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## Appeal Decision

Site visit made on 6 November 2018

**by Richard Schofield BA(Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 9<sup>th</sup> November 2018**

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**Appeal Ref: APP/N2535/D/18/3204736**

**31 Beaufort Street, Gainsborough DN21 2RT**

- 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 D Blake against the decision of West Lindsey District Council.
  - The application Ref 137614, dated 4 April 2018, was refused by notice dated 24 May 2018.
  - The development proposed is ground floor rear extension including courtyard, first floor rear extension, loft conversion with velux rooflights, new front entrance porch, alterations to existing windows.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are a) the effect of the proposed development on the living conditions of the occupiers of neighbouring dwellings, with regard to outlook and light b) the effect of the proposal on the character and appearance of the area and c) whether the proposal would provide adequate living conditions for future occupiers with regard to private outdoor space.

### Reasons

#### *Character and Appearance*

3. 31 Beaufort Street is part of a long terrace of narrow brick built houses, with short rear yards. Most dwellings retain their original monopitch outbuilding at the bottom of their rear yards. Front porches are not a key feature of the front elevations, which retains their simple facades.
4. Many, if not all, of the houses, including number 31, have rear extensions. These are overwhelming single storey. Their varied size and shape gives the terrace a rather haphazard appearance when viewed from the cemetery behind it. Even so, it is still characterised by its uniformity at first floor level, which has ensured that the rhythm of the original design persists.
5. Two houses have two-storey extensions. These are prominent in views from neighbouring dwellings and from the cemetery, upsetting the rhythm noted above. Even among the varied rear extensions they appear as highly incongruous additions, dominating the terrace's confined rear spaces. As such, they have a significant adverse effect on the terrace's character and

appearance. I do not consider that they can be regarded as setting any kind of precedent for further development of this nature.

6. The appeal proposal is arguably more sympathetically designed than the extant squared-off two storey extensions. At two storeys high it would, nonetheless, be equally prominent, incongruous and domineering. It would further exacerbate the harm caused by those already present.
7. The proposal also seeks to include a front porch. This would appear markedly at odds with the simple street facing elevations, which are not characterised by additions of this nature. This is evidenced by two extant exceptions, at numbers 33 and 35 (featuring conspicuous conjoined, enclosed porches), which sit uncomfortably in the street scene, at odds with the dominant building form.
8. I conclude that the appeal proposal would have an adverse impact upon the character and appearance of the area. It would conflict with Central Lincolnshire Local Plan (the Local Plan) policy LP26, in failing to relate well to the site and surroundings.

#### *Living Conditions*

9. As a result of their existing extensions, the outlook from the ground floor of the neighbouring dwellings, numbers 29 and 33, would be largely unaffected by the appeal proposal.
10. The outlook from the single windows in their main rear elevations at first floor level, however, is open, over their short rear yards and those of neighbouring dwellings, to the large expanse of the cemetery beyond. That from number 29 is compromised by its own two-storey rear extension, which channels views to the north and east.
11. The very narrow dimensions of the houses, coupled with the extent and height of the proposed extension, would mean that the proposal could not fail to intrude into the outlook from first floor windows of the neighbouring dwellings. It would be viewed at very close quarters, cutting into the open outlook from number 33 and giving rise to a severe tunnelling effect on the outlook from number 29.
12. Turning to light, due to the orientation of the terrace it is unlikely that there would be any significant impact on either sunlight or daylight to number 33. The same is not true of number 29, however, which, during the early part of the day, would suffer a loss of both daylight and sunlight to the window in its rear elevation and those in the eastern side of its rear extension. In my judgment, the 45 degree "daylight angles" shown on the plan would make little appreciable difference, due to the proximity of the dwellings.
13. I conclude that the appeal proposal would have an adverse effect on the living conditions of the occupiers of neighbouring dwellings, with regard to outlook and light. It would conflict with Local Plan policy LP26, with regard to its requirements in relation to the amenity of existing occupants of neighbouring buildings.

#### *Private outdoor space*

14. The Council's objection here relates not to the addition of a third bedroom, which one can infer from the officer's report would be acceptable if the current

level of outdoor space was to be retained, but to the fact that inserting a walkway into the rear courtyard would compromise the level of outdoor space.

15. I support fully the Council's position that a three bedroom house should have an appropriately sized private outdoor amenity area. The extent of the current courtyard is, however, far from extensive due to the extant rear extension and the small outbuilding. In real terms, the addition of the proposed connecting walkway would make little appreciable difference to the usability and function of the space. I am also mindful that the proposed sliding glass doors would allow occupiers to open up the walkway as a functional part of the courtyard.
16. I conclude in this particular instance<sup>1</sup> that the appeal proposal would provide adequate living conditions for future occupiers with regard to private outdoor space. It would not conflict with Local Plan policy LP26, with regard to its requirements in relation to the amenity of future occupants.

### **Other Matters**

17. The appeal scheme would provide a dwelling refurbished to modern standards. Even so, this could be achieved without giving rise to the harms noted above.

### **Conclusion**

18. I have found that the appeal proposal would provide adequate living conditions for future occupiers with regard to private outdoor space. I also note that the appeal site is in an accessible location, with regard to local services and facilities. Even so, these factors do not outweigh the harms that I have found with regard to character and appearance and the impact upon the living conditions of the occupiers of neighbouring dwellings.
19. Thus, the appeal proposal would conflict with the development plan when taken as a whole. There are no material considerations that outweigh this conflict and I conclude that the appeal should be dismissed.

*Richard Schofield*

INSPECTOR

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<sup>1</sup> For the avoidance of doubt, my conclusion should not be regarded as setting a precedent, with regard to private outdoor space, for other developments. It is a judgement, based upon the specific factors relating to this site.