

PLANNING APPEAL DECISION

Lead Officer – Tony Pomfret, Development Control Manager.

To inform Members of a recent appeal decision at Barnhill Gate Cottage, Barnhill, Distington.

Recommendation: That the decision be noted in the context of the Council's local plan policies and also in relation to performance monitoring.

Resource Implications: None

1.0 SUPPORTING INFORMATION

1.1 Planning permission for a first floor extension to Barnhill Gate Cottage, Barnhill, Distington was refused on 20 January 2012 for the following reason:-

"The proposed front extension would cause demonstrable harm to the appearance of this dwelling particularly by virtue of the flat felt roof construction, and also to the amenity of the adjoining property, Robin Hood, in terms of its overbearing impact on the main entrance and upper floor window and resultant loss of natural light at variance with Policies HSG 20 and DEV 6 of the adopted Copeland Local Plan 2001 – 2016."

1.2 A subsequent appeal against this decision has been DISMISSED as the inspectorate considered that the proposal harms the character and appearance of the host dwelling and the area, as it is not of a sufficiently high standard of design.

1.3 The Inspector is also of the opinion that there would be a material harm to the living conditions of the residents of Robin Hood Cottage in respect of outlook and daylight due to the proposed extension.

1.4 A copy of the Inspectors decision letter is attached.

Contact Officer: Simon Blacker – Planning Officer

Background Papers: Planning application file 4/11/2592/0F1



Appeal Decision

Site visit made on 5 March 2012

by Sue Glover BA (Hons) MCD MRTPI

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

Decision date: 12 March 2012

Appeal Ref: APP/Z0923/D/12/2169651

Barngill Gate Cottage, Barngill, Distington, Workington, Cumbria CA14 5SH

- 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 Keith Mason against the decision of Copeland Borough Council.
 - The application Ref 4/11/2592/0F1, dated 12 December 2011, was refused by notice dated 20 January 2012.
 - The development proposed is a first floor extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I am informed that the plans on which the Council based its decision indicate a felted flat roof to the extension. I have therefore based my decision on these plans rather than a subsequent proposal for a pitched roof.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the host dwelling and the area, and on the living conditions of the residents of the adjoining dwelling at Robin Hood Cottage in respect of outlook, daylight, sunlight and privacy.

Reasons

Character and appearance

4. Barngill Gate Cottage lies within a small group of traditional dwellings with gabled pitched roofs situated in the countryside. The cottage is positioned at right angles both to the road and to the attached Robin Hood Cottage, forming a small courtyard at the front.
 5. The entrance porch with its mono-pitched slate roof at the front of Barngill Cottage is a highly visible feature within the forecourt. There is also a small mono-pitched projection at the side of the cottage next to the road. Both of these elements appear subordinate to and in keeping with the cottages. Due
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to their scale, design and use of traditional materials they make a positive contribution to the character and appearance of the group.

6. The proposal would extend the porch to provide a first floor with a felted flat roof. The flat roof design would appear disharmonious and out of character with the traditional pitched roofs of the cottages. The first floor projection would appear cramped being close to the front of Robin Hood Cottage. It would appear obtrusive and dominate the forecourt, thereby significantly detracting from the character and appearance of the host cottage and the group of dwellings in this prominent roadside location.
7. On account of its position, scale and design the proposal is not of a sufficiently high standard of design. I therefore conclude that the proposal would harm the character and appearance of the host dwelling and the area contrary to the objectives of Policies HSG 20 and DEV 6 of the *Copeland Local Plan 2001-2016* (LP).

Living conditions

8. The proposed extension would substantially block the outlook and have an overbearing appearance from a closely positioned first floor window at Robin Hood Cottage. Due to its proximity it would also significantly reduce the amount of daylight received into that window. Although the amount of sunlight lost would be small due to the cottages' orientation, nevertheless there would be harm to the living conditions of the nearby residents from a poor outlook and a loss of daylight from the first floor window.
9. The door next to the porch is not the main front door to Robin Hood Cottage. However, I am unconvinced that there would be an overbearing effect from the proposed first floor extension experienced by residents coming and going from either of the doorways. There are no windows proposed directly facing the front of Robin Hood Cottage and I find no evidence of any material loss of privacy from the proposal.
10. Notwithstanding my findings in respect of sunlight and privacy there would be material harm to the living conditions of the residents of Robin Hood Cottage in respect of outlook and daylight contrary to the objectives of LP Policies HSG 20 and DEV 6.

Other matters

11. The appellant has indicated that there are flat roofed extensions elsewhere in the locality. However, the existence of other extensions in the locality does not override the harm that I have identified to the character and appearance of the area from the appeal proposal. I have judged this proposal on its own merits taking into account the circumstances of this particular site. I have considered all other matters, but the appeal does not succeed for the reasons set out above.

Sue Glover

INSPECTOR