



Appeal Decision

Site Visit made on 25 May 2021

by James Blackwell LLB (Hons)

an Inspector appointed by the Secretary of State

Decision date: 04 June 2021

Appeal Ref: APP/J1915/D/21/3269238

49 The Wick, Hertford SG14 3HP

- 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 Rebecca Cox against the decision of East Hertfordshire District Council.
 - The application Ref 3/20/2236/HH, dated 11 November 2020, was refused by notice dated 8 January 2021.
 - The development proposed is a single storey side extension with internal alterations to suit.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupants of No 51 The Wick, with particular regard to outlook and natural light.

Reasons

3. The appeal property occupies the corner location of a right-angled terrace on The Wick. Its northern side adjoins No 47 and its western side adjoins No 51. The proposed development would extend out from its southern elevation by 5.28 metres (as per the appellant's measurements), running parallel with the curtilage boundary shared with No 51. If the extension were to be carried out, the two properties would effectively form a 'T' shape.
4. The outlook from No 51 is already restricted by a row of garages that partly runs parallel with the rear of the property. Although there is a gap in between, there is a further garage located to the rear of No 53. A significant amount of built form is therefore experienced from the rooms to the rear of No 51, as well as its garden, all of which impacts on the outlook currently experienced from this property.
5. The proposed development would sit close to the curtilage boundary that the appeal property shares with No 51, extending very near to the existing row of garages. If the development were to be carried out, the garden to No 51 would effectively be enclosed entirely along one side, as well as partly at the rear due to the existing garages.
6. Whilst the extension proposed is single storey only, the proposals incorporate a pitched roof which measures 4 metres from ground height. The roof of the extension would therefore extend well beyond the height of the first floor of both the appeal property and No 51, and significantly higher than any fence

that would be allowed pursuant to permitted development rights as highlighted by the appellant.

7. Given that the outlook from the back of No 51 is already restricted by the garages to the rear, the combined height and length of the proposed extension, even accounting for the roof slope, would feel especially dominant and overbearing, substantially increasing the feeling of enclosure that would be experienced from the rear of the property, both internally and in the garden. Whilst I acknowledge the appellant's comments regarding the lowered ground level of No 51, the garages would still add to the feeling of enclosure that would be experienced by the occupiers of No 51, due to the amount of built form that would surround the rear garden to the property.
8. It was clear from my site visit that natural light to the front of No 51 is restricted due to its siting next to the corner plot at No 49. This means the front of the property is overshadowed for large parts of the day, due to the length of the terrace which runs immediately perpendicular to its frontage. As a consequence, the natural light which is currently experienced at the rear of this property is especially important to the living conditions of the occupiers of No 51.
9. The appellant has acknowledged that the extension would have some impact on daylight experienced from the rooms to the rear of No 51, particularly in the morning. I do not have a floor plan nor the measurements of the rooms to the rear of No 51, and so cannot conclude whether these rooms comprise habitable rooms for which a daylight assessment would be needed. Nonetheless, I consider that any interference with the already restricted daylight experienced at this property, however limited it may be, would be felt keenly by the occupiers, and consequently would be significantly detrimental to their living conditions.
10. For these reasons, the proposals would significantly harm the living conditions of the occupiers of number 51, due to the significantly increased sense of enclosure that would be experienced from the rear of this property and the adverse impact on natural light. This would be contrary to Policy DES4, sub paragraph (c) of the East Herts District Plan (adopted 2018), which precludes development from taking place which would have a significant detrimental impact on the amenity of neighbouring properties.

Conclusion

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

James Blackwell

INSPECTOR