



Appeal Decision

Site visit made on 17 September 2019

by **R E Walker BA Hons DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 October 2019

Appeal Ref: APP/N2535/D/19/3230535

Norwood, Legsby Road, Market Rasen LN8 3DZ

- 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 Redwin against the decision of West Lindsey District Council.
 - The application Ref 138873, dated 21 September 2018, was refused by notice dated 27 March 2019.
 - The development proposed is the proposed loft conversion and extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application form which accurately describes the proposal.
3. It is clear from the Council's Decision and Officer Report that the Council's concern relates solely to the loft conversion and not to the extension to the rear. From the evidence I have before me I see no reason to disagree. I have therefore confined my considerations to the proposed loft conversion only.
4. The second reason for refusal within the decision notice, included reference to the neighbouring properties to the east and west. No reference was made to the neighbouring property to the north, notwithstanding that, the delegated officer report raised concerns regarding the impact on this neighbouring property as well. Thus, there is some uncertainty in the Council's position. However, the appellant has had the opportunity to comment on the Council officer's report and I have taken the comments within it into account in reaching my decision. In other words, I have addressed the effect on living conditions with reference to overlooking on the neighbouring properties to the east, west and north within my reasoning below.

Main Issues

5. The main issues are:

- the effect of the proposal on the character and appearance of the host property and surrounding area; and
- The effect of the proposal on the living conditions of the occupiers of the neighbouring properties to the east, west and north with particular reference to privacy.

Reasons

Character and Appearance

6. The appeal property is a modest sized detached bungalow with a pitched roof and gable ends. The appeal property's pitched roof creates a very distinctive three-dimensional form which is, in my view, an important component of the building's character. Along the road there are a mix of properties with many bungalows of varying heights, mostly with pitched or hipped roofs.
7. The proposed loft conversion would result in the raising of the rear roof slope by building up from the rear wall. This would add significant bulk to the building's roof and would serve to unbalance the dwelling. The symmetry of the roof pitch of the bungalow is an important feature and this would be visibly lost from the street where views can be achieved of either gable end. It would, in my view, create an incongruous addition to the property. As such, I consider that the proposed roof alterations would cause harm to the character and appearance of the host property and the surrounding area.
8. I therefore conclude that the proposal would conflict with policy LP26 of the Central Lincolnshire Local Plan (LP) Adopted April 2017. This policy, amongst other things, aims to ensure that development positively contributes to the character of the area through good design. Policy LP26 is consistent with the provisions of the National Planning Policy Framework.

Living Conditions

9. The proposed roof alterations would result in windows on the first-floor rear elevation where there were none. This would allow some angled views toward the neighbouring properties gardens. However, this is a residential street and a certain degree of overlooking of gardens from upper floor windows is not unusual. Indeed, the neighbouring property to the east has a window on the first-floor rear gable end.
10. Given that one window would serve an en-suite, another would serve a landing at the top of the staircase and the third would serve a bedroom window positioned centrally within the building, this layout would minimise the extent of overlooking. Moreover, the appeal property is set back from the rear building line of the neighbouring property to the east. There is an access track in between the appeal property and the neighbouring property to the west. Furthermore, the appeal property's rear garden and outbuilding are located between the proposal and the neighbouring property to the north. All these factors would ensure that there would not be a significant level of overlooking.
11. Overall, whilst some increased overlooking would occur, for the reasons stated, the proposals would not harm the living conditions of the occupiers of the neighbouring properties to the east, west or north with particular reference to privacy. The proposals would not, therefore, be contrary to Policy LP26 of the

LP which, amongst other things, seeks to ensure that developments do not have an unacceptable impact on neighbours.

Other Matters

12. Concerns have been raised by the occupants of the neighbouring property to the east regarding the potential for loss of light to the windows in the property. The proposal would increase the scale and bulk of the property nearer to this neighbouring house than currently exists. However, there would still be a gap, and given the orientation of the two buildings I am not convinced that this would result in a significant loss of light to the windows within this neighbouring property.
13. I recognise that the appellants, are seeking to make an effective use of an existing dwelling. I understand that extending the property might meet the appellants' need for increased accommodation. However, personal circumstances will seldom outweigh more general planning concerns and the appellants' desire to extend the property does not outweigh my concerns relating to the character and appearance of the area.

Conclusion

14. Although I have concluded that the proposal would not harm the living conditions of the occupiers of the neighbouring properties to the east, west and north, this does not outweigh the unacceptable harm to the character and appearance of the area. Accordingly, for the reasons given above the appeal is dismissed.

Robert Walker

INSPECTOR