

Parish and Application No Inspectorate's Ref	Location and Appellant	Proposal	Officer Rec.	Decision
HAMPSTEAD NORREYS 17/02561/HOUSE  PINS Ref 3192416	2 Forge Cottages Forge Hill Hampstead Norreys  Peter Roberts	Alteration and side and rear two storey extension.	Refused	Dismissed 26.3.18

### **Procedural Matter**

The Council, in its decision notice, refers to its House Extensions Supplementary Planning Guidance (the SPG) and Quality Design – West Berkshire Supplementary Planning Document Series (the SPD). The Inspector had afforded some weight to those documents due to their role in providing more specific guidance in respect of the issues concerned and in supporting the relevant development plan policies.

### **Main Issues**

The main issues are the effect of the proposed development on:

- i) the living conditions of the occupiers of No. 1 Forge Cottages with regard to outlook and sunlight;
- ii) the character and appearance of the host dwelling and the semi-detached pair as a whole, and whether the proposal would preserve or enhance the character or appearance of the Conservation Area (CA).

### **Reasons**

#### *Living conditions*

The Inspector saw that the single story rear lean-to conservatory of No. 1 immediately adjacent to the site comprises habitable space that is internally directly linked and open to the rest of the house. The Inspector saw that a large area of the glazed roof of that extension was covered with blinds, although not the part nearest to the rear of the original house. However, not only do those blinds transmit a degree of light but it cannot be assumed they would be closed at all times in the future, particularly as the adjacent steeply banked part of No. 2's garden is unlikely to be frequently used and thereby cause a material loss of privacy to the occupiers of No. 1. That room concerned is also substantially reliant on light via its roof area due to the sunken position relative to the rear garden of No. 2 and likewise in respect of outlook skywards, albeit more so were the blinds opened.

Furthermore, although Horseshoe House, its decking area and detached garage to the east of No. 2 are at a raised level relative to No. 1, it is likely that the degree of separation currently enables some degree of morning sunlight to reach that conservatory particularly during the summer months with the sun higher in the sky. There is also currently a fence on the boundary between Nos. 1 and 2, at the raised ground level of No. 2, adjacent to the conservatory. However, it is not a high fence and it has alternate horizontal gaps between timbers and so is not a dominating feature or one that is likely to substantially reduce sunlight reaching No. 1's conservatory. There are also trees and shrubs in the rear garden of No. 2. However, that vegetation is not so dense and comprehensive as to be likely to further substantially reduce the amount of sunlight currently able to reach that conservatory or the degree to which outlook skywards from the room is affected.

The roof of the proposed rear extension would slope away from the boundary with No. 1 at a shallower angle than that of the original house. Despite that and in light of the existing conditions referred to above, the proposed extension, due to the combination of its close proximity to the boundary with No. 1, its height both to eaves and ridge, and depth, extending noticeably beyond No. 1's rear elevation and adjacent to its rear patio area, also at the lower

level, would be likely to cut out a significant amount of sunlight to, and have an enclosing and overbearing effect when seen from, both the conservatory and that rear patio of No. 1.

The appellant claims that the roof of No. 1's conservatory has not been constructed in accordance with the approved plans. However, the Inspector had no substantive details of the planning circumstances relating to this and have determined the appeal on its merits based on the current situation.

For the above reasons, the Inspector concluded on this issue that the proposed development would cause unacceptable harm to the living conditions of the occupiers of No. 1 with regard to outlook and sunlight. As such, in respect of this issue, it would be contrary to the National Planning Policy Framework (the Framework) which in paragraph 17 states that planning should, amongst other things, always seek to secure a good standard of amenity for all existing and future occupants of land and buildings, and to more specific guidance set out in the SPG relating to, amongst other things, sunlight and outlook.

The Council, in the first reason for refusal of its decision notice refers to policy CS14 of the West Berkshire Core Strategy (the Core Strategy). However, that does not relate specifically to the living conditions of neighbouring occupiers and so is not relevant to this issue.

*Character and appearance of No 2 and the semi-pair and character or appearance of the Conservation Area (CA)*

The site is located in the CA and as such special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the CA.

Nos. 1 and 2 together form an attractive traditional semi-detached pair of properties set within the CA which is characterised by a variety of designs of properties of varying age and proximity to the street. Although No. 1 has been extended to the side and rear over two storeys that extension is set well back from the line of the front elevation. The semi-pair therefore retains a generally well balanced front elevation which provides the main focus and key feature of the pair as a whole as seen from the street and in the context of the CA.

The proposed gable ended side extension would be very similar in terms of design and degree of set back from the front elevation as that of No. 1. As such, that element would, like that of No. 1, ensure that the balanced nature of the key front elevation is maintained. There would also be some benefit in respect of improving that balance with the introduction of the proposed similar side extension to No. 1's, replacing albeit modest and subservient existing single storey side extensions.

The substantial rear extension, although wider and deeper than that of No. 1, with a less steep roof slope, would be set well back from the front of the house, set in slightly from the side of the proposed side extension. As such it would be largely obscured in views of the property from the street by the existing house, the proposed side extension and the neighbouring raised detached garage of Horseshoe House. It would therefore not detract from the key front elevation of the pair of houses.

The Inspector had regard to the effect of the proposal in terms of the removal of existing concrete structures in the close vicinity of the house. However, those features, whilst functional, are not dominant or significantly detracting from the appearance of the property as a whole. Their removal would therefore not represent a material benefit of the proposed development.

For the above reasons, he concluded on this issue that the proposed development would not cause unacceptable harm to the character and appearance of the host dwelling or the semi-detached pair as a whole and would preserve the character and appearance of the CA. As such, in respect of this issue, it would accord with policies CS14 and CS19 of the Core

Strategy, the SPG and SPD which together require new development to demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area and to conserve and, where appropriate, enhance heritage assets and their settings including CAs. In respect of this issue, it would also accord with the Framework which in sections 7 and 12 respectively relates to requiring good design and conserving and enhancing the historic environment.

*Other matter*

It is claimed that the proposal would reduce the likelihood of people falling from the garden of No. 2 to the lower rear patio of No. 1 and through the glass roof of the conservatory. However, there is already a timber fence in place to prevent falling at the boundary and the building would only extend along one section of that boundary. The Inspector had therefore afforded little weight to this factor.

**Conclusion**

The Inspector found that the proposed development would not cause unacceptable harm to the character and appearance of the host dwelling or the semi-detached pair as a whole and would preserve the character and appearance of the CA. However, this does not deflect from the unacceptable harm that would be caused to the living conditions of the occupiers of No. 1 with regard to outlook and sunlight.

He acknowledged the appellant's desire to provide improved and enlarged internal living space for the house and that the proposal would utilise a currently steep and therefore less useable or easily maintained part of the rear garden that is claimed to be dangerous to walk on and manage. There would also be some visual benefits referred to above relating to balancing out the pair of dwellings with a similar side extension to that of No. 1. He also acknowledged the visual benefit relating to the intended reinstatement of the original arched soldier course design to front elevation windows of the house. Nevertheless, the harm that he had found would be caused in respect of the first main issue would significantly outweigh those benefits.

Therefore, for the reasons given above, and taking account of all other matters raised, the Inspector concluded that the appeal should be dismissed.

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