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## Appeal Decision

Site visit made on 27 June 2019

**by J L Cheesley BA(Hons) DIPTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 08 July 2019**

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**Appeal Ref: APP/H0520/D/19/3228252**

**6 Myrtle Green, St. Ives PE27 3YQ**

- 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 Bob Catterick against the decision of Huntingdonshire District Council.
  - The application Ref 18/02757/HHFUL was refused by notice dated 18 February 2019.
  - The development proposed is the erection of a first floor extension to the rear of the property.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. Since the Council made its decision, the Council has adopted the Huntingdonshire Local Plan to 2036 (adopted May 2019). The Council has confirmed that Policies LP11, LP12 and LP14 are relevant to this appeal. I have given the appellant the opportunity to comment on these policies.

### Main Issues

3. I consider the main issues to be:

the effect of the proposal on the character and appearance of the existing dwelling; and

the effect of the proposal on the living conditions of occupiers of No. 8 Myrtle Green, with particular reference to visual impact and daylight.

### Reasons

#### *Character and Appearance*

4. The appeal property lies within a primarily residential area of predominately two-storey dwellings. The rear of these dwellings is highly prominent in the streetscene, due to vehicular access being provided to the rear. Nos 2-8 Myrtle Green form a group of dwellings of similar original uniform design, with the appeal property being paired with No. 8 Myrtle Green. Although there is a rear single-storey projection on the appeal property, I consider the two-storey uniformity of this group of dwellings makes a positive contribution towards the defined character and appearance of the area.
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5. The proposal includes a first floor rear extension above the existing rear projection. From my observations, due to the depth, width and prominent position to the rear of the dwelling, I consider that it would appear as an unacceptably dominant and incongruous addition. It would dominate the rear elevation, at the expense of the character and appearance of the existing dwelling. This would not be in keeping with the scale and form of the existing dwelling, particularly in relation to its position in a row of dwellings of similar original design and would unbalance the appearance of the pair of dwellings comprising Nos 6 and 8 Myrtle Green.
6. In reaching my conclusion, I have had regard to all matters raised including examples of extensions elsewhere, particularly extensions at Nos 10 and 12 Myrtle Green. These extensions are to a pair of dwellings and the extensions to those properties are distinctly different to the proposal before me, which would unbalance the pair of dwellings.
7. For the reasons stated above, I conclude on this matter that the proposal would have an adverse effect on the character and appearance of the existing dwelling.

#### *Living Conditions*

8. The adjoining dwelling at 8 Myrtle Green has rear windows facing down its garden. As regards daylight to these windows, the Council has stated that the proposal would fail to comply with guidance regarding the 45 degree rule on both plan and elevation. I have no reasons to contradict this statement. From my observations, due to the scale, height and close proximity of the proposed extension, I consider that it would overshadow windows in the rear elevation of this neighbouring property. Thus, the proposal would create a loss of daylight received into rear windows and would make the rooms less pleasant places to use.
9. For the same reasons as stated above, I consider that the proposal would dominate the rear garden of this neighbouring property, at the expense of outlook for these neighbours. As such it would appear as an overbearing dominant addition, creating an unacceptable sense of enclosure.
10. For the reasons stated above, I conclude on this matter that the proposal would have an adverse effect on the living conditions of neighbours.

#### *Conclusion*

11. In reaching my decision I have had regard to all matters raised. I conclude that the proposal would have an adverse effect on the character and appearance of the existing dwelling and on the living conditions of neighbours. Thus, the proposal would be contrary to Local Plan Policies LP11, LP12 and LP14, where they seek high quality design that responds positively to its context and maintains a high standard of amenity for neighbours. In addition, the proposal would be contrary to the National Planning Policy Framework where it seeks to ensure good design that is sympathetic to local character and where it seeks to protect residential amenity.

*J L Cheesley*

INSPECTOR