



Appeal Decision

Site visit made on 20 August 2019

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2019

Appeal Ref: APP/D0515/D/19/3232487

19 Henry Warby Avenue, Elm, Wisbech, Cambridgeshire PE14 0BT

- 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 Mrs L Bishop against the decision of Fenland District Council.
 - The application Ref F/YR19/0237/F, dated 30 January 2019, was refused by notice dated 20 May 2019.
 - The development proposed is an extension to dwelling forming extended utility and playroom with bedroom en-suite over.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on the character and appearance of the area and on the living conditions of the occupiers of 12 and 14 Peartree Way with particular regard to outlook and privacy.

Reasons

Character and appearance

3. The appeal site is located on a modern housing estate which is largely characterised by two storey dwellings. The estate has a high density feel to it with properties being located in close proximity to one another.
4. The appeal property itself is accessed along a private driveway which serves two other properties. The two storey elements of each of the dwellings which face onto the private driveway have a staggered building line.
5. Whilst the development has clearly been designed to fit around the boundary constraints of the site, the resultant visual appearance of the extended dwelling would appear disjointed as a result of the design of the roof. This is particularly the case given the staggering of the ridge line forward of the main roof of the existing dwelling. The roof line would be clearly visible along the private driveway to the appeal site as well as the driveway to 10 Peartree Way.
6. In addition to the above, the development incorporates a two-storey flat roof section to the rear of the proposed pitched roof which would also be visible from Pear Tree Way. This adds a roof design which is not reflective of the character of the host property or the wider area and adds to the incongruity of the proposal.

7. Taking the above into account, I consider that the overall design of the extension would not complement the host dwelling and would not make a positive contribution to the area or the local environment.
8. For the above reasons the development would harm the character and appearance of the host dwelling and the wider area contrary to Policy LP16(d) of the Fenland Local Plan (2014) (LP) which amongst other matters seeks to ensure that high quality environments are delivered, that development makes a positive contribution to local distinctiveness and the character of the area, and responds to and improves the character of the local built environment. It would also be at odds with the design aims of the National Planning Policy Framework.

Living conditions

9. The proposed extension would be staggered at the rear and would be partially in line with the existing playroom/store which appears to form the property boundary. It would also be partially offset from the existing fence line with 12 Peartree Way.
10. The main bulk of the extension would be located in line with the access drive to 10 Peartree Way and would be offset from the rear garden of No 12. Whilst I acknowledge that the extension would also go along the rear boundary of No 12 this would be at a distance which would not be so overbearing to warrant the withholding of planning permission especially given the relative height and bulk of the proposed extension.
11. Turning to potential privacy issues, I saw from my site visit that there were clear views from the existing landing window over the garden and rear elevation of No 12, and to a lesser extent No 14. The proposed development would remove this window and replace it with a window facing towards the rear garden of the appeal property. Whilst there would be some views of the rear garden of No 14, this would not be significantly different from what is already possible from the existing window and the views from the existing rear bedroom window.
12. Taking this into account, I consider that any loss of privacy to the occupiers of No 14 when utilising their rear garden would not be significant and is not a determinative factor in this appeal.
13. For the above reasons the development would not harm the living condition of the occupiers of either 12 or 14 Peartree Way and would accord with Policy LP16(e) of the LP which amongst other matters seeks to ensure that development does not adversely affect the amenity of the occupiers of neighbouring properties. It would also be consistent with the design aims of the Framework in this respect.

Conclusion

14. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR