

# Appeal Decision

Site visit made on 7 March 2017

**by Megan Thomas Barrister-at-Law**

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

**Decision date: 21 March 2017**

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**Appeal Ref: APP/D0121/D/17/3166409**

**10 Parkhurst Road, Weston-Super-Mare, North Somerset BS23 3HT**

- 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 Kevin Roberts against the decision of North Somerset Council.
  - The application Ref 16/P/1596/F, dated 27 January 2016, was refused by notice dated 14 October 2016.
  - The development proposed is the erection of a double height rear extension and loft conversion/extension to existing semi-detached dwelling.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues in the appeal are the effect of the proposal on the living conditions of the occupants of 8 Parkhurst Road with particular regard to light and outlook, and the effect of the proposed roof and dormer structure on the character and appearance of the host dwelling and wider area.

## Reasons

### *Living conditions*

3. The appeal site is a two storey semi-detached property located on a cul-de-sac known as Parkhurst Road. Its semi-pair is no.12. It is separated from no.8 Parkhurst Road by a shared access road which enables vehicles to be driven to the rear of the two properties. No.8 is also semi-detached. The appeal site has some off-road parking and has a rear garden. It has an existing rear single storey element with a mono-pitched roof.
  4. The proposed development would result in a two storey rear extension which would extend slightly deeper into the garden than the existing rear element. Within the existing and newly-formed roof would be a rear-facing flat-roofed dormer structure which would include two door-sized windows and a Juliette balcony. Two rooflights would be inserted within the front roof slope facing Parkhurst Road. 4 bedrooms and 4 bathrooms/shower rooms are shown on the proposed plans.
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5. No.8 Parkhurst Road has one kitchen window and this is situated towards the rear of the house facing north onto the shared access road. The separation distances between the two buildings at this point is not extensive and the proposal would result in an additional storey and a roof alteration which would reduce the natural light entering no.8's kitchen. Given it is a habitable room, has one window and is north-facing, I consider that the proposal would significantly and unacceptably reduce the light reaching that room and as a result the proposal would breach the Council's Supplementary Planning Document *Residential Design Guide* Section 1 (2013). It would also breach policies DM32 & DM38 of the North Somerset Development Management Policies Sites and Policies Plan (Part 1) (adopted July 2016).
6. The appellant draws attention to the nature of existing doors serving the kitchen at no.8 and to the previous fenestration in the kitchen. However, I am obliged to consider the existing conditions and also to consider not only the living conditions for existing occupants of no.8 but also any future occupants. Consequently, I conclude that the proposal would unacceptably harm the living conditions of occupants of no.8 Parkhurst Road owing to loss of light.
7. I have considered whether the proposal would also lead to an unacceptable loss of outlook for the occupants of no.8 when in their kitchen or outside at the rear of their house. Whilst the bulk and massing of no.10 would increase, given the orientations of the two properties and the already limited view from the kitchen window at no.8, I do not consider that the proposed development would be unduly overbearing or lead to an unacceptable sense of enclosure for the occupants of no.8.

#### *Character and appearance*

8. The proposed dormer structure would be large, wide, flat-roofed, box-like and have disproportionately-sized fenestration. It would result in a very top-heavy appearance to the house from the rear. The original roof form would not remain the dominant feature in the roof of the building contrary to advice in paragraph 3.2.3 of the Council's Supplementary Planning Document *Residential Design Guide* Section 2 (2014). As a result, it would harm the character and appearance of the host dwelling and its semi-pair at no.12.
9. The proposal would result in a change to the appearance of the front of the house from a hipped to a gable roof and this would be at odds with the row of properties in which it sits given their general uniformity and hipped roofs. On my site visit, I noted examples of additions to roofs of three properties in Parkhurst Road by way of dormer windows but these are not adjacent to the appeal site and have tended to retain the original roof line by maintaining the sloping ridge of the hip, the eaves around the side and rear of the building and the rainwater goods. The Council also point out that they may have been built pursuant to permitted development rights sometime between 2005 and 2009 and the appellant does not expressly dispute this. Also on my site visit I noted extensions to properties in Birchwood Avenue but these do not lead me to attach less weight to the harm I have identified to the host dwelling or wider area.
10. On this second issue, therefore, I conclude that the proposed development would unacceptably harm the character and appearance of the host building and

surrounding area and would be contrary to policy CS12 of the North Somerset Core Strategy (adopted 2017), policies DM32 & DM38 of the North Somerset Development Management Policies Sites and Policies Plan (Part 1) (adopted July 2016) and the Council's Supplementary Planning Document *Residential Design Guide* Section 2 (2014).

- 11.I have noted that the Council have not refused planning permission on the basis of insufficient off-street parking and given my findings above it is not necessary for me to consider this aspect of the proposal.

### **Conclusion**

- 12.I have taken into account all relevant considerations in this appeal including the need to maximise space for family use and to create accommodation for two "looked after" children and their mother when she is staying in Somerset. However, none of those considerations outweigh the harm I have identified to living conditions at no.8 and to the appearance and character of the host dwelling and wider area. I therefore dismiss the appeal.

*Megan Thomas*

INSPECTOR