
Appeal Decision

Site visit made on 27 September 2016

by David Troy BSc (Hons) MA MRTPI

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

Decision date: 12 October 2016

Appeal Ref: APP/N0410/D/16/3156119

The Well House, 89 Gore Road, Burnham, Bucks SL1 7DD

- 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 Leah Norcott against the decision of South Bucks District Council.
 - The application Ref 16/01109/FUL, dated 6 June 2016, was refused by notice dated 26 July 2016.
 - The development proposed is first floor extension over existing to accommodate a new bedroom.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor extension over existing to accommodate a new bedroom at The Well House, 89 Gore Road, Burnham, Bucks SL1 7DD in accordance with the terms of the application, Ref 16/01109/FUL, dated 6 June 2016, 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 approved plans: C-32-2016 Sheet 01, C-32-2016 Sheet 02 and C-32-2016 Sheet 03.
 - 3) The materials used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) No windows shall be inserted at or above the first floor level in the east elevation(s) of the first floor extension hereby permitted.

Main Issue

2. The main issue is the impact of the development on the living conditions of the occupiers of No. 87 Gore Road with particular regard to loss of light and the overdominant and obtrusive effect.

Reasons

3. The appeal property is a detached two storey house set back from the road behind a driveway with spacious garden to the rear. The appeal property and properties immediately to the east and west (Nos. 87 and 91 Gore Road) are
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staggered and set in relatively large plots in a mature well-established residential area.

4. The proposal would entail the construction of a first floor rear extension above the existing single storey rear extension and would project out by approximately 2.6m from the rear elevation of the property. The extension would adjoin and mirror the dwelling's existing two storey extension providing a combined two storey extension measuring approximately 5.6m from the rear elevation of the main house. The proposal would be set back from the side boundary with No. 87 by approximately 1m and be separated from the rear elevation of No. 87 by a driveway and a single storey garage at the side of the adjacent property.
5. Evidence provided by the Council shows that the first floor rear extension would breach the 45 degree line from the mid-point of the nearest ground floor windows of the habitable rooms at the rear of No. 87. However, whilst I accept that there would be some impact from the proposal, given the modest size of the proposed extension and overall increase of the two storey rear extension at No. 89, the separation distance between the properties and the orientation of the buildings, I consider the proposed rear extension would not significantly reduce the amount of daylight or sunlight reaching the main habitable rooms at the rear of No. 87 nor dominate the views. The outlook from the windows at the rear of No. 87 is already toward the side elevation of No. 89 and as such, the relationship between the proposed rear extension and adjacent property would not be significantly materially different to the existing situation on the site.
6. I have noted the other developments drawn to my attention by the appellant. On the basis of the limited evidence provided I am not convinced that their circumstances are compellingly similar to those of the present appeal proposal. The extensions have different locational characteristics and some arose in a different policy context some time ago. I therefore accord them limited weight as precedents in this case.
7. I have considered the appellant's comments about the family's personal circumstances and the benefits to the family arising from the proposed additional bedroom. However, such circumstances are not a material consideration to which I can attach significant weight in making this decision.
8. Overall, however, I conclude that the proposal would not result in significant harm to the living conditions of the occupiers of No. 87 with particular regard to loss of light and the overdominant and obtrusive effect. Despite a technical breach of the 45 degree line guidance, given the site specific circumstances, I conclude that the development would accord with the overall amenity aims of Policies EP3, EP5 and H11 of the South Bucks District Local Plan 1999. These policies, amongst other things, seek to secure good standard of design that ensure development would not adversely affect the amenities of nearby properties or the locality in general.

Conditions

9. I have had regard to the various planning conditions that have been suggested by the Council. In addition to the standard time limit condition, I have specified the approved plan as this provides certainty. In order to protect the character and appearance of the area, I have also imposed a condition

requiring that the external surfaces in the construction of the proposed extension match those of the existing property. I agree that a condition relating to no windows on the east elevation(s) of the proposed extension is appropriate, as it would safeguard the amenity of neighbouring properties.

Conclusion

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

David Troy

INSPECTOR