



Appeal Decision

Site visit made on 10 August 2020

by I Radcliffe BSc(Hons) MRTPI MCIEH DMS

an Inspector appointed by the Secretary of State

Decision date: 10th September 2020

Appeal Ref: APP/Y2810/D/20/3253699

65 High Street, Pitsford, Northamptonshire NN6 9AD

- 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 A Morgan-Bailey against the decision of Daventry District Council.
 - The application Ref DA/2020/0036, dated 10/01/20, was refused by notice dated 29 May 2020.
 - The development proposed is a ground floor rear extension and front porch.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the living conditions of the occupiers of 63 High Street with regard to outlook and levels of natural light.

Reasons

Outlook

3. The appeal property is a semi-detached house with a garage and store attached to its side. The proposed rear single storey extension would occupy the full width of the plot and project 4 metres (m) along the side boundary with its attached neighbour, No 63. In so doing it would significantly extend across the outlook of the adjacent living room of No 63, which is a main habitable room, in breach of the sixty degree guideline contained within the Council's supplementary planning guidance *Designing House Extensions* (SPG).
4. In height the extension would gradually slope downwards from 3.3m against the rear elevation of the house before sloping more steeply in the last metre or so to an eaves height of approximately 2.5m. This height reduction though would be insufficient to prevent the extension unduly enclosing the outlook from this main habitable room and being harmfully overbearing.
5. An extension with an eaves height of 3m could be built under permitted development rights. However, as it would be 1m shorter in length than the appeal proposal it would comply with the SPG and its effect on outlook would be materially less. As a result, this consideration does not alter my findings in relation to the effect of the proposed extension on outlook.

Natural light

6. As the proposed extension would be on the south western side of No 63 it would result in some overshadowing of the adjacent ground floor habitable room during the latter half of the day. However, as the rear elevation of Nos 63 and 65 face to the south east, and so towards the sun for a significant part of the day, this would not be great enough to have a significant adverse effect on levels of sunlight or daylight.
7. Notwithstanding my favourable findings in relation to the effect of the proposed extension on levels of natural light, this does not negate the adverse effect it would have on outlook at No 63. For the reasons given above, I conclude that the proposed development would unacceptably harm the living conditions of the occupiers of No 63. This would be contrary to policies ENV10 and RA2 of the Settlement and Countryside Local Plan (Part 2) for Daventry District, which seek to prevent such harm, as well as the SPG.

Other matters

8. The appellant states that she was not given a fair hearing at the planning committee due to the dimensions of the proposed extension being misdescribed. This though is not a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act.

Conclusion

9. For the reasons given above I therefore conclude that the appeal should be dismissed.

Ian Radcliffe

Inspector