



Appeal Decision

Site visit made on 10 February 2020 by Darren Ellis MPlan

Decision by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th May 2020

Appeal Ref: APP/V2635/D/19/3237208

5 Stainsby Close, Heacham, PE31 7BP

- 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 Dutton against the decision of King's Lynn & West Norfolk Borough Council.
 - The application Ref 19/01064/F, dated 11 June 2019, was refused by notice dated 29 August 2019.
 - The development proposed is a domestic rear extension.
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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.

Main Issues

3. The main issues are:
 - the effect of the development on the character and appearance of the property and, linked to that, on the living conditions of present and future occupiers of the property with regard to the provision of private amenity space;
 - the effect of the development on the living conditions of the occupiers of the neighbouring properties with regards to light pollution.

Reasons for the Recommendation

Character and appearance

5. The appeal site comprises a detached bungalow located in a cul-de-sac. The street contains bungalows of varying designs, and the bungalows are predominantly detached although there is one pair of semi-detached bungalows adjacent to the appeal site. The plots of land in the street are of varying shapes, with the appeal site narrowing towards the rear of the plot.
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6. Planning permission¹ was granted in 2016 for a roof extension and alterations including a single-storey rear extension. The proposal seeks permission for a further single-storey rear extension that would have a flat roof with a roof 'lantern'. Construction of the extension has already begun but is not complete, with only the footings in place at the time of my site visit. A previous planning application² for an identical extension was refused by planning committee in 2019.
7. The proposed extension would be attached to the existing rear extension, and would be shaped to follow the north-western (side) and north-eastern (rear) boundaries. Although the proposal represents a modest addition over that already permitted, the footprint of the development as a whole would be such that only a small area of open space would remain and would be largely enclosed on three sides by the proposed extension and the existing property. This would result in a cramped and confined space, with much of the original rear garden taken up by the two rear extensions. Consequently, as a result of the limited amount of space to off-set the building mass, the development as a whole would appear cramped on its plot, to the detriment of the character and appearance of the site.
8. In addition, because of its limited size and enclosed nature, the remaining space at the rear of the property would provide limited outdoor amenity space for use by the current occupants. I note that the property has amenity space to the front of the building, in addition to the driveway and car parking space, which I have taken into account. However, this space lies adjacent to a public highway and whilst it is currently screened by a boundary hedge, I am unconvinced it would be afforded adequate levels of privacy in perpetuity. This limits the weight I can give to it. Moreover, whilst I acknowledge that the appellant is content with the limited amount of space proposed, the development must be considered with future occupiers in mind. As a result of the limited amount of outdoor space that would be provided, and taking into account its quality in terms of privacy and outlook, I am unconvinced that the proposal would provide a satisfactory level of amenity space for future occupiers.
9. I therefore conclude that the proposal will cause harm to the character and appearance of the property and would not provide an adequate level of private amenity space for future residents. The proposal would therefore conflict with policy CS08 of the Local Development Framework – Core Strategy (2011) (CS) and policy DM15 of the Site Allocations and Development Management Policies Plan (2016) (DMPP), which seek, amongst other things, to secure high quality design and require that the scale and layout of a development should respond sensitively and sympathetically to the local setting. In addition, the proposal would conflict with policy DM15 insofar as it requires proposals to be assessed against their impact on the amenity of any future occupiers of the proposed development

Effect on the living conditions of the occupiers of neighbouring properties

10. The proposed extension would have a glazed roof lantern which would be adjacent to the boundary with No 3 and directly behind the rear of this neighbouring property. I have taken into account the concerns of the Council

¹ Planning application ref 16/01170/F

² Planning application ref 18/01620/F

and third parties with regard to light that would be potentially emitted by the lantern. However, there is no reason to consider that the roof lantern itself would be directly illuminated from within. Whilst there may be a glow at night from within the room, there is no evidence that it would cause or contribute significantly to light pollution. I am unconvinced therefore that it would be sufficient to cause any significant harm to the living conditions of adjacent residents.

11. Consequently, in this respect the proposal would not conflict with policy DM15 of the DMPP, which requires that development should not have a significant adverse impact on the amenity of others with regard to light pollution, amongst other things. Nor would it conflict with policy CS08 which, although relating to sustainable development, seeks to promote community wellbeing.

Other Matters

12. The parties both state that a previous single-storey extension or outbuilding previously occupied the site of the existing and proposed rear extensions, although this structure has been demolished. No details of the previous structure have been submitted, and consequently I can make no comparison between the previous and proposed extensions. Moreover, given the previous structure no longer exists. For these reasons it can carry little weight in support of the proposal.
13. I acknowledge the concerns of neighbouring residents with regards to the works relating to the previously approved extensions and alterations. However these works have been granted planning permission and are not the subject of this appeal.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

D Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

S Ashworth

INSPECTOR