



Appeal Decision

Site visit made on 26 September 2022

by M Ollerenshaw BSc(Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2022

Appeal Ref: APP/H0520/D/22/3302588

7 Lancelot Way, Fenstanton PE28 9LY

- 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 L Harrison against the decision of Huntingdonshire District Council.
 - The application Ref 22/00097/HHFUL, dated 17 January 2022, was refused by notice dated 9 June 2022.
 - The development proposed is described as domestic single storey extension to front and first floor extension to rear plus roof alterations to detached garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The effect of the development proposed on the character and appearance of the area, and on the living conditions of the occupiers of 6 Lancelot Way, with particular regard to outlook and light.

Reasons

Character and appearance

3. The appeal property is a two storey semi-detached dwelling on the south side of Lancelot Way in a residential area. The property includes a single storey rear extension and detached garage positioned at the rear towards the end of the driveway. The surrounding area is characterised predominantly by two storey semi-detached dwellings which are set back from the road behind front gardens and driveways. A defining feature of the properties is their simple design and the symmetry that exists between semi-detached pairs. The area therefore has a well-ordered appearance which contributes positively to its character.
4. There are three elements to the appeal proposal: a single storey front extension, a first floor rear extension and a new pitched roof above the existing detached garage. The Council does not object to the first floor rear extension and new pitched roof over the garage in terms of their effects on the character and appearance of the area and I see no reason to disagree with that assessment based on my own observations on site.
5. The proposed single storey extension to the front would extend across almost the full width of the property with a mono-pitched lean-to roof and would project 2.35m beyond the front elevation. Since the attached neighbouring property, 6 Lancelot Way, does not have a front extension the proposal would detract from the symmetry of the semi-detached pair when viewed from the

road. The proposed front extension would be contrary to guidance contained in the Huntingdonshire Design Guide Supplementary Design Guide (2017) (SPD), which states that extensions to the front of a property should be avoided as building out from the frontage creates an unbalanced façade and disrupts the line of the street.

6. Whilst the appellants argue that the houses on this row are not architecturally distinguished and are not subject to any designations to preserve their original design, I consider that the proposed front extension would appear as an incongruous addition to the property which would be harmful to its simple appearance and the character of the street scene.
7. Whilst there are other single storey front extensions nearby at Nos 33 and 34, these have been constructed together and therefore do not unduly disrupt the symmetry of that pair. The appellants have also referred to similar extensions at Rookery Place and Simmer Piece. However, these are located on different roads some distance away where the site context differ to the appeal site and do not provide justification for the proposal.
8. For the above reasons, I find that the proposal would be harmful to the character and appearance of the area. Accordingly, it would be contrary to Policies LP11 and LP12 Huntingdonshire Local Plan to 2036 (adopted May 2019) (the Local Plan) and the SPD, where they seek high quality design that responds positively to its context. The proposal would also fail to comply with national policy outlined in the National Planning Policy Framework (the Framework) as well as the National Design Guide, where these seek to ensure that development responds to its context.

Living conditions

9. The appeal property is bounded to the east by the attached neighbouring property, No 6, and by No 8 to the west. The side elevation of No 8 is separated from the appeal property by the width of two driveways. Given this separation, it is unlikely that the proposed first floor rear extension would result in significant loss of light or outlook to this neighbouring property. Similarly, the proposed alterations to the garage roof would not be harmful to this neighbour's living conditions due to the modest height of this proposal.
10. The attached neighbouring property, No 6, contains both ground and first floor windows to the rear elevation which are relatively close to the boundary with the appeal site. The Council's concern relates principally to loss of light and overbearing impact as a result of the proposed first floor extension, which would be constructed above the footprint of the existing single storey rear extension and would therefore extend close to the boundary with No 6.
11. The Council says that the first floor extension would fail to comply with guidance contained in the SPD regarding the 45 degree rule on both plan and elevation. The appellants have not disputed this and I have no reason to take a different view from what I have seen and read. Although the neighbour's rear windows are south facing, due to the scale, height and close proximity of the proposed rear extension, I consider that the first floor extension would unacceptably overshadow the neighbour's rear ground floor window and, to a lesser degree, their first floor rear window. Consequently, the proposal would create a loss of daylight received into this neighbour's rear windows. The existing single storey rear extension has an effect on the amount of light

- received by the neighbour's ground floor rear window, but the proposal would be significantly higher and would exacerbate that impact.
12. The appellants say that the neighbour's kitchen window is not a habitable space and is therefore not protected by the SPD guidance. However, the SPD defines kitchens, living rooms and bedrooms as habitable rooms and it is not unreasonable to conclude that the neighbour may spend a considerable amount of time in the kitchen. The proposal would also appear as an overbearing feature when viewed from the neighbour's rear windows due to its proximity to the side boundary and it would thus be harmful to the neighbour's outlook.
 13. There are other two storey rear extensions in the locality. However, I do not have the substantive details of these cases in terms of plans, relationship with neighbouring properties or their planning history to enable me to draw any comparisons with the appeal proposal, and each inevitably has a surrounding context specific to it rather than to the appeal site. Accordingly, I have determined the appeal on its own merits and do not find that the presence of other developments in the area outweighs or alters my findings above.
 14. Given the scale of the proposed front extension, it would be unlikely to have a significant effect on the neighbours' living conditions in terms of light and outlook. The Council has also referred to an unacceptable impact in relation to overlooking and loss of privacy. However, the proposed extensions would not contain side facing windows and would not therefore result in loss of privacy to the rear windows of the neighbouring properties. The first floor window to the rear elevation of the first floor extension would be positioned at a sufficient distance away from the neighbouring property to the rear on Headlands. It would also overlook neighbouring gardens on either side at oblique angles, but that would not be significantly intrusive.
 15. For the above reasons, I conclude that the first floor extension, due to its height, length and proximity, would harm the living conditions of the neighbouring occupiers of No 6 having regard to its effect on their outlook and light. It would therefore be contrary to Policy LP14 of the Local Plan and guidance contained in the SPD, which, amongst other things, seek to ensure that proposals provide a high standard of amenity for occupiers of neighbouring land and buildings. The proposal would also conflict with the Framework and National Design Guide where these seek high quality design that preserves the living conditions of existing and future occupiers.

Other Matters

16. Whilst I appreciate that the proposed extensions would provide enlarged accommodation for the appellants, in the form proposed this would be at the expense of the character and appearance of the area and the living conditions of the neighbouring occupiers. Therefore, this consideration does not outweigh the harm that I have identified.
17. I am mindful that no objections have been received from the neighbours in relation to this proposal, but this is not a ground for allowing the appeal unless founded upon valid planning reasons. I have found harm in this instance.

Conclusion

18. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

M Ollerenshaw

INSPECTOR