



Appeal Decision

Site Visit made on 21 September 2021

by E Brownless BA (Hons) Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 05 October 2021

Appeal Ref: APP/D0515/D/21/3272658

53 Newgate Street, Doddington, PE15 0SR

- 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 Anthony Bamford against the decision of Fenland District Council.
 - The application Ref: F/YR21/0123/F, dated 30 November 2020, was refused by notice dated 7 April 2021.
 - The development proposed is a two storey side and a single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised National Planning Policy Framework was published on the 20 July 2021 and the parties have been provided an opportunity to comment on the implications of this for their case.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the surrounding area and, the living conditions of neighbouring occupiers at 51 Newgate, with regards to outlook.

Reasons

Character and appearance

4. The appeal property is one of a pair of semi-detached two storey dwellings that appear largely unaltered and thus retain a clear sense of balance and symmetry. In contrast, 51 Newgate Street comprises a detached cottage style property that is set forward of the build line of the host dwelling. Dwellings along Newgate Street are predominantly two-storey and semi-detached.
5. The proposed extension would extend the entire width of the side garden to the host dwelling. As a result, it would erode the gap between the host dwelling and neighbouring property and give rise to a continuous block of built form akin to a terraced row of properties. Whilst the use of sympathetic materials and a lower ridge and eaves height would be in harmony with the host dwelling, it would differ significantly from the neighbouring dwelling. By reason of the contrasting styles, heights, materials and alignment of fenestration and roof the appeal scheme would result in a discordant and incongruous addition that would fail to reflect and respond positively to the particular local characteristics of the surrounding area.

6. Whilst reasonably localised in its extent, the resultant effect of the scheme would appear dominant and prominent when viewed from the highway and from neighbouring dwellings. It would diminish unacceptably the character, appearance and integrity of the neighbouring property with consequent harm to the character and appearance of the surrounding area.
7. Consequently, I conclude that the proposed extension would cause harm to the character and appearance of the area and therefore it would conflict with Policy LP16 of the Fenland Local Plan (2014)(LP). Among other things, this policy requires development to positively contribute to the local character of the local built environment.

Living conditions

8. The appeal scheme would introduce a part single and part two-storey extension to the side and rear of the host dwelling. It is the Council's case that the single storey rear extension would be unlikely to have a harmful impact on neighbouring occupants and I see no reason to take a different view.
9. The two-storey side extension would extend to fill the gap between the host dwelling and the common boundary with 51 Newgate. Whilst it would extend beyond the two-storey rear elevation of the neighbouring dwelling, it would do so by only a modest extent, such that when viewed from within the neighbouring dwelling and its garden it would not have a significantly enclosing nor overbearing effect. Additionally, the presence of a single storey extension that is adjacent to the common boundary further limits the impact of the appeal scheme when viewed from the neighbouring garden.
10. I therefore conclude that the appeal scheme would not unduly compromise the living conditions of the occupiers of 51 Newgate with respect to their outlook. Thus, the proposed development would accord with the provisions of LP Policies LP2 and LP16 insofar as these policies seek to protect the amenity of neighbouring users.

Other Matters

11. I note the Parish Council have provided their support for the scheme, however, this does not alter my findings.

Conclusion

12. I have found that the proposed development would not result in material harm to the living conditions of neighbouring occupiers. However, the absence of harm is a neutral matter that weighs neither for nor against the proposal.
13. Moreover, I have concluded that there would be harm in relation to the appeal scheme's adverse impact on the character and appearance of the area. Consequently, there would be conflict with the development plan and no material considerations outweigh this conflict. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

E Brownless

INSPECTOR