



Appeal Decision

Site visit made on 19 November 2021

by S Edwards BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2022

Appeal Ref: APP/P2114/D/21/3279200 Sanbara, Chapel Lane, Arreton PO30 3DD

- 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 & Mrs M Dos Santos against the decision of Isle of Wight Council.
- The application Ref 21/00587/HOU, dated 15 March 2021, was refused by notice dated 11 May 2021.
- The development proposed is described as 'Proposed alterations and extensions to existing bungalow to form a chalet bungalow; single storey extension and conversion of existing garage to form additional living accommodation (revised scheme)'.

Decision

1. The appeal is allowed, and planning permission is granted for 'Proposed alterations and extensions to existing bungalow to form a chalet bungalow; single storey extension and conversion of existing garage to form additional living accommodation (revised scheme)' at Sanbara, Chapel Lane, Arreton PO30 3DD in accordance with the terms of the application, Ref 21/00587/HOU, dated 15 March 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: A/5511/2 Revision A, A/5511/3.
 - 3) Prior to the development hereby approved being brought into use, the first floor window on the East elevation, as shown on the submitted plans serving Bedroom 2, shall be fitted with obscure glass with a glass panel which has been rendered obscure as part of its manufacturing process to Pilkington glass classification 5 (or equivalent of glass supplied by an alternative manufacturer), of which the sill of the only opening section shall be 1.7m above finished floor level. The window shall be retained to this specification hereafter.
 - 4) The extended single storey building hereby permitted shall be used only as ancillary accommodation to the main dwelling house known as Sanbara, and not as a separate unit of living or holiday accommodation.
 - 5) The development hereby permitted shall not be brought into operation until space for a minimum of 2 cars to be parked has been laid out within the site in accordance with details to be submitted to and approved in writing by the

Local Planning Authority. The space shall thereafter be kept available at all times for the parking of vehicles by the occupants of the dwelling and their visitors.

Preliminary Matters

2. The description of the proposed works as detailed on the application form has been amended in subsequent documents. I have adopted the description included on the appeal form, which sets out more precisely the extent of the proposal.
3. The appeal site shares one of its side boundaries with neighbouring properties which, in representations made by their occupiers, have been referred to as Chapel Cottage and Garden Cottage. In the interests of clarity and in accordance with the proposed plans and submissions of the main parties, I shall however refer to these properties as nos 1 and 2 Chapel Cottages respectively.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of the neighbouring occupiers of nos 1 and 2 Chapel Cottages, having particular regard to outlook and light.

Reasons

5. The appeal site comprises a bungalow with a shallow pitched roof and a detached garage, which shares its eastern boundary with nos 1 and 2 Chapel Cottages. The front, west-facing elevation of these semi-detached properties looks onto the appeal site. The windows to this elevation constitute the main outlook for the residents of no 2 Chapel Cottage and the sole outlook for the occupiers of no 1 Chapel Cottage.
6. The appeal development includes significant changes to the roof form of the existing property to provide additional residential accommodation at first floor level. Although the eaves height of the property would appear to remain largely unchanged, the bulk and massing of the roof are proposed to be increased significantly, as well as the overall height of the bungalow. Notwithstanding this, such changes would occur at reasonable distance away from the front elevation and amenity areas of nos 1 and 2 Chapel Cottages.
7. This would ensure that the development has no overbearing or dominant effect upon the outlook currently enjoyed by these neighbouring residents. Together with the orientation of the semi-detached properties in relation to the appeal building, it also means that there would be no detrimental loss of light to the ground floor windows of no 1 Chapel Cottage.
8. The extension to the garage would increase the depth of the building along the boundary shared with nos 1 and 2 Chapel Cottages. However, the single storey scale and flat roof of the new addition, which would to some extent be screened by the existing boundary fence, would ensure that this aspect of the proposal does not have an adverse effect on the living conditions of these residents either.
9. Overall, the appeal scheme would cause no unacceptable harm to the living conditions of the neighbouring occupiers of nos 1 and 2 Chapel Cottages,

having particular regard to outlook and light. Accordingly, there would be no conflict with Policy DM2 of the Island Plan: Isle of Wight Core Strategy¹, which notably supports proposals for high quality and inclusive design to protect the Isle of Wight's existing environment whilst allowing change to take place.

Conditions

10. I have considered the various conditions suggested by the Council. Where necessary, their wording has been amended, for clarity and accuracy, to ensure compliance with the tests as set within the National Planning Policy Framework and the Planning Practice Guidance. In addition to the standard time limit, I shall impose a condition specifying the relevant drawings, as this provides certainty.
11. In order to protect the privacy of neighbouring residents, I shall impose a condition requiring the first floor window to the side (east) elevation to remain obscure glazed. It is also considered necessary to add a condition to ensure that the single storey extension hereby permitted is solely used for ancillary purposes to the main dwellinghouse. Furthermore, a condition is required to ensure that sufficient off-street parking is provided, in the interests of highway safety.

Conclusion

12. For the reasons detailed above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

S Edwards

INSPECTOR

¹ March 2012.