



Appeal Decision

Site visit made on 19 February 2019

by **Matthew Woodward BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th March 2019

Appeal Ref: APP/F4410/D/18/3208711

90 Harrowden Road, Wheatley, Doncaster, DN2 4EN

- 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 Naveed Mohammed against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 18/01217/FUL, dated 16 May 2018, was refused by notice dated 6 August 2018.
 - The development proposed is ground floor planning for extension and shower, for elderly mother who suffers from arthritis and struggles to walk upstairs.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of my site visit I saw that the ground floor rear extension was partially complete. The walls had been constructed but the remaining elements indicated on the submitted plans were incomplete or absent. I also note that the planning application was submitted retrospectively. I have dealt with the appeal on this basis.

Main Issues

3. The main issues are the effect of the development on:
 - the living conditions of the occupiers of neighbouring properties, having particular regard to outlook and light, and;
 - the character and appearance of the existing dwelling and surrounding area.

Reasons

Living Conditions

4. Number 90 Harrowden Road (No 90) is a semi-detached dwelling attached to 92 Harrowden Road (No 92). No 92 has an existing single-storey extension that projects a short distance to the rear of the dwelling. The rear gardens between the two properties are divided by a close boarded fence. According to the submitted plans, the height of the appeal extension is approximately 2.5m to the eaves. It extends out from the rear of the existing dwelling and is set slightly behind, but rises above, the boundary fence.

5. The Council's Development Guidance and Requirements Supplementary Planning Document, July 2015 (SPD) under Section 2.14 states that, in respect of single-storey rear extensions, they should normally be designed with a rear projection of not more than 3m. A diagram accompanying this text illustrates that single-storey rear extensions to semi-detached properties projecting beyond 3m should not be permitted if they fall within a 45 degree 'exclusion zone'. The SPD is guidance but is material to my decision.
6. According to the submitted plans, the extension as proposed would project beyond the main building line of No 90 to a maximum depth of approaching 11.5m. The depth of the extension would slightly reduce in closest proximity to the shared boundary with No 92, but it would nevertheless project a significant distance along its length. I observed on my site visit that No 92 includes a ground floor, rear facing patio door and window. There was also a small patio area with seating in front of the patio door. The development conflicts with the SPD guidance as it exceeds 3m in length and, due to the position of the patio window associated with No 92, the extension encroaches into the 45 degree 'exclusion zone'. I have had regard to the presence of the existing boundary fence. However, the extension appears appreciably higher than it and runs a significant distance along its length. Consequently, given the orientation and scale of the extension relative to the rear facing ground floor windows of No 92, it has an unacceptable impact on outlook for existing occupiers. Furthermore, the completed extension would result in additional overshadowing due to its scale, bulk and massing, affecting the ground floor windows and patio area of No 92.
7. The extension would include windows facing 88 Harrowden Road (No 88). However, there would be no significant impact upon the outlook from, or light provision to, No 88 or its rear garden, as the extension is set in from the shared boundary and the facing windows would be screened by a boundary fence. Nonetheless, the absence of concern in that respect is a neutral factor and does not override the harm otherwise identified with respect to the relationship to No 92.
8. I conclude that the proposal would unacceptably harm the living conditions of occupiers of No 92 Harrowden Road, due to the loss of outlook and overshadowing effect arising from its height, length and position. The development conflicts with the SPD which seeks to ensure, amongst other matters, that rear extensions do not overlook, overshadow or over-dominate adjoining properties. I also find conflict with paragraph 127 of the National Planning Policy Framework (the Framework) which seeks a high standard of amenity for existing and future users in relation to new development.

Character and Appearance

9. The character and appearance of the residential area within which the appeal property is located is defined by its street frontages, containing equally spaced pairs of semi-detached houses which have a small set-back from the road. Whilst I observed that the angled orientation of the dwelling relative to the street means that the rear extension is partially visible, it does not form a prominent addition within the street scene. For this reason I find that the rear elevation of the appeal dwelling is subordinate to the front elevation.
10. The appeal dwelling and No 92 are set forward of other dwellings on Harrowden Road and have long rear gardens. Many of the dwellings on the street have

been extended to the rear in the form of rear extensions and outbuildings which vary in form, height, design, and materials. Despite the extensive length of the extension, it does not project beyond the rear building line of these dwellings. The red brick extension when complete would have a simple pitched roof which would be in keeping with the appeal property and locality. Whilst I appreciate that the rear extension has a large footprint, it is single-storey in height. In addition to this, due to the variety of extant rear extensions and outbuildings in the street, and the long rear garden associated with the appeal property, I find that the completed extension would not occupy a disproportionate amount of rear garden, or harm the character and integrity of the appeal dwelling, nor would it adversely affect the character and appearance of the area.

11. Having regard to the above, I find no unacceptable harm to the character and appearance of the appeal dwelling or the area. In this respect the development complies with Policy ENV54 of the Doncaster Unitary Development Plan (1998) which seeks to ensure extensions to existing buildings are sympathetic in terms of scale, materials, layout and general design to the existing building. However, this does not alter or outweigh the harm which the extension causes to the living conditions of adjoining occupiers.

Other Matters

12. I note that the appellant's justification for the extension is to provide additional accommodation for a family member with reduced mobility. I have not been provided with evidence outlining the specific requirements of the family member. However, Planning Practice Guidance advises that in general planning is concerned with land use in the public interest. Furthermore, the extension is likely to remain long after the personal circumstances cease to be material. Therefore, having regard to the above, I have attributed limited weight to the personal circumstances of the appellant and this is insufficient to outweigh the harm I have identified.

Conclusion

13. Whilst I find no unacceptable harm to the character and appearance of the area this does not outweigh the harm to the living conditions of the adjacent occupiers of the neighbouring property and consequent conflict with the SPD and the relevant requirements of the Framework. Therefore, the appeal is dismissed.

Matthew Woodward

INSPECTOR