

Appeal Decision

Site visit made on 16 December 2020

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2020

Appeal Ref: APP/K3415/D/20/3259816

15 Beacon Gardens, Lichfield WS13 7BQ

- 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 Melissa Corcoran against the decision of Lichfield District Council.
 - The application Ref 20/00703/FUH, dated 3 June 2020, was refused by notice dated 11 August 2020.
 - The development proposed is loft conversion and creation of dormer forming bedroom with en suite (Retention).
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Decision

1. The appeal is allowed and planning permission is granted for loft conversion and creation of dormer forming bedroom with en suite (Retention) at 15 Beacon Gardens, Lichfield WS13 7BQ in accordance with the terms of the application, Ref 20/00703/FUH, dated 3 June 2020, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: ALE-707 PL 20; ALE-707 PL 21; ALE-707 PL 22; ALE-707 PL 23; ALE-707 PL 24; ALE-707 PL 25; ALE-707 PL 26.

Preliminary Matters

2. For the sake of brevity and clarity I have used the description of development from the Council's decision notice.
3. At the time of my site visit, the proposal had been mostly undertaken. I have dealt with the appeal accordingly.
4. A copy of the Sustainable Design Supplementary Planning Document (SDSPD) was not submitted by the Council for this appeal. However, at the same time as this appeal I am dealing with another in the Lichfield District Council area. This other appeal referred to the SDSPD and the document had been submitted. I have therefore had full consideration of the SDSPD when determining this appeal.

Main Issues

5. The main issues are the effect of the proposal on the character and appearance of the surrounding area, and the effect of the proposal on the living conditions of the occupiers of 16 Beacon Gardens (No 16) with regards to privacy.

Reasons

Character and appearance

6. The surrounding area is characterised predominantly of residential properties of variant styles and form. The buildings in the area have traditional detailing with various roof designs and numerous extensions visible within the street scene. It is this variation in the built form which contributes positively to the character of the area.
7. The alterations from a hipped to a gable end roof design are in keeping with the variant roof forms in the area. The increase in the ridge height reflects the fall in the levels from the appeal property to the adjacent house and is not highly noticeable due to the positioning of the existing chimney. With the dormer window located to the rear and not highly visible from the front street scene, the alterations do not have a detrimental effect on the appearance of Beacon Gardens.
8. The dormer structure is visible from views to the rear and partly to the side. The neighbouring attached property does not have a dormer. Therefore, whilst the pair of semi-detached properties may appear unbalanced, in the wider setting, where the built form is mixed with properties having later additions, there is not a uniformed trend of symmetry. The design of the dormer structure therefore, does not significantly cause detrimental harm to the appearance of the appeal property or other buildings in the area.
9. The appeal property is a large building and with the alterations to the roof form, the property adequately accommodates the dormer structure without it appearing a dominant feature or top heavy to the overall building. The scale of the dormer in relation to the size of the original building ensures that it does not appear as an incongruous feature.
10. The Council's appeal questionnaire indicates that the appeal property is adjacent to a Conservation Area, although the Officer's report does not raise any concerns with regards to effects on a Conservation Area. Whilst having regard to the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, I consider that the development would preserve the setting of the nearby Conservation Area.
11. The alterations do not have a harmful effect on the character and appearance of the surrounding area. The proposal would be in accordance with Core Policy 3 and Policy BE1 of the Lichfield District Local Plan Strategy (LDLPS), the SDSPD and the National Planning Policy Framework (the Framework) which seeks development to ensure high quality development, and protect and enhance the character and distinctiveness of Lichfield District.

Living conditions

12. The appeal property and No 16 form a pair of semi-detached properties. It is common within residential areas, and particularly with semi-detached properties that are close, that there may be some overlooking from windows into neighbouring gardens.
13. The Juliette glazed panel in the dormer structure faces the same direction as the existing rear windows in the appeal property. Any overlooking from the dormer would be a similar arrangement to the existing windows of the appeal property

as it would be from windows of No 16 into the garden area of the appeal site. The elevated position of the Juliette glazed panel in the dormer actually allows for views to be over the garden of No 16, particularly when stood back from the window in the room of the dormer structure.

14. Due to the positioning and height of the fenestration in the dormer structure, there is no direct overlooking into the garden of No 16 that would adversely affect the occupier's enjoyment of this amenity space.
15. The dormer extension does not have a harmful effect on the living conditions of the occupiers of No 16 with regards to privacy. The proposal would be in compliance with Policy BE1 of the LDLPS, the SDSPD and the Framework which seeks development to ensure a satisfactory standard of amenity for existing and proposed occupiers of residential properties.

Conditions

16. A condition relating to the identification of plans is necessary in the interests of proper planning and to provide certainty.

Conclusion

17. For the reasons given above I conclude that the appeal should be allowed.

Chris Baxter

INSPECTOR