



Appeal Decision

Site visit made on 4 January 2022

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19TH January 2022

Appeal Ref: APP/X3540/D/21/3276346

14 Borrow Road, Lowestoft NR32 3PN

- 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 Quantrill against the decision of the East Suffolk Council.
 - The application Ref DC/21/1523/FUL dated 28/03/2021, was refused by notice dated 27/05/2021.
 - The development proposed is described as rear extension and replacement attached garage.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Quantrill against the decision of the East Suffolk Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the living conditions of the occupants of neighbouring properties.

Reasons

4. The site is within a residential area characterised predominantly by varying designs of detached properties. The appeal site is a detached bungalow which has an attached garage to the side.
5. The proposed extension would be a large addition to the property, however given the orientation of the existing property the proposed extension would not be obvious in the streetscene. Whilst a substantial extension, I noted during my site visit that a similar scale of property exists at No.10 Borrow Road.
6. Public views of the extension would be limited given the location to the rear of the existing bungalow. Whilst a trainline runs along the rear boundary of the garden offering views of the appeal site the proposed extension would not appear incongruous to the existing property.
7. The location of the garage serving No. 16 adjacent the boundary would screen to a degree the bulk of the proposed extension. I find that this combined with the proposed roof pitch and design of the extension would not harm the living conditions of the occupiers of No. 16.

8. No. 12 has a rear conservatory with windows facing onto the side of No. 14. Given the relationship between the properties the proposed development is of a scale and mass which would appear stark and overbearing to the occupiers of No. 12.
9. The appellant has provided shadow diagrams which demonstrates that shadows will extend over the glazed conservatory. Whilst the appellant has included shadows from development which could be built under permitted development rights, I given this limited weight as I have not been provided with substantive evidence of a development would could be built using these rights. I find that the proposed development would lead to loss of light to the neighbouring property.
10. I conclude that the proposed development would harm the living conditions of the occupants of No. 12 Borrow Road. There is conflict with Policy WLP8.29 of the Local Plan which seeks amongst other things to protect the living conditions of the occupants of neighbouring properties.
11. There is also conflict with the National Planning Policy Framework (2021) which seeks to ensure developments maintain a high standard of amenity for existing and future users.

Conclusion

12. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR