



Appeal Decision

Site visit made on 30 July 2019

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2019

Appeal Ref: APP/G0908/D/19/3231770

3 Loweswater Close, Cockermouth, Cumbria CA13 9LL

- 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 and Mrs M Ormerod against the decision of Allerdale Borough Council.
 - The application Ref HOU/2019/0029, dated 20 February 2019, was refused by notice dated 10 May 2019.
 - The development proposed is the erection of a first floor side extension above the existing garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue raised by this appeal is the effect of the proposed development on the living conditions of neighbouring occupiers with specific regard to whether it would be overbearing.

Reasons

3. The appeal site is located within a suburban neighbourhood comprising a mixture of detached and semi-detached two-storey dwellings. The appeal property is semi-detached with a separate garage adjoining that of the neighbouring property no. 5 Loweswater Close.
4. The proposal would, increase the scale, height and mass of the property bringing it closer to the shared boundary with no. 5. As such, this factor combined with the small size of the rear garden of no. 5 and the orientation of the properties would cause overbearing and a greater sense of enclosure for the occupiers of adjacent buildings and in particular at no. 5. Accordingly, the proposal would result in material harm to the living conditions of neighbouring occupiers.
5. I note the Appellant's points that no objections are raised by the immediately adjacent occupiers and that no objection has been made to the proposed design in character and appearance terms. However, the former situation may change over time and the latter does not overcome the harm I have identified to living conditions.

6. The proposed extension would therefore conflict with the aims of Policies S2, S32 and DM15 of the Allerdale Local Plan which aim to promote sustainable development and safeguard the living conditions of residents. It would also conflict with paragraph 127 of the National Planning Policy Framework (the Framework) which requires the creation of places 'with a high standard of amenity for existing and future users'.

Conclusion

7. For the reasons set out above I conclude that the appeal should be dismissed.

C Coyne

INSPECTOR