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# Appeal Decision

Site visit made on 28 October 2014

**by Les Greenwood MRTPI**

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

**Decision date: 4 November 2014**

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**Appeal Ref: APP/K2420/D/14/2225488**

**1 Temple Hall Farm Cottages, Bosworth Road, Wellsborough, Nuneaton CV13 6PA**

- 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 Mrs Clare Goodwin against the decision of Hinckley and Bosworth Borough Council.
  - The application Ref 14/00090/HOU was refused by notice dated 25 June 2014.
  - The development proposed is a 2 storey extension to provide a kitchen/dining room and 2 bedrooms (retrospective).
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## Decision

1. I dismiss the appeal.

## Preliminary matters

2. The proposed extension is in place, so I saw it when I visited the appeal site. The Council asked that I also visit the neighbouring property, 2 Temple Hall Farm Cottages. No one was in at that house at the time of my visit, but I do have enough information to make this decision.

## Main issue

3. The main issue is the effect of the proposal on living conditions at the neighbouring property, 2 Temple Hall Farm Cottages, in terms of outlook and light.

## Reasons

4. Nos 1 and 2 Temple Hall Farm Cottages are a pair of semi-detached houses. No 1 has been extended to the rear by about 4m, with a 2 storey brick wall sitting on the shared boundary. No 2 has a living room window at ground floor level, near to the extension. Although, this habitable room also has a front-facing window, outlook from its rear window is still important. The position, height and depth of the extension is such that its side wall is an intrusive, overbearing feature in this outlook. The wall also looms over the adjacent garden area, immediately to the rear of the house, in a similarly dominant manner. Furthermore, the wall sits to the south-west of this part of No 2's garden, causing considerable loss of sunlight.
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5. I find no objection to the proposal in respect of the first floor windows at No 2, which are high enough to provide a much greater degree of outlook and to receive light over the top of the extension. The appellant has submitted a report indicating that sunlight and daylight to No 2's rear windows are not unacceptably affected. I agree. However the report does not address the impact of the extension on light in the garden.
6. I conclude that the proposal unacceptably harms living conditions at 2 Temple Hall Farm Cottages due to loss of outlook and sunlight. The proposal therefore conflicts with the shared aim of Hinckley and Bosworth Local Plan Policy BE1 and the Council's Supplementary Planning Guidance *Design Guidance: House Extensions*, to ensure that development does not adversely affect the occupiers of neighbouring properties. This aligns with the National Planning Policy Framework's aim to secure a good standard of amenity for all existing and future occupants of land and buildings.
7. I recognise that the extension as built provides much improved accommodation and that there is no loss of privacy to neighbours. Like the Council, I find no undue impact on living conditions at the other neighbouring property, Holly Lodge. None of these factors, however, overrides my finding on the main issue.
8. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

*Les Greenwood*

INSPECTOR