

SHAW CUM DONNINGTON 18/03322/HOUSE Pins ref: 3224504	36 Kingsley Close Shaw Newbury Berkshire RG14 2EE	Single storey side and rear extension, including demolition of existing side extension and reusing existing footprint of the existing conservatory.	Dele. Refusal	Dismissed 13.06.2019
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Main Issues

The main issues are the effect of the proposal upon (i) the character and appearance of the area; and (ii) the living conditions of the occupiers of No. 38 Kingsley Close with regard to light and outlook.

Reasons

Character and appearance

The appeal property forms the right-hand half of a pair of two storey semi-detached houses. It is typical of the development in the surrounding area, the street-scene of which is characterised by reasonably evenly spaced pairs of semi-detached houses and short rows of terraced houses, some of which have been extended. When viewed from the street, the pair of semi-detached houses appear as reasonably symmetrical and visually balanced. This positive characteristic is highlighted by its position on a prominent relatively spacious corner plot.

The proposal would extend the house to the side elevation at ground floor such that the front elevation would extend to very nearly the full width of the plot. The front elevation would include a 45° corner to maintain a consistent building line. The proposal would narrow in width towards an extended rear elevation to fill the irregular shape of the space between the host property and the neighbouring boundary. To accommodate the irregular shape the proposal would have an unusual roof form.

Although the proposal would be single storey, the irregular shape, extensive footprint, and unusual roof form, would significantly detract from the simple design of the host property. Owing to the width of the side extension, it would not appear subservient to the host property and in this respect the development would be conspicuous and incongruous when viewed from within the street-scene. Indeed, it would disrupt the marked visual balance of the pair of semi-detached properties on the corner plot and as such would have a significantly adverse influence on the street-scene. For these reasons, the proposal would be significantly harmful to the character and appearance of the surrounding area.

For the reasons outlined above, the proposal would not accord with the design aims of policies CS14 and CS19 of the adopted West Berkshire Council Core Strategy 2012 (CS); the Supplementary Planning Guidance for House Extensions 2004 (SPG); the Quality Design - West Berkshire Supplementary Planning Document 2006 (SPD), and the National Planning Policy Framework (the Framework).

Living conditions

The neighbouring property at No. 38 Kingsley Close is an end of terrace house set on slightly lower ground and at a slight angle to the appeal site such that the separation of its north facing side elevation to the boundary varies from approximately 1.5 metres to 2.0 metres.

From the site frontage the boundary between the two properties is open until approximately half way along the side elevation of No. 38. Here, a fence at approximately 1.8 metres in height forms the remaining length of the boundary.

No. 38 has two ground floor windows on its side elevation and they face toward the appeal site. The window closest to the front elevation is relatively small and the other, closest to the rear elevation, is a secondary window serving a room at the rear of the property. The outlook from the secondary window is already towards the aforementioned fence.

Taking into account the scale and height of the appeal proposal, the existing fence, and existing levels of outlook from windows at No. 38, the Inspector did not consider that the development would result in a significant loss of outlook for the occupiers of the neighbouring property when viewed from the two ground floor windows. Moreover, by virtue of the development being to the north of No. 38 it would not materially reduce the amount of sunlight reaching the windows. Whilst the development may lead to a very limited loss of daylight to such windows, he had considered the height and position of the development with such windows and he did not consider that the loss of daylight would be so significant as to warrant refusal of planning permission.

For the reasons outlined above, the Inspector concluded that significant harm would not be caused to the occupiers of No. 38 Kingsley Close in respect of outlook and light. Therefore, the proposal would suitably accord with the living conditions aims of the SPG, the SPD, and the Framework. The Council has made reference to policy CS14 of the CS in terms of this main issue. However, this is not directly relevant to living conditions issues.

Other Matters

The Inspector noted the appellant referred to a previously approved two storey extension at the appeal site. The Inspector had no evidence to suggest that such a permission is still extant. In any event, he had determined the appeal proposal on its individual planning merits. Whilst he noted some of the other developments in the local area referenced by the appellant, this did not justify the harm he had identified in character and appearance terms and in particular the harm that would be caused to the host dwelling and pair of semi-detached dwellings if planning permission were to be approved.

The Inspector acknowledged that the appellant had opted for a particular design solution in order to accommodate the garaging of his motor vehicle. However, this does not in itself justify allowing harmful development.

None of the other matters raised alter or outweigh his overall conclusion on the main issues.

Conclusion

In conclusion, whilst the proposal would not cause significant harm to the living conditions of the occupiers of No. 38 Kingsley Close in respect of light and outlook, this would not overcome the significant harm that would be caused to the character and appearance of the area. For the reasons given above, and taking into account all other matters raised, the Inspector therefore concluded that when the development is considered as a whole the appeal should be dismissed.

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