

**Meeting:** Planning and Development  
Committee

**Agenda Item:**

**Date:** Tuesday 8<sup>th</sup> August 2023

## **INFORMATION REPORT - APPEALS / CALLED IN APPLICATIONS**

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### **1. APPEALS RECEIVED**

- 1.1 23/00323/FPH. 23 Park View. Appeal against refusal of planning permission for a two-storey side extension.

### **2. DECISIONS AWAITED**

- 2.1 21/01152/ENF. 68 Basils Road. Appeal against the serving of an enforcement notice to remove the first floor of the two-storey rear extension which was refused under planning permission reference number 21/01256/FPH.
- 2.2 21/01256/FPH. 68 Basils Road. Appeal against the refusal of planning permission for the retention of a part two storey, part single storey rear extension.
- 2.3 21/00717/ENFAPL, 134 Marymead Drive. Appeal against the serving of an Enforcement Notice relating to the unauthorised erection of an outbuilding and front extension.
- 2.4 21/01025/ENFAPL, 7 Boxfield Green. Appeal against the serving of an Enforcement Notice relating to the development not in accordance with approved plans under planning permission reference number 17/00734/FPH.
- 2.5 22/00307/ENF. Car park to side of 8 Aintree Way. Appeal against the serving of an enforcement notice to remove the structure built around the car parking space and return the communal parking spaces to their original condition.

### **3. DECISIONS RECEIVED**

- 3.1 22/00769/HPA, 6 Badgers Close. Appeal against refusal of prior approval for a single storey extension which will extend beyond the rear wall of the original house by 6 metres, for which the maximum height will be 3 metres and the height of the eaves will be 3 metres.
- 3.1.1 Appeal Dismissed
- 3.1.2 The appeal is for a terraced property in a residential area with neighbouring narrow gardens. The site boundary consists of wooden fences and brick walls. The site adjoins number 4 and 8 Badgers Close. The proposal is for a single storey extension extending significantly into the appellant's rear garden. Furthermore, the proposal would be higher than the current fences and walls of the site's boundaries even though the proposal has a flat roof.

- 3.1.3 This proposal would create an enclosing effect for the adjoining dwellings at number 4 and 8 Badgers Close. Therefore, reducing the outlook from the rooms at the rear elevations of the neighbouring properties. This includes the rear conservatory at number 8 being impacted. Additionally, the height and projection of the proposed extension would have an enclosing effect on the rear gardens of the two neighbouring properties and reduce their outlook. The rear gardens are the only places where private outdoor recreation might take place and this lack of outlook for the neighbouring occupiers would be significant and harmful. The proposal would be set back from the shared boundaries of the site and number 4, although this would be minimal. Thus, the proposed extension would remain clearly visible from the neighbouring house and its garden. As a result, the proposed set back would not resolve the impact of the depth and height of the proposed extension.
- 3.1.4 If a permitted development scheme were carried out it would be much smaller than the current proposal and this proposal is longer than any permitted development scheme. Therefore, this would cause a reduced level of outlook for the neighbouring occupiers. This would occur despite there being no reduction in light levels for the neighbouring occupiers. The Inspector noticed number 8's conservatory and number 10's extension. However, these works are of a smaller proportion to the proposed scheme and do not cause harm. The Inspector's attention was drawn to other extensions permitted in other areas. Although, they were at different sites and had different effects compared with the appealed proposal. Thus, these extensions do not allow for the previous observations to be dismissed.
- 3.1.5 The Inspector did not support the proposed extension and felt that the main reason to reject the appeal was on the grounds of a reduced outlook as a result of the proposed extension.
- 3.1.6 The Inspector concluded that the proposed development 'would have a detrimental effect on the outlook of the occupiers of the neighbouring properties' and wrote 'I conclude that the appeal should be dismissed'.