

Appeal Decision

Site visit made on 20 December 2016

by D Cramond BSc MRTPI

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

Decision date: 4 January 2017

Appeal Ref: APP/P1750/D/16/3160516

21 Connaught Road, Aldershot, GU12 4RN

- 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 Ms Kate Maclean against the decision of Rushmoor District Council.
 - The application Ref 16/00391/FULPP, dated 18 May 2016, was refused by notice dated 20 July 2016.
 - The development proposed is the demolition of existing single storey rear element and erection of a single storey side and rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on living conditions for neighbours.

Reasons

Living conditions

3. The appeal property is an end of terrace two storey dwelling with a two storey and single storey mono-pitched outrigger to the rear. The outrigger is almost mirrored at No 19 and the result is that rear facing ground floor windows on both homes are set well in from the open garden and side facing doors and windows are tightly facing each other with only a narrow passage and a wall of some 1.6 metres between them. This closely knit built arrangement is often found in terraces of this period and in this instance relatively long north west facing rear gardens lie beyond. The windows of either property benefit very little from sunlight as things stand due to building mass and orientation.
 4. The proposal is as described above and would provide additional living and kitchen space. The scheme would include a light-well of about 4 metres in length and with about 1.5m to the Appellant's outrigger wall and abutting the main rear elevation. Boundary walling for the light-well would be at about the present height. Beyond this, and after demolition of the single storey part of the outrigger, a new extension of some 6.3m in length would lie across the width of the garden with its side wall forming the common boundary to No 19. This side wall would be about 2.5m in height. Beyond that a glazed mono-pitch would lead up to a flat roof with a roof lantern; the flat roof would be at about the 3m mark.
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5. As I indicate above the outlook from the rear ground floor of the neighbouring property is far from extensive but nevertheless provides about the norm in terms of the somewhat limited light and blinkered vista for very many terraced homes. The appeal proposal would seriously erode the already restricted light and outlook which is presently available. The planned extension would simply be too high, too close and too extensive in such proximity to the fenestration serving No 19. The boundary wall would not be the only element of impact, the return facing the main rear elevation would be largely on display and the 3m main height of the 6m long structure would not be set far in from the boundary. The effect on outlook and light would be most palpable and this dominating composition would be very overbearing and be uncomfortable for these pertinent neighbours. The overall impact of the development would be one of undue impingement upon living conditions.
6. Saved Policies ENV 17 and H15 in the Council's Local Plan, taken together and amongst other matters, seek to ensure that development does not have any undue adverse impact on the amenity of adjoining residents. I conclude that this scheme would conflict with these policies.

Other matters

7. I sympathise with the wish to increase and improve the accommodation of this property and recognise that amendments and reductions were made to seek to address some criticism during the processing of the original application plans which were acknowledged by the Appellant as excessive. I understand that there is controversy over the letter of objection from the neighbours but I would just say that in my opinion, bearing in mind the need to protect amenity for any future occupiers in the long term, the absence of such a letter would not have altered my decision. I appreciate the permitted development allowance for boundary walls but this scheme would go markedly beyond that level and has the added intrusive factors of bulk and mass. The light-well was an ingenious proposition but its very modest scale would not offer sufficient mitigation for the loss of light and outlook to No 19. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issue identified above.
8. I confirm that policies in the National Planning Policy Framework have been considered; the Council's policies which I cite mirror relevant objectives within that document.

Overall conclusion

9. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on living conditions for neighbours. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR