

Appeal Decision

Site visit made on 8 February 2022

by Tom Gilbert-Wooldridge BA MTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 11 February 2022

Appeal Ref: APP/C3105/D/21/3288734

26 Grebe Road, Bicester OX26 6EL

- 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 A Hayes against the decision of Cherwell District Council.
 - The application Ref 21/02608/F, dated 30 July 2021, was refused by notice dated 24 September 2021.
 - The development proposed is rear two storey and single storey rear extension. Extend front entrance roof to form covered canopy, insertion of new windows and doors to front and side elevations.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the living conditions of occupiers of 28 Grebe Road with regard to outlook, light and privacy.

Reasons

3. 26 Grebe Road is a detached property with existing extensions at the front, side and rear. The rear extension is a modest single storey addition to the kitchen. 28 Grebe Road to the north is semi-detached and set back from the shared boundary with No 26 by an attached single storey garage. Both properties have rear gardens of similar depths with a separate garage at the end of No 26's garden. Due to the curve in the road, the rear elevation of No 28 is slightly angled towards the shared boundary. The existing ground floor rear addition at No 26 is visible from the rear elevation and garden of No 28.
4. The proposed rear extension would extend the existing ground floor addition as far as the separate garage. At first floor, it would extend around twice the depth of the existing ground floor addition. Although the extension would step down from the ridge of the main roof, its overall height and depth would be considerable and would be located close to the shared boundary. While it would not project along the majority of the boundary, the extension would still result in significant enclosure to the rear garden and elevation of No 28 and have an overbearing effect. Views of the extension from the kitchen (ground floor) and lounge (first floor) windows at No 28 would be angled but still noticeable.
5. The existing property at No 26 already overshadows No 28 because of its orientation but there would be further loss of light to the rear garden and elevation of No 28 due to size and position of the extension. The extension would not breach a 45 degree line taken from the nearest window at No 28 but

this only appears to be the case at first floor. Nevertheless, the combined scale of the proposed ground and first floor rear extension would result in significant harm to the occupiers of No 28 in terms of their outlook and light.

6. The proposed ground floor side windows would look at the shared boundary fence and garage at No 28, while the proposed front and side first floor windows would not cause any harmful privacy effects given their location and/or ability to be obscure glazed. The development as a whole would not detract from the character and appearance of the area. However, these considerations do not diminish the harm I have identified.
7. In conclusion, the development would result in significant harm to the living conditions of occupiers of 28 Grebe Road with regard to outlook and light. Therefore, it would conflict with Policy ESD15 of the Cherwell Local Plan 2011-2031 and Policy C30 of the Cherwell Local Plan 1996 which, amongst other things, seek acceptable standards of amenity having regard to matters such as outlook and light. The development would also not accord with paragraph 130(f) of the National Planning Policy Framework which seeks a high standard of amenity for existing and future users of places.

Conclusion

8. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Tom Gilbert-Wooldridge

INSPECTOR