



Appeal Decision

Site visit made on 13 September 2022

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 14 October 2022

Appeal Ref: APP/G0908/D/22/3301591

Low Green, Dean, Workington, Cumbria, CA14 4TJ

- 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 A Waterfield against the decision of Allerdale Borough Council.
 - The application Ref HOU/2021/0244, dated 11 November 2021, was refused by notice dated 9 May 2022.
 - The development proposed is extension and alteration to existing dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for extension and alteration to existing dwelling at Low Green, Dean, Workington, Cumbria, CA14 4TJ in accordance with the terms of the application, Ref HOU/2021/0244, dated 11 November 2021, 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: Ref DWG1 Rev B Location Plan and Existing and Proposed Plans & Elevations; Ref 03 Rev A Door and Window Details.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The proposal includes a rear extension, bin store and relocation of the existing entrance screen. The Council has no concerns in relation to the design or appearance of the proposal, and I see no reason to disagree.

Main Issue

3. The main issue is the effect of the rear extension on the living conditions of the neighbouring residential occupiers.

Reasons

4. Low Green is a 2 storey mid terrace dwelling that, together with Stock Beck to the south, is formed from converted barns attached to Manor House. Low Green has a large single storey pitch roof rear extension that was constructed at the time of the residential conversion. To the front, the property opens straight onto a large area of hardstanding that serves the group.

5. The proposed first floor rear extension would have an asymmetric pitched roof to reduce the massing close to Manor House. There would be no windows facing Manor House and the south facing windows and first floor balcony would not result in overlooking or loss of privacy to neighbouring occupiers.
6. There is a first floor window serving a bathroom in the south elevation of Manor House facing the proposal. The bathroom is beneath a sloping roof and the window is close to floor level. It is above the single storey eaves height of the existing extension, but even so its position and obscure glazing appear to result in a poor outlook. Nevertheless, by virtue of its proximity to the window, the neighbouring occupier is understandably concerned that the proposal would further reduce the existing relatively low levels of natural light in the bathroom.
7. The submitted daylight and sunlight assessment notes that the Building Research Establishment guidance¹ applies only to habitable rooms and not non-habitable rooms such as bathrooms. However, the assessment confirms that the proposal would in any case have a very low impact on light levels in the bathroom. This conclusion is not disputed.
8. As noted above, there is already a poor outlook from the bathroom window. Taking into account its low position in the corner of the bathroom under a low sloping ceiling, it seems reasonably unlikely that the proposal would appear oppressive or overbearing from the bathroom window, particularly given the negligible impact on natural light. Moreover, even if the neighbours would be aware of the increased height and scale of the proposal, the limited effect on a non-habitable room would not be detrimental to their living conditions.
9. Therefore, I conclude that the proposal would not harm the living conditions of the residential occupiers of Manor House. It would not conflict with the residential amenity aims of Policies S2, S32, DM14 and DM15 of the Allerdale Borough Council Local Plan (Part 1) Strategic and Development Management Policies Adopted July 2014. It would not conflict with the residential amenity aims of the National Planning Policy Framework (the Framework).

Other Matters

10. Manor House is a Grade II Listed Building. Accordingly, Section 66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the building or its setting.
11. The list entry for the Manor House states that it was listed with farm building adjoining, but that the adjoining barns are not of interest. The 2 storey farmhouse dates from 1753. It has cement roughcast walls with eaves cornice and V-jointed quoins, a greenslate roof, a panelled door in a quoin surround and sash windows in painted stone architraves.
12. The Council is satisfied that the scale, design and materials of the proposal would achieve a satisfactory visual and architectural relationship with the appeal property and the adjoining development. Based on the evidence and what I saw, including in relation to the earlier alterations and extensions and residential boundary treatments, I see no reason to disagree. The proposal would have a neutral impact on the setting of the listed building.

¹ Site Layout Planning for Daylight and Sunlight 2011

13. I note concerns that the proposal could not be constructed without access over neighbouring land. As noted by the Council, this is not a material consideration and it is not a matter for the appeal.

Conditions

14. The Council has suggested planning conditions in the event the appeal was allowed. I have considered these against the tests in the Framework. In addition to the standard condition limiting the lifespan of the planning permission, I have specified the approved plans in the interests of certainty. A condition securing matching materials is necessary to protect the character and appearance of the appeal property and the adjoining development.

Conclusion

15. For the reasons set out above, I conclude that the appeal is allowed and planning permission is granted subject to conditions.

Sarah Manchester

INSPECTOR