

Appeal Decision

Site visit made on 27 June 2019

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 August 2019

Appeal Ref: APP/X2220/D/19/3225160

57 Woodnesborough Road, Sandwich CT13 0AB

- 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 Dale Bradley against the decision of Dover District Council.
 - The application Ref DOV/18/01083, dated 13 November 2018, was refused by notice dated 21 December 2018.
 - The development proposed is a first floor rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellants name was given as Mr D Winton on the planning application form. The appellant has stated that this is incorrect and I have therefore used the name referred to on the appeal form in the banner above.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupants of neighbouring properties with regard to outlook and light.

Reasons

4. The appeal dwelling forms part of a tight-knit row of terrace properties in narrow plots. The rear building line along the row of is broadly uniform, with projecting two-storey outriggers. However, 63 Woodnesborough Road has a rear extension on pillars similar in design to that proposed by this appeal.
 5. The development would extend some 5 metres to the rear at first floor level. It would significantly increase the size and scale of the existing two-storey outrigger facing nos 55 and 59, thereby adding material bulk to the built form in close proximity to each of the boundaries.
 6. In doing so, this would create a considerable extent of flank wall at first floor level. This would dominate the outlook from the rear garden areas and rear facing openings of nos 55 and 59 in a manner which would be overbearing and oppressive, and materially worse than the existing situation.
 7. With regard to overshadowing the scheme would be orientated approximately to the south west of no 55. This would result in significant overshadowing of
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the rear garden of the neighbouring house for long periods of the day to the further detriment of the living conditions of occupiers.

8. I acknowledge that the first floor rear-facing window of no 55 serves a bathroom and as such is not a habitable room, and that the ground floor patio doors are presently screened to some extent by a shed. However, the proposal would also severely diminish light to these openings. My decision does not turn on this matter alone but it adds weight to my conclusions.
9. I am told that the neighbour at no 55 has not objected to the scheme, however this does not lead me to reach a different conclusion. I have had regard to the other rear extension at no 63, however the rearward extent of this element appears to be less than that proposed in this instance. Notwithstanding this, the presence of extensions to other houses would be neutral considerations in any balance against planning harm and in any event each case must be assessed on its own merits.
10. Based on the foregoing I conclude that the proposal would have an adverse effect on the living conditions of the occupiers of nos 55 and 59 with particular regard to outlook and to no 55 in respect of light. Whilst my attention has not been drawn to a specific development plan policy which addresses these matters the proposal would not accord with the Framework, which seeks to ensure safe and healthy living conditions.

Conclusion

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

C Hall

INSPECTOR