

Appeal Decision

Site visit made on 7 February 2023

by John Whalley

an Inspector appointed by the Secretary of State

Decision date: 21st February 2023

Appeal ref: APP/Y2003/D/22/3310395

9 Park Drive, Westwoodside, Doncaster DN9 2AW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal of planning permission.
 - The appeal is made by Mr Karl Collins against the decision of North Lincolnshire Council.
 - The application, ref. PA/2022/830 dated, 29 April 2022, was refused by a notice dated 9 September 2022.
 - The development proposed is the construction of extensions and alterations, including increase in height of the property, gable dormers to the front, link building and two-storey side extension, and other associated works at 9 Park Drive, Westwoodside.
-

Decision

1. The appeal is allowed and planning permission is granted for construction of extensions and alterations, including increase in height of the property, gable dormers to the front, link building and two-storey side extension, and other associated works at 9 Park Drive, Westwoodside DN9 2AW in accordance with the terms of the application, Ref. no. PA/2021/1244, dated 29 April 2022, 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: Existing Drawing CWX-CH-2021-01; Proposed Drawing CWX-CH-2021-101C.

Main issue

2. The main issue in this appeal is whether or not the altered dwelling would produce an adverse effect on the privacy or other amenities of immediate neighbours.
3. The appeal property, No. 9 Park Drive, is one of 4 dwellings built around the tight turning circle end of the cul-de-sac road. The present dwelling is a roughly 'L' shaped bungalow with a large double room roof dormer and a separate single garage. It is proposed that the dwelling be substantially rebuilt as a 2 storey house with low roof eaves and a linked double garage with an en-suite bedroom above. The garage would be demolished.
4. In this instance, Council officer advice was that the Appellant, Mr Collins' home reconstruction project should be granted planning permission. As they are the

decision makers, Council Members may take a different view on the planning merits of an application. Their concern here was that the privacy at present enjoyed by immediate neighbours would be unacceptably reduced by increased overlooking opportunities from the enlarged house at No. 9.

5. Saved policy DS5 of the North Lincolnshire Local Plan (2003) deals with residential extensions. Applications for residential extensions are allowed if the new works do not unreasonably reduce sunlight or daylight, or result in overshadowing, overbearing impact or loss of privacy to adjacent dwellings. Design, scale and materials sympathetic to the existing dwelling and its neighbours should be applied.
6. The Council concluded that the proposal would result in an adverse impact on the amenity in that it had the potential to diminish the privacy of those at the adjacent dwelling, No. 7 Park Drive. That would be contrary to policies DS1 and DS5, as well as the SPG1 Design Guidance for House Extensions of the North Lincolnshire Local Plan.
7. The current appeal application supersedes an earlier scheme by replacing the easternmost dormer window, otherwise capable of looking towards No. 7, with a rooflight. I agree with the Officer conclusion on this point that this rooflight, positioned above head height, would not offer an opportunity to overlook the rear amenity area of No. 7. The 2 other north-east facing dormer windows would look towards the front garden of No.7, an area fronting the road where lower standards of privacy are to be expected. In concluding that the appeal scheme adequately deals with privacy concerns, I note that the south-eastern window in Bedroom 1 would be obscure glazed and that all 4 first floor windows in the south-western elevation would be roof windows, minimising overlooking opportunities. Also, those windows would not serve habitable rooms.
8. Other matters of potential concern were, in my view, adequately considered in the Officer's report to Council resulting in the conclusion that the appeal project should be granted planning permission. The new rebuilt house would look better than the present house. Removal of the single garage at the side of No. 7 would also be an improvement, further separating the buildings of the two properties. The result would not be an overdevelopment of the No. 9 plot, as adequate amenity space would be retained. Nor would increasing the overall height of the dwelling cause any significantly harm to the mostly single storey housing development character of this part of Park Drive. The extension works would produce a new house that would appear sympathetic in design, scale and materials to the existing dwelling and its neighbours, in compliance with policy DS5 of the North Lincolnshire Local Plan and SPG1 - Design guidance for house extensions.

Conclusion

9. For the reasons outlined above, I conclude that the appeal should be allowed.

John Whalley INSPECTOR