



Appeal Decision

Site visit made on 17 December 2022

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2023

Appeal Ref: APP/K2610/D/22/3301831

113 Thunder Lane, Thorpe St Andrew, NORWICH, NR7 0JG

- 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 Dr Edward Pinch against the decision of Broadland District Council.
 - The application Ref 20211682, dated 14 September 2021, was refused by notice dated 1 April 2022.
 - The development proposed is the construction of a single- and two-storey rear and side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a single- and two-storey rear and side extension at 113 Thunder Lane, Thorpe St Andrew, NORWICH, NR7 0JG, in accordance with the terms of the application, Ref 20211682, dated 14 September 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: 2020 PL02 FC; 2020 PL01 FCA; 2020 SU 01 and SU02; 2020 PL01 FC
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in this case is the effect of the proposed extensions on the living conditions of the occupiers of No 115 Thunder Lane by way of light and outlook.

Reasons

3. No 113 is a semi-detached, two-storey house with hipped roof, situated on the western side of Thunder Lane. It is the northernmost of the pair of semi-detached houses and it lies to the south of the adjacent No 115. It currently has an L-shaped single-storey rear extension with a flat roof, and a detached garage to the side of the extension. There is a 2 metre wide driveway to the side of the house, with a similar driveway at the adjacent No 115. The properties on this side of Thunder Lane have long rear gardens.

4. The proposed development would involve the construction of a single-storey side extension around 1 metre wide, along the full length of the house; a single-storey extension to the side of the existing rear extension; a first-floor rear extension on the northern side of the house, projecting around 4 metres beyond the rear elevation of the house; and the demolition of the garage. The side extension would have a mono-pitch roof and the first-floor rear extension would have a hipped roof.
5. Policy GC4 of the Council's Development Management DPD indicates that development should avoid any significant detrimental impact, and that proposals should pay adequate regard to considering the impact upon the amenities of existing properties.
6. The Council contends that the proposed extension would have a detrimental impact on the amenities of the occupiers of No 115 by virtue of the increased level of overshadowing and an overbearing impact.
7. The appellant contends that the scheme was revised before the decision was made by the Council, such that the extension would be only two-storey at the rear of the property and would not encroach on the driveway to the side at first-floor level. He also notes that there has been a number of similar two-storey extensions that have been approved in the vicinity that form a precedent for the proposal. The shade impact of the proposal is only to a transition space on the side driveway in June at midday, and is confined at other times of the year to a small area in front of the neighbour's garage. Finally, the immediate neighbour has raised no objection to the revised plans.
8. The side extension would run alongside the existing dwelling at a distance of around 1 metre from the boundary with No 115 and would have a mono-pitch roof. As such it would have no significant impact on the light received by or the outlook from the adjacent dwelling. Moreover, the removal of the garage would create a small visual gap between the appeal property and the garage at the rear of No 115, which would result in a less enclosed general outlook.
9. The rear first-floor extension would be set in some 2 metres from the side boundary and would have a hipped roof. It would be around 4 metres deep beyond the existing rear elevation. Shadow diagrams have been provided for the existing and proposed situations. These show that there would be some increased overshadowing of the rear of No 115 by the proposed extension in March, with minimal impact in June. The area of No 115 most affected by this overshadowing would be a small pocket largely contained between the rear elevation of the house and the garage. It would appear that the rest of the rear garden, including most of the private amenity areas immediately to the rear of the house, would be unaffected, particularly in the summer months.
10. The rear garden at No 115 is long and the outlook from the rear elevation is largely open. Whilst there would be a limited impact on light received by a small section of the property at No 115 over the winter months, the main outlook would not be affected, while the immediate visual impact of the extension at No 113 would be reduced by its limited depth, the set in from the side boundary, and the hipped nature of the roof.
11. The appellant has made reference to other recent examples of extensions in the area, but many of these are not in the immediate vicinity of the appeal property and, in any case, it is not clear how many have a similar relationship

to that of the appeal property with the neighbouring No 113. It would appear that a large number, especially further north along Thunder Lane, do not lie to the south of the adjacent pair of semi-detached houses as is the case with the appeal property. On this basis, I do not consider that these examples should be deemed to create a precedent for the proposal at No 113.

12. In conclusion, and on balance, I find that the proposed rear/side extensions would not be significantly harmful to the living conditions of the occupiers of the neighbouring No 115 Thunder Lane by way of light or outlook. In the light of this, it would not conflict with Policy GC4 of the DPD.

Conditions

13. I have attached a condition relating to plans because it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. I have attached a further condition relating to materials in the interests of the visual amenities of the area.

J D Westbrook

INSPECTOR