



Appeal Decision

Site visit made on 15 November 2016

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 21 November 2016

Appeal Ref: APP/T0355/D/16/3159328

4 Choseley Road, Maidenhead, Berkshire RG10 9YT

- 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 Miss G Shepherd against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 16/01317, dated 10 April 2016, was refused by notice dated 15 June 2016.
 - The development proposed is single storey front and rear extensions.
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Decision

1. The appeal is allowed and planning permission is granted for single storey front and rear extensions at 4 Choseley Road, Maidenhead, Berkshire RG10 9YT in accordance with the terms of the application, Ref 16/01317, dated 10 April 2016 and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans 17115-01 EXISTING GROUND FLOOR PLAN; 17115-03 EXISTING ELEVATIONS; 17115-04A PROPOSED GROUND FLOOR PLAN; 17115-06D PROPOSED ELEVATIONS and; 17115-07A BLOCK AND LOCATION PLANS.
 - 3) The materials to be used in the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The Council raises no issue in regard to the proposed front extension and I have no reason to disagree with its conclusion in that respect. The main issue is the effect of the proposed rear extension on the living conditions of the occupiers of 2A and 4A Choseley Road, with particular regard to light and outlook.

Reasons

3. The Council considers that because of the height of the proposed rear extension and the degree of its projection into the back garden, that it would have an overbearing effect within the rooms at the back of the adjoining houses and cause an unacceptable loss of light within them, as well as having an overbearing impact on these neighbours' gardens.
 4. The side boundaries of the back garden of the appeal site, which faces towards the north, with an aspect more to the west than to the east, are enclosed by timber
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fences around 1.8m high. While No 4A has a conservatory on its rear elevation, this is on the far side, in relation to this proposal. Between No 4A's conservatory and the side boundary to the appeal site, and in front of No 4A's kitchen window, is a timber shed which rises above the level of the boundary fence.

5. Because of the distance of the conservatory from the side boundary and the location of the timber shed beside the boundary fence, the outlook from the kitchen and from the conservatory, and the daylight and sunlight they receive would not be materially harmed by the proposal. Similarly, while I acknowledge the depth of the proposed extension, I also note that it would have a flat roof, no higher than around 2.5m, which given the height of the side boundary fence, would not materially harm the outlook from or the light entering the back garden of No 4A.
6. The light entering the kitchen and the living room of No 2A, because of the height of the proposal and the distance of these openings from it, would not be reduced to an unacceptable degree by the proposal. The outlook from these rooms, because of the height of the proposal relative to the height of the boundary fence between the site and No 2A, would not reduce their outlook to an unacceptable degree. While there would be some loss of west sunlight to the garden of No 2A, given the length of garden unaffected by the proposal and the proposed extension's height, I do not consider that it would be to a harmful degree. The outlook from the garden would change as a result of the additional height of the proposal over the present height of the boundary fence. However, while I am mindful of its length, I do not find the uplift of the proposed extension would be harmful to the outlook from the garden of No 2A. Nor would it result in an overbearing effect in the garden or otherwise adversely affect the outlook of No 2A.
7. I conclude that the proposed rear extension would not harm the living conditions of the occupiers of 2A and 4A Choseley Road, with particular regard to light and outlook. There would be no conflict with Policy H14 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations) 2003 which seeks to prevent any adverse effect from extensions to neighbouring properties including light and amenity. Nor would there be conflict with one of the core planning principles of the National Planning Policy Framework 2012, that planning should seek to ensure a good standard of amenity for existing occupants of land and buildings.

Other Matters

8. The views of neighbours have been taken into consideration and I have already dealt with what I regard as the main planning issue. I note the concerns over the front extension and its effect on No 2A. However, while the flank wall of the front extension would be closer to the front window of No 2A than the present cupboard arrangement, this window appears to serve a toilet. Given the limited projection of the front extension and its height, there would not be a tunnel effect created towards No 2A, or other adverse impact on the living conditions of its occupiers.

Conclusion

9. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be allowed.

Patrick Whelan

INSPECTOR