
Appeal Decision

Site visit made on 3 December 2019

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2019

Appeal Ref: APP/D0515/D/19/3238057

21 Willey Terrace, Doddington Road, Chatteris, PE16 6UD

- 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 Ager against the decision of Fenland District Council.
 - The application Ref F/YR19/0607/F, dated 4 July 2019, was refused by notice dated 2 September 2019.
 - The development proposed is two storey rear extension and single storey garage and side rooflight to first floor.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I observed that the development has been constructed in blockwork at ground-floor level. I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the two-storey extension on the living conditions of the existing occupants of the adjoining No 22 Willey Terrace, with particular regard to outlook, shadowing and light.

Reasons

4. The site comprises a two-storey, semi-detached dwelling with a relatively long rear garden. The rear of the property faces south-westerly. A small, single-storey lean-to building that was on the rear elevation has been demolished to make way for the extension. The adjoining half of the lean-to on the rear of No 22 remains in place.
 5. The site is located on the western side of Doddington Road, close to the end of a row of semi-detached dwellings. The land beyond the rear boundary of the site is open countryside.
 6. The two-storey extension extends across the width of the property, sited just short of the boundary with the adjoining semi-detached property, No 22. It projects around 4 m off the rear elevation and is designed with a dual-pitched roof that would be hipped from the rear. The roof ridge would be lower than the existing roof ridge.
 7. The adjoining semi-detached property, No 22, has a bedroom window at first-floor level, the centre of which is approximately 2 m from the boundary.
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Consequently, the two-storey extension would project around 2 m beyond a 45 deg line taken from the centre of the bedroom window. At present occupants of No 22 can look out of the window and have a clear view in the line of vision either side. However, the two-storey extension would be a prominent and dominant mass in the line of vision to one side. As the bedroom window is only of a moderate size, I consider the outlook from it would therefore be altered in a manner, and to an extent, that would be harmful to the living conditions of the existing occupants of the adjoining semi-detached dwelling, No 22.

8. I acknowledge that there is a more than average amount of space to the rear of No 22, given its relatively large rear garden. I also acknowledge that the orientation of the semi-detached properties mitigates against the potential impact of the development on No 22 in terms of shadowing a light. However, without a formal light and shadowing impact assessment having been undertaken, I cannot be confident that the development would not result in shadowing and loss of light to degrees that would be harmful to the living conditions of the occupants of No 22.
9. In light of the above, I conclude that the development would result in a poor outlook from the bedroom window referred to, overshadowing and loss of light. Consequently, the development would harm the living conditions of the existing occupants of No 22.
10. I note that no objections have been raised and that there would be no loss of privacy resulting from the development. However, these considerations do not outweigh the harm to the living conditions I have identified.
11. I also note that the appellant has made reference to a 'BRE Report' suggesting that bedrooms are not defined as habitable rooms. However, I have not been provided with the full details of the report referred to. Even if the said report does not define bedrooms as being habitable rooms, this would not alter my conclusion that the outlook from the bedroom window would not be acceptable. The appellant has also suggested that the occupants of No 22 have stated that they intend to extend in a similar manner to the appeal scheme. However, I cannot attach much weight to this as I have nothing before me which guarantees it.

Conclusion

12. For the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson
INSPECTOR