



Appeal Decision

Site visit made on 1 June 2021

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 22 June 2021.

Appeal Ref: APP/P2114/D/21/3270048

98 Ashey Road, Ryde, Isle of Wight, PO33 2UZ.

- 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 Sarah Lee against the decision of the Isle of Wight Council
 - The application Ref 20/01735/HOU, dated 9 October 2020, was refused by notice dated 7 December 2020.
 - The development proposed is described as *extension added to rear of building and remedial works internally*
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Decision

1. The appeal is allowed and planning permission is granted for *extension added to rear of building and remedial works internally* at 98 Ashey Road, Ryde, Isle of Wight, PO33 2UZ in accordance with the terms of the application, Ref 20/01735/HOU, dated 9 October 2020, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans, drawings referenced: 2020/XXX/xx - *Survey as existing*, XXXX/XXX/XX - *Internal remedial works* and XXXX/XXX/XX - *Proposed works*.
 - 3) The development hereby approved shall not be constructed above foundation level until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main Issue

2. I consider the main issue to be the effect on the living conditions of the occupiers 96 and 100 Ashey Road. In terms of its potential to result in a loss of natural light to the habitable rooms of number 100 and loss of natural light, overshadowing and overlooking leading to a loss of privacy of number 96.

Reasons

3. The appeal property, 98 Ashey Road, is two-storey detached house with a single storey conservatory addition to the rear.

4. The appellant proposes the removal of the conservatory and its replacement with a single storey flat roofed rear addition. Due to the proportions of the proposed windows, its external vertical timber cladding and lantern light the addition would be of a contrasting modern design.
5. The neighbouring dwelling to the north, 96 Ashley Road, is set on slightly higher ground than the appeal site. There is a 1.8 meter or so high close boarded fence to the common boundary between the dwellings. There are ground floor windows and a glazed door in a single storey outshot to south elevation of number 96, which from the photographs supplied I see serves its kitchen. The outshot also has clear polycarbonate sheet roofing.
6. The Council states in its evidence that the separation distance between the north face of the extension and the south wall of the side outshot to number 96 would be about 5.0 metres.
7. For the following reasons I am not persuaded that the proposed addition would result in a loss of natural light or cause significant overshadowing of the neighbouring dwelling so as to cause harm to the occupiers living conditions: the single storey height of the proposed extension, the separation distance to number 96, the topography of the site, the height of the existing close boarded fence and the overall expanse of glazing to the outshot at number 96 in combination with its glazed roof.
8. Furthermore, given that the proposal is for a single storey extension, the site levels and existing close boarded fence I do not consider that the windows in the north elevation of the proposed extension would result in overlooking of number 96 resulting in a loss of privacy as feared by the Council.
9. The neighbouring dwelling to the south, 100 Ashley Road, is set on slightly lower ground than number 98. The separation distance between the proposed extension and the north façade of number 100 is said by the Council to be about 6.5 metres. The common boundary is formed at this point by a 1.2 meter or so close boarded fence.
10. In my judgement, given the separation distance between the properties, and despite the proposed extension being on raised ground, I do not consider that it would result in either a loss of natural light to the north facing windows of number 100 or appear necessarily overly imposing. Therefore, I do not consider that the proposed extension would cause harm to the occupiers of number 100 as suggested by the Council.
11. I conclude in respect of the main issue that the proposed extension would not cause harm to the living conditions of the occupiers 96 and 100 Ashley Road, in respect of a loss of natural light to the habitable rooms of number 100 and loss of natural light, overshadowing and overlooking leading to a loss of privacy of number 96. The proposal would therefore accord with Policy DM2 of the of the Island Plan – Isle of Wight Core Strategy (including Waste and Minerals) and Development Management Development Plan Document (Adopted March 2012) as it, amongst other things, seeks to protect residential living conditions.

Conditions

12. The conditions follow from those suggested by the Council. To ensure a high quality development, I shall include a condition about the materials to be used in the construction of the external surfaces of the building.

13. In the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR