

Appeal Decision

Site visit made on 19 October 2016

by Brendan Lyons BArch MA MRTPI IHBC

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

Decision date: 6 December 2016

Appeal Ref: APP/W0340/W/16/3152685

Land adjacent to 11 Turnfields, Thatcham, Berkshire RG19 4PT

- 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 Mr Cooper Barnes against the decision of West Berkshire Council.
 - The application Ref 16/00779/FULD, dated 17 March 2016, was refused by notice dated 13 May 2016.
 - The development proposed is the construction of a 2 bedroom dwelling and parking.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposed house on the character and appearance of the area; on the living conditions of neighbours by reason of its effect on their outlook; and of future occupants of the house and of neighbours by reason of overlooking.

Reasons

3. The appeal site is a small unkempt plot that adjoins a short terrace of three two-storey houses located close to the town centre at the end of Turnfields, which is a narrow cul-de-sac road. The road also gives access to a two-storey block of four maisonettes, which face onto the long side of the plot. A separate two-storey detached house stands beside the maisonettes, but is accessed from the adjoining main road.
4. Permission is sought to erect a two-storey house located next to the terrace, with its front wall set back slightly. A paved forecourt would provide two parking spaces, while the enclosed rear garden would back onto the main road.

Character and appearance

5. The proposed house would be built in brick with a tiled roof, and so would be similar in scale and materials to much of the surrounding development, including the two small detached office buildings that open off the lower part of the cul-de-sac.
 6. The Council raises concern that a detached house would be out of keeping with surrounding terraced and semi-detached dwellings. However, it is clear that there is a variety of built form in the immediate vicinity, including the detached house immediately adjacent. The block of four maisonettes has something of
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the appearance of a semi-detached pair of houses but is a distinctive form of development. The appellant points out that the terrace to the south was originally a pair until an additional unit was added. In this varied context, there would be no incongruity in adding a detached house.

7. The Council also considers that the proposed gabled roof would be a dominant feature, alien to the neighbouring hipped roofs. However, the roof would be similar in height to that of the adjoining terrace and would be in any sense dominant. The terrace has a hipped roof, but there is a variety of roof form nearby, with both the maisonettes and the detached house to the north having gabled roofs, as well as a longer terrace immediately to the east. A gabled roof would be entirely appropriate in this context.
8. Concern has been raised by an interested party that the proposed forecourt would not allow space for planting, to the detriment of the street scene, but I consider that a detailed landscape layout could be designed to incorporate some greenery to the front of the plot.
9. For these reasons, I find that the proposal would not conflict with the objectives of Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 ('CS'), in terms of achieving development that respects the character and appearance of the area, or with the design objectives of the National Planning Policy Framework ('NPPF'), with which those policies align.

Living conditions

10. The maisonettes and house to the north of the site are situated quite close to the common boundary. The Council estimates that the south elevation of the maisonettes, which contains windows to main habitable rooms, would be only some 8m-8.5m away from the flank wall of the proposed house. In my view, this would result in a totally overbearing impact on outlook from the maisonettes, particularly the western half of the pair. There would be an unacceptable effect on the living conditions of residents of the maisonettes, contrary to CS Policy CS14, which requires development to make a positive contribution to quality of life in the area.
11. The rear wall of the proposed house would have an oblique relationship with the rear wall of the detached house, No.102 The Moors. The Council refers to guidance in its adopted Supplementary Planning Document on Quality Design, which recommends a distance of 6m between windows of habitable rooms, where houses adjoin at right angles. In this case, the offset distance would exceed that dimension and the direct distance between windows would be some 13m. By my assessment, there would be some minor degree of potential overlooking of rear-facing rooms at No.102, but because of the distance and angles involved, the effect on living conditions within the house would not be unacceptably harmful. There would also be some oblique overlooking of the private rear garden of No.102, but only to a degree commonly found in densely built up areas such as this. The appellant points out that these relationships could be improved by handing the upper floor plan of the proposed dwelling.
12. Similarly, overlooking of the rear-facing rooms at the proposed dwelling would not result in a poor standard of privacy. Overlooking of much of the rear garden of the proposed dwelling would be more direct, but there would be a more private zone next to the house. Future living conditions would not be of an unacceptable standard.

13. In response to concern by interested parties, I find that the proposed house would not result in significant adverse effects on daylight and sunlight at No.102. Windows facing the site in the side wall of the adjoining house to the south, No.11 Turnfields, would suffer loss of light and outlook due to the closeness of the proposed house. But the upper floor window is said to light the stairs, which would be a main habitable space, and the ground floor lounge window is likely to be a secondary window to that room. It is reasonable to conclude that living conditions in the house would not be unacceptably harmed.
14. Therefore, in respect of its effects on privacy and daylight, the proposal would not conflict with CS Policy CS14.

Conclusion

15. The Council does not endorse concerns raised about potential effect on nature conservation and on safe use of Turnfields as a public footpath. I have no reason to take a different view.
16. However, for the reasons set out above, I find that there would be an unacceptable impact on neighbours' living conditions, contrary to the development plan and to the guidance of the NPPF, one of whose core principles is the achievement of a high standard of amenity for all existing and future occupants of land and buildings. Despite the modest social and economic benefits of an increase to the supply of housing, the proposal would not comprise sustainable development.
17. Having taken account of all representations made, I conclude that the appeal should be dismissed.

Brendan Lyons

INSPECTOR