



Appeal Decision

Site visit made on 11 September 2017

by Karen L Baker DipTP MA DipMP MRTPI

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

Decision date: 25th September 2017

Appeal Ref: APP/N2535/D/17/3181351

Woodbury, Main Street, Hackthorn, Lincoln LN2 3PF

- 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 Steve Downs against the decision of West Lindsey District Council.
 - The application Ref. 136040, dated 31 March 2017, was refused by notice dated 16 June 2017.
 - The development proposed is: 'Demolition of existing garage. Erection of a new garage and sun room to side and rear of property. Flat roof dormers to become monopitch roof.'
-

Decision

1. The appeal is dismissed insofar as it relates to the demolition of the existing garage and the erection of a new garage and sun room to the side and rear of the property. The appeal is allowed insofar as it relates to the flat roof dormers to become monopitch roof and planning permission is granted for the flat roof dormers to become monopitch roof at Woodbury, Main Street, Hackthorn, Lincoln LN2 3PF in accordance with the terms of the application, Ref. 136040, dated 31 March 2017, and the plans submitted with it, so far as relevant to that part of the development hereby permitted, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans, so far as relevant to the approval of the change from flat roof dormers to monopitch roof only.

Procedural Matters

2. The proposed development includes the replacement of the flat roof dormers with a monopitch roof on both the front and rear elevations of the appeal property. It is apparent from the Officer's Report that the Council's concerns relate solely to the demolition of the existing garage and the erection of a new garage and sun room to the side and rear of the property. I have, therefore, considered the appeal on this basis.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the living conditions of the occupiers of Bradshaw Gate, with particular reference to outlook.

Reasons

4. The appeal site is located on the northern side of Main Street, within the settlement of Hackthorn. The appeal property, known as Woodbury, is a detached dormer bungalow with an attached single storey flat roofed garage, which is set back from the highway, and is sited within a large plot, with open countryside to the rear. The proposed development would include the demolition of the existing single garage and its replacement with a single storey extension to the side and rear of the existing dwelling, with a pitched roof, which would accommodate a tandem garage and a sunroom. The Council states, in its Officer's Report, that the proposed extension would be around 3m high to the eaves and around 5m high at the ridge and would extend for around 14m, close to the boundary with Bradshaw Gate, to the east.
5. This proposed extension would be substantially larger in terms of its scale, mass and height than the existing garage and would be sited closer to the side boundary with Bradshaw Gate. It would also project significantly beyond the rear elevation of this neighbouring dwelling, which contains a number of habitable room windows at both ground and first floor level. The boundary between the appeal site and Bradshaw Gate includes a fence and some planting. Nevertheless, given the scale, mass and height of the proposed extension, along with its close proximity to this boundary, it would appear overbearing and dominant to these neighbouring occupiers within their rear garden and dwelling. I acknowledge that the occupiers of this neighbouring dwelling support the proposal. However, I consider that the proposed extension would be detrimental to the outlook of these neighbouring occupiers.
6. I conclude, therefore, that the erection of a new garage and sun room to the side and rear of the appeal property would harm the living conditions of the occupiers of Bradshaw Gate, with particular reference to outlook. This would be contrary to Policy LP26 of the Central Lincolnshire Local Plan, adopted in April 2017, which seeks to safeguard the amenities of existing occupants of neighbouring buildings, amongst other things.
7. The proposed development includes the replacement of the flat roof dormers with a monopitch roof on both the front and rear elevations of the appeal property. The Council makes no specific objection to this element of the proposed development and I am satisfied that, due to the nature of the change proposed, along with its siting and design, it would not appear overbearing or dominant to the occupiers of Bradshaw Gate within their rear garden or dwelling. As such, this element of the proposed development would not harm the living conditions of the occupiers of Bradshaw Gate, with particular reference to outlook, and would accord with Local Plan Policy LP26.
8. As the proposed replacement of the flat roof dormers with a monopitch roof on both the front and rear elevations of the appeal property is clearly severable both physically and functionally from the proposed side and rear extension, there can be no injustice in allowing this component of the scheme without the other.

9. In addition to the standard time limit condition, the Council has suggested 2 further conditions. Conditions which require that the development be carried out in accordance with the approved plans, so far as it relates to the development approved, and that the construction of the external surfaces of the development should match those in the existing building, would be necessary for the avoidance of doubt and to safeguard the character and appearance of the area respectively.
10. I have considered all the other matters raised by the appellant, including the use of appropriate materials; the use of obscure glazing in the side windows facing Bradshaw Gate; the lack of objections to the proposed development; the previously approved scheme; the need to house larger cars more securely; and the nature of extensions nearby, but none changes my overall conclusion that the appeal should be dismissed in part and allowed in part.

Karen L Baker

INSPECTOR