



Appeal Decision

Site visit made on 28 October 2019 by S Watson BA(Hons) MSc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 19 November 2019

Appeal Ref: APP/Z3445/D/19/3235205

86 Furness, Abbotsgate, Tamworth, Staffordshire B77 2QH

- 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 Jack Orme against the decision of Tamworth Borough Council.
 - The application Ref 0173/2019, dated 24 April 2019, was refused by notice dated 24 May 2019.
 - The development proposed is two storey side extension and first floor side extension over existing garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The description of development above has been taken from the appeal form for clarity.

Main Issues

4. The main issues in this case are the effect of the proposal on the:
 - Character and appearance of the surrounding area; and,
 - The living conditions of neighbouring occupiers, with particular regard to outlook and light.

Reasons for the Recommendation

Character and Appearance

5. The appeal site is on a residential street and contains a semi-detached dwelling set back from the road by a garden and driveway. The dwelling itself is finished in brick with a gable roof in clay tiles. It has an attached garage to the side that is set back from the front elevation, while the attached property has a similar garage that is set forward from the front elevation. Elsewhere on Furness are a range of design and form of dwellings, including bungalows, giving the area a mixed appearance.

6. The appeal proposal comprises a first-floor extension over the existing garage and a two-storey extension in front of the garage, providing additional living accommodation on the ground and first floor. The proposal would be set back from the front elevation at the first-floor level, and the ridgeline of the extension would be set down from that of the main house. In this way, and due to its siting away from the primary views along Furness, the proposal would be a subservient extension which would not be a prominent addition to the host-dwelling. Given its scale and siting, I find that it would conserve the setting and context of the surrounding area.
7. In light of the above I find that the proposal would not harm the character and appearance of the surrounding area and would therefore comply with Policy EN5 of the *Tamworth Borough Council Local Plan 2006-2031* (LP) which expects development to be of a scale and layout which conserves or enhances the setting of the development, and respect the existing local architectural character.

Living Conditions

8. To the east of the site is a row of bungalows which face towards the appeal site, these are set at a lower level and are separated from the appeal site by a shared driveway. On their front elevation the bungalows each have two windows separated by a porch serving the front door.
9. No 88 Furness is directly opposite the side of the appeal dwelling and is the closest bungalow. Due to its position, the outlook from the front windows would primarily be of the boundary fence, garage and dwelling at No 86. In this way the existing outlook is somewhat restricted. Due to the height of the garage it is not overbearing on the bungalow.
10. However, the proposal would result in a two-storey extension close to the side boundary with No 88, and due to the difference in land levels between the respective properties this would result in the extension being a tall, imposing feature in close proximity to the front door and windows of this property. The extension would appear as a prominent and dominant feature in the outlook from the front windows and door of No 88. It would be likely to make the front rooms of this property less pleasant places to use as a result of the reduced outlook and overbearing impact. Although there are other bungalows close to the appeal site their outlook would not be affected by the extension which is confined to the side elevation of the host dwelling only.
11. Given that the appeal proposal would be to the west of the neighbouring bungalows, and would be attached to an existing two-storey dwelling, I find that it would not unacceptably harm the light to the neighbouring properties.
12. In light of the above, I conclude that the proposal would be harmful to the living conditions of the occupiers at No 88 Furness as a result of loss of outlook. The proposal would therefore conflict with Policy EN5 of the LP and the aims of the Council's *Development Guidance* which requires that, amongst other things, development minimises or mitigates harm to the living conditions of existing and prospective occupants of neighbouring land.

Conclusion and Recommendation

13. For the reasons given above I recommend that the appeal should be dismissed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be dismissed.

RC Kirby

INSPECTOR