No.25. This would be detrimental to their outlook from the relevant windows of that dwelling within its front elevation.
10. Consequently, I conclude that the proposal would have a significant adverse impact on the living conditions of neighbouring occupiers with regard to outlook. It would therefore be contrary to Policies L17 and L26 of the LP and

the relevant guidance in the Framework. Amongst other matters, these policies and guidance seeks to ensure that development does not unduly harm the residential amenities which all existing and future occupiers of neighbouring land and buildings may expect to enjoy.

Other considerations

11. The appellant argues that the Council has previously given planning approval for a similar scheme at the appeal property in 2009. However, this permission was not implemented and has now lapsed. Since then, there have been significant changes in planning policy, both nationally and locally, which have resulted in providing a different context within which this appeal scheme must be assessed. Amongst other things, there is now a strong focus on design standards within new developments. Furthermore, each proposal must be assessed on its own merits and circumstances.
12. In light of the above, a different outcome has emerged with regard to the Council's assessment of the scheme. The appellant claims that the Council has not appropriately considered the appeal scheme as, it is argued, there is no material difference between previous and extant policies which would justify a different outcome. Notwithstanding this, having had regard to the current policy context and based on the evidence before me, I am satisfied that the Council's approach to determining the proposal is reasonable and has been clearly justified in its reasons for refusal.
13. I have had due regard to the personal circumstances of the appellant with regard to the purpose of the proposed development which became apparent to me during the site visit. However, having carefully considered these matters, I find that the harms resulting from the proposal, which I have identified, would significantly outweigh its benefits in this case.

Conclusion

14. Therefore, for the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Andrew McCormack

INSPECTOR