
Appeal Decision

Site visit made on 20 September 2017

by I Jenkins BSc CEng MICE MCIWEM

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

Decision date: 17 October 2017

Appeal Ref: APP/G0908/D/17/3179315

12 Lime Grove, Maryport, CA15 7DQ

- 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 Gibson against the decision of Allerdale Borough Council.
 - The application Ref HOU/2017/0055, dated 13 March 2017, was refused by notice dated 9 May 2017.
 - The development proposed is a front single-storey extension to create extra living space.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider that the main issues in this case are the effect of the proposal on: the character and appearance of No. 12 and the locality; and, the living conditions of residents of No. 10 Lime Grove, with particular reference to outlook and privacy.

Reasons

Character and appearance

3. No. 12 is situated at the eastern end of a row of 3 pairs of semi-detached houses, Nos. 2-12, which front onto the southern side of Lime Grove. Whilst No. 2 has a flat roofed garage to the side, which projects slightly further forward, the front elevations of the houses themselves are characterised by a relatively flat profile and they share a similar front building line. They are all set back from the road beyond low walled front gardens, which, although modest in size, contribute positively to the street scene, softening the visual impact of the built development. Nos. 2-12 face towards a row of properties with comparable characteristics on the opposite side of the highway, Nos. 1-11. Properties to the east of No. 12, on the southern side of the cul-de-sac, are set further back behind the alignment of the front building line of Nos. 2-12.
 4. The proposal involves the addition of a single-storey extension, with a mono-pitch roof, to the front of No. 12. The proposed extension would interrupt the building line of the row comprising Nos. 2-12 and as the ground floor level of No. 12 is notably higher than the section of highway onto which the property fronts, the visual impact of the proposal would be greater than might otherwise be the case. I consider that the proposed extension would
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have the appearance of an obtrusive and incongruous addition to the front of the property. Furthermore, it would project forward to take up a significant proportion of the modest front garden, to the further detriment of the street scene.

5. I conclude that the proposal would cause material harm to the character and appearance of No. 12 and the locality, contrary to the aims of Policies DM15, S2, S4 and S32 of the *Allerdale Local Plan (Part 1) July 2014* (LP). Between them, these Policies seek to ensure development: would not adversely affect the appearance of an existing building; achieves a satisfactory visual relationship with adjoining development; and, responds positively to the character of the area.

Living conditions

6. The proposed extension would extend across the frontage of No. 12 to within a short distance of the ground floor front window of No. 10, which serves a habitable room and from which the western side elevation of the proposal would be clearly visible. Furthermore, the ground floor level of No. 10 is lower than that of No. 12 and so the proposed extension would appear taller when seen from that neighbouring window than would be the case if its floor level was the same as that of the appeal property. I consider that the proposal would appear overdominant when seen from No. 10 and I regard it as unneighbourly.
7. The western elevation of the proposal would contain a window from where it would be possible to look into the ground floor front window of No. 10 over a short distance, to the detriment of the privacy of the residents of that property. However, in my judgement their privacy could be adequately safeguarded through the imposition of a condition requiring the proposed side window to be glazed with obscured glass.
8. However, I conclude overall, that the proposal would materially harm the living conditions of residents of No. 10, with particular reference to outlook, contrary to the aims of LP Policies DM15, S2, S4 and S32. Between them, these Policies seek to safeguard the amenity of neighbouring properties from material harm and to secure a good standard of amenity for residents.

Other matters

9. Whilst I have had regard to the examples of other extensions, which project forward beyond the main front building line of the associated dwelling, in my judgement, the circumstances in those cases are not directly comparable to those in the case before me. No. 22 Lime Grove, which is located to the east of No. 12 on the southern side of the cul-de-sac, is set back beyond the alignment of the front building line shared by Nos. 2-12, reducing its prominence in the street scene. In the cases of No. 13 Maple Close and No. 7 Cedar Crescent, which have a single-storey front extension, in both cases they have a similar ground floor level to the adjoining property. Nos. 22 and 24 Cedar Crescent comprise a pair of semi-detached houses which do not form part of a longer row with a uniform front building line and although No. 24 has a single-storey front extension, I understand that a similar extension is currently being added to No. 22. The dwelling referred to on Beechwood Close, which has a single-storey front extension, has a lower ground floor level than the adjoining dwelling. I do not know the full circumstances of the extension

which the appellant has indicated has been recently granted approval at No. 19 Maple Close. However, in the vicinity of No. 19, the front building line along Maple Close is irregular. In any event, each case must be considered primarily on its own merits and, in my view, the existence of those other extensions would not be sufficient to justify harmful development of the appeal site.

10. No objections to the proposal have been submitted by neighbouring residents. Nonetheless, in my view, the propensity of neighbours to object to a development proposal can be influenced by a number of factors and a lack of objections cannot be automatically interpreted as a sign of support. I give the lack of objections little weight.
11. Whilst I recognise the appellant's desire to create additional living space, in my judgement, the benefits of the proposal in that respect would not be sufficient to outweigh the harm that I have identified.

Conclusion

12. I conclude on balance that the adverse impacts of the proposal would significantly and demonstrably outweigh any associated benefits, it would conflict with the aims of LP Policy S1, which promotes sustainable development, and the Development Plan taken as a whole. For the reasons given above, I conclude that the appeal should be dismissed.

I Jenkins

INSPECTOR