



## Appeal Decision

Site Visit made on 9 March 2021

**by R Sabu BA(Hons), BArch, MA, PgDip ARB RIBA**

**an Inspector appointed by the Secretary of State**

**Decision date: 18<sup>th</sup> March 2021**

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### **Appeal Ref: APP/K1935/D/20/3263519**

### **10 Gorleston Close, Stevenage, SG1 2JS**

- 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 Garry Brown against the decision of Stevenage Borough Council.
  - The application Ref 20/00496/FPH, dated 3 September 2020, was refused by notice dated 27 October 2020.
  - The development proposed is first floor cantilevered extension.
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### **Decision**

1. The appeal is dismissed.

### **Main Issue**

2. The main issue is the effect of the proposed development on the living conditions of the occupiers at No 20 Kessingland Avenue with particular regard for outlook and privacy.

### **Reasons**

3. The rear wall of the proposed first floor extension would be around 18m from the rear wall of the dwelling to the rear of the dwelling at No 20 Kessingland Avenue (No 20). This would fall significantly short of the requirement within the Stevenage Design Guide Supplementary Planning Document Adopted October 2009 (SPD) which seeks a separation distance of 25m.
4. The depth of the rear gardens of the appeal property and No 20 are moderate, with existing separation distances being less than that stated within the SPD. Given the width and depth of the proposed extension, the scheme would result in two large rear windows being brought much closer to the rear of the building of No 20. As such the occupiers of the appeal scheme would be likely to have views into the rear garden and upper rear windows of No 20 at a significantly closer proximity than existing. Accordingly, the scheme would unduly diminish the privacy of the neighbouring occupiers of No 20.
5. I note the rear extension at the adjacent property which may also have resulted in a separation distance less than that required in the SPD. However, from the evidence, that rear two storey extension has one small obscure glazed window which serves a bathroom and a smaller projection from the rear elevation. As such, the extension at the adjacent dwelling is not directly comparable to this appeal scheme and has not altered my overall finding on this issue.

6. I have considered a condition requiring the windows to have obscured glazing. However, given that the windows would be the only windows to the respective bedrooms, such a condition would adversely affect the outlook from these rooms and would not be reasonable.
7. While the proposed extension would be visible from the rear upper floor of No 20, the adjacent properties are arranged in a linear pattern of development and the adjacent properties lack significant projections such that there would continue to be outlook in other directions from these windows. Accordingly, the scheme would not unduly affect the outlook of the neighbouring occupiers at No 20.
8. Consequently, the proposed development would harm the living conditions of the occupiers at No 20 with particular regard for privacy. Therefore, it would conflict with Policies GD1 and SP8 of the Stevenage Borough Local Plan 2011-2031 Adopted May 2019 which together seek, among other things, development that complies with the separation distances for dwellings set out in the plan and Supplementary Planning Documents.

**Other Matters**

9. While I note concerns regarding the service provided by the Council, I have necessarily assessed the scheme based on its planning merits and this point has not altered my overall decision.

**Conclusion**

10. For the reasons given above the appeal is dismissed.

*R Sabu*

INSPECTOR