



Appeal Decision

Site visit made on 29 October 2025 by Kim Vo MPLAN

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2025

Appeal Ref: APP/F0935/D/25/3372992

25 Petteril Street, Carlisle, Cumberland CA1 2AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr. Rob Clarke against the decision of Cumberland Council.
 - The application Ref is 25/0022.
 - The development proposed is described as “replace of existing pitched roof single storey kitchen and conservatory to rear of property with new flat roof kitchen extension, replacement of existing pitched roof over WC and utility area with new flat roof, and construction of new dormer window to rear elevation together with associated structural alterations including realignment of head of stairs and the addition of an ensuite”.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters and Main Issue

3. The conservatory as shown on the existing plan has been removed. For the avoidance of doubt, I have determined the appeal based on the proposed plans. The Council raised no concern regarding the dormer. I find no reason to disagree with their conclusions thereon. My recommendation therefore focuses on the rear single storey extension and alterations. The main issue in regard to which is their effect on the living conditions of the occupiers of Number 23 Petteril Street (No. 23), with specific regard to light and outlook.

Reasons for the Recommendation

4. The appeal building is a two storey, mid-terraced property in a predominantly residential area. Most properties, including the appeal building, feature two storey rear outriggers, as well as single storey rear extensions. Where extensions project beyond the rear wall of the outriggers, they are typically limited in width to match or fall below that of the outrigger itself. This pattern, seen at both the appeal site and No. 23, helps to maintain side gaps within rear yards, ensuring a degree of separation between shared boundaries.
5. At ground floor, No. 23 features a window to their main rear elevation which appears to serve a dining room. There are three other side windows which appear to serve a kitchen/utility, with one located on the outrigger and the remaining two

located on the single storey rear extension. These rooms appear to rely solely on their windows for light and outlook.

6. Whilst the proposal would be single storey, its height would exceed the existing high boundary wall. It would also infill the current side gap and present as a prominent and continuous form, due to its extensive length along the shared boundary. Given the scale and proximity, the proposal would therefore result in a significant reduction to the light received to No. 23's ground floor windows and unacceptably diminish the quality of outlooks therefrom. It would particularly affect their rear dining room window and the outrigger's side window.
7. Due to the north facing rear yards, the high boundary walls, existing rear extensions and the tight knit arrangement of the terraced properties, these windows are already subject to limited light and outlooks. Whilst No. 23's dining room window would maintain views towards its rear yard; the proposal would intensify the existing sense of enclosure through the introduction of a taller form along the boundary. This would create a tunnelling effect, where views from the dining room and outrigger windows would be walled in by the proposal's side elevation. The level of overshadowing would also be increased and would unacceptably reduce the quality of experience from within these rooms. This harm would extend to No. 23's single storey rear extension side windows, albeit to a lesser degree, given that they are set back further away from the appeal site.
8. For these reasons, the proposal would harm the living conditions of the occupiers of No. 23, in respect of light and outlook. Accordingly, it would conflict with Policy SP 6 and Policy HO 8 of the Carlisle District Local Plan 2015-2030 and with the Achieving Well Designed Housing Supplementary Planning Document 2017. Together, and amongst other things, these policies and guidance seek to ensure that development proposals result in no loss of, or adverse effect upon the residential amenity of existing areas.

Other Matters

9. I have not been supplied with details of planning permission DNC/DC/05/1166. In any case, this approval was made 20 years ago under a different development plan and is no longer extant. Additionally, I have not been provided with details of any comparable extensions as referred to. Therefore, I cannot be sure that they would be sufficiently similar to the appeal scheme such that I would change my findings.
10. Whilst the occupants at No. 23 may have offered support to the proposal, no neighbour representations were received as part of the planning application. Even if this was provided, this would not override the harm which I have identified upon the living conditions of the neighbours now or in the future as a result of an independent assessment thereof. No details for how reflected light could improve illumination have been provided and it is unclear how this would be achieved in practice.
11. The proposal's compliance with the height and eaves level specified under permitted development rights does make the scheme acceptable. Moreover, any compliance in respect of permitted development rights in this instance is unproven and may require the submission of a scheme under the prior approval regime. Such is not before me, and I cannot be sure of what the outcome of what one would be.

Conclusion and Recommendation

12. For the reasons given above, the proposal would conflict with the development plan and material considerations do not indicate a decision should be made other than in accordance therewith. I therefore recommend the appeal is dismissed.

Kim Vo

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR