
Appeal Decision

Site visit made on 5 October 2015

by G D Jones BSc(Hons) DMS DipTP MRTPI

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

Decision date: 12 October 2015

Appeal Ref: APP/Y2736/D/15/3130948

Carpenters Cottage, 75 Outgang Road, Pickering YO18 7EL

- 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 Fisher against the decision of Ryedale District Council.
 - The application Ref 15/00317/HOUSE, dated 18 March 2015, was refused by notice dated 5 May 2015.
 - The development proposed is a first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension at Carpenters Cottage, 75 Outgang Road, Pickering YO18 7EL in accordance with the terms of the application, Ref 15/00317/HOUSE, dated 18 March 2015, subject to the conditions contained within the Schedule at the end of this decision.

Main Issue

2. The main issue is the effect of proposed development on the living conditions of the occupants 73 Outgang Road.

Reasons

3. The appeal property is a semi-detached two storey house. It is proposed to erect a first floor extension across the full extent of an existing single storey rear projection, which extends substantially from the principal rear elevation of the host building. Due to the proposed siting close to the boundary with the other half of the pair of semis, 73 Outgang Road, the extension has the potential to appear overbearing, result in overlooking and affect light to and outlook from this property.
4. In terms of potential overlooking, there is a roof light proposed in the side roof plane that would afford views into No 73. This arrangement would be likely to have a harmful effect on the privacy of occupants of No 73. The appellant has suggested that this opening could be fixed closed and fitted with obscured glazing. I consider that these measures would reasonably mitigate any such overlooking and that they could be secured and controlled via planning condition.
5. In respect to any effect on light and outlook and in terms of appearing overbearing, when combined with the existing single storey projection, the proposed development would result in a substantial structure adjacent to the

boundary with No 73. Nonetheless, the existing structure is reasonably substantial in itself and, bearing in mind that the additional accommodation would largely be contained within the enlarged roof-space, I am not persuaded that the extra mass of the proposed development would have a significant additional net effect in these respects. This assessment is broadly echoed in the comments of the current occupant of No 73, who has raised no objection to the proposal and is generally supportive of the scheme.

6. For these reasons, therefore, the proposed development would not have a significant effect in terms on privacy, outlook, light or sense of overbearing such as to justify withholding planning permission. Consequently, in these respects, it would not harm the living conditions of neighbours and there would be no conflict with the relevant objectives of Policy SP20 of the Ryedale Plan – Local Plan Strategy or those of the National Planning Policy Framework.

Other Matters

7. The site is located within a Conservation Area. In view of the evidence and having seen the site, I have found no reason to disagree with the advice of the Council's conservation service on this matter. I conclude, therefore, that the appeal development would, subject to appropriate conditions, preserve the character and appearance of the Conservation Area.

Conditions and Conclusion

8. In addition to the standard time limit condition the Council has requested a number of conditions which I have considered in the light of government guidance. For the avoidance of doubt and in the interests of proper planning, a condition requiring that the development is carried out in accordance with the approved plans would be necessary.
9. As set out in the Reasons section above, a condition would be necessary to ensure that the side facing roof light is fixed and fitted with obscured glazing. Conditions to control the facing materials of the extension, including windows and doors and their means of opening and the depth of reveal, would also be necessary to protect the character and appearance of the area.
10. I conclude, therefore, that the appeal should be allowed subject to the identified conditions.

G D Jones

INSPECTOR

SCHEDULE OF CONDITIONS FOR APPEAL REF APP/Y2736/D/15/3130948:

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: Location Plan; No 021 2141; No 021 2142; No 021 2143.
- 3) The extension hereby permitted shall not be occupied until the window at first floor in the western roof plane has been fitted with obscured glazing and permanent fixed closed. Details of the type of obscured glazing shall be submitted to and approved in writing by the Local Planning Authority before the window is installed and once installed the obscured glazing shall be retained thereafter.
- 4) Before the development hereby permitted is commenced the developer shall construct on site for the written approval of the Local Planning Authority a one metre square freestanding panel of stonework of the type of stone to be used in the construction of the building. The stonework panel so constructed shall be retained only until the development has been completed.
- 5) Prior to the commencement of the development hereby approved details of all windows and doors, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 6) The roof shall be covered with pantiles to match those of the existing building.