



Appeal Decision

Site visit made on 6 August 2019

by Ian Harrison BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2019

Appeal Ref: APP/Z2260/D/19/3228514

3 Grange Road, Broadstairs, Kent CT10 3EP

- 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 Tracy Humphries against the decision of Thanet District Council.
 - The application Ref FH/TH/19/0244, dated 26 February 2019, was refused by notice dated 26 April 2019.
 - The development proposed is a rear extension and loft extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development used above has been taken from the planning application form. The council used a different description and in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application in the heading above.

Main Issues

3. The effect on the living conditions of the occupants of 1 Grange Road, with particular regard to any loss of light or sense of enclosure caused.

Reasons

4. The semi-detached single storey dwelling is located within a predominantly residential area made up of dwellings of varied height and appearance. The proposal would involve the erection of a single storey extension to the rear of the dwelling, a hip-to-gable side extension to the roof and the addition of a dormer and rooflights.
5. Although the council's decision notice is not specific, their appeal submissions clarify that the application was refused due to the effect of the rear extension on the living conditions of the occupants of 1 Grange Road. No objection was raised in any other respect and I have no reason to disagree with that stance.
6. The extension would project a substantial distance to the rear, with a side projection that would be close to the shared boundary with 1 Grange Road. The resultant dwelling would enclose a patio area on three sides. The neighbouring dwelling features a window on the rear elevation in close proximity to the shared boundary, a rear projection with a small side window facing the appeal site and a

conservatory further to the rear. Between the rear projection and the shared boundary is a small area of garden.

7. The 'L' shaped form of the extension ensures that a gap is retained between the extension and the windows and conservatory of the neighbouring dwelling. Due to this gap, the height of the extension and the orientation of the properties, the proposal would not cause an unacceptable loss of daylight or sunlight within the neighbouring dwelling. The extension would cause a loss of some light within the garden area immediately adjacent to the shared boundary, but the orientation of the dwellings and the size of the neighbouring garden ensures that the loss of light would have a minimal impact on the overall living conditions of the neighbouring residents.
8. However, due to the close proximity of the rearmost part of the extension to the shared boundary, the height of the extension and the depth of the extension relative to the position of the windows and conservatory of the neighbouring dwelling, the development would be imposing and dominating of the outlook of the neighbouring property. The extension would therefore have an overbearing effect and result in an unacceptable sense of enclosure within that property. Due to the solid form of the extension, the effect would be much greater than the existing trees and hedges that abut the shared boundary and, whilst the appellant has provided a letter of support from the neighbouring resident, this would not mitigate the sense of enclosure caused by the extension.
9. For these reasons I conclude that the proposal would have an unacceptable effect on the living conditions of the occupants of 1 Grange Road due to the sense of enclosure caused by the rear extension. The proposal is therefore contrary to policy D1 of the Thanet Local Plan 2006 which requires that development is compatible with neighbouring buildings and spaces and does not lead to unacceptable loss of amenity through creating an unacceptable sense of enclosure. The proposal also conflicts with the National Planning Policy Framework which requires that development provides a high standard of amenity for existing and future users.

Other Matters

10. Other extensions within the vicinity of the site have been identified by the appellant, but insufficient details have been provided to demonstrate that the effect on neighbouring properties has been comparable. As the effect on living conditions depends on the circumstances of each site, these other extensions do not lead me to a different conclusion in respect of the main issue.
11. The appellant has suggested that the extension would remove the perception of overlooking that they experience from first floor, obscure glazed windows at 5 Grange Road. However, as the dormer windows are obscured glazed, I do not find that the improvement to the appellant's living conditions would outweigh the harm that has been identified above.

Conclusion

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

Ian Harrison

INSPECTOR