



Appeal Decision

Site visit made on 16 October 2017

by Gareth W Thomas BSc(Hons) MSc(Dist) PGDip MRTPI

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

Decision date: 27th October 2017

Appeal Ref: APP/Y3940/D/17/3179824

Holly House, 21 Gosditch, Latton SN6 6DP

- 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 & Mrs Shane and Zumrut Preece against the decision of Wiltshire Council.
 - The application Ref 17/02427/FUL, dated 10 March 2017, was refused by notice dated 31 May 2017.
 - The development proposed is for single storey extension to rear of house, single storey extension to side of outbuilding and erection of single garage to rear of outbuilding.
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Decision

1. The appeal is allowed and planning permission is granted for single storey extension to rear of house, single storey extension to side of outbuilding and erection of single garage to rear of outbuilding at Holly House, 21 Gosditch, Latton SN6 6DP in accordance with the terms of the application, Ref 17/02427/FUL, dated 10 March 2017, 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 following approved plans: 3-17 Sheet 1; 3-17 Sheet 2; 3-17 Sheet 3; 3-17 Sheet 4; 3-17 Sheet 4A; 3-17 Sheet 5 REV A, and; 3-17 Sheet 6 REV A.
 - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extension and garage hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) No part of the development hereby approved shall be first brought into use until sufficient space for the parking of 2 vehicles has been provided in accordance with the approved plans. This area shall be maintained and remain available for this use at all times thereafter.
 - 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage hereby permitted shall not be converted to or used for habitable accommodation purposes unless expressly authorised by the local planning authority.

Procedural matter

2. The second reason in the Council's decision notice inadvertently refers to a first floor extension. This error is not repeated in the Council's description and there is no reason to believe that the Council determined the application other than in accordance with the submitted drawings that clearly show a single storey extension. There are minor differences in the description given in the application and the description contained within the Council's decision. For ease of reference, I have retained the appellant's description in the banner heading to this decision, which accurately reflects what is before me. I have therefore considered the appeal on this basis.

Main Issues

3. The main issues in this appeal are firstly the effects of the development on the character and appearance of the host property, a locally designated heritage asset and the wider area and; secondly, on the living conditions of the occupiers of No.20 Gosditch in terms of light and outlook.

Reasons

Character and appearance

4. Although the Council suggests the property is a locally designated heritage asset, no information has been provided as to its inclusion within a locally held list. However, I readily accept that given its age and character, the appeal building nevertheless is of a character that does impart a degree of significance.
5. Dating from the mid-19th century and, according to the appellant, originally built as an estate cottage, the appeal site comprises one of a pair of semi-detached cottages set well back from Gosditch. The composition has steeply pitched roofs and traditional features such as dormers, chimneys and attractive linked outbuildings. Indeed the presence of the outbuilding, which is shared between the neighbouring cottages, represents an attractive and traditional feature in the local scene.
6. The proposal would see the erection of a single storey kitchen extension that would extend from the existing property and link that part of the outbuilding belonging to No.21 with the main house. The outbuilding would be further extended in a 'L'-shape to form an en-suite bedroom. Immediately to the rear of this part of the extension would be a single garage served by a rear access track that leads from the main road. The extensions would be externally faced in 'Bradstone' under a plain tiled roof, which is considered would give an acceptable match to the ashlar stone of the main dwelling. The neighbouring property has been extended in not too dissimilar fashion.
7. Wiltshire Core Strategy (CS) Core Policy 57 requires a high standard of design in all new developments, including extensions. Moreover, development is expected to create a strong sense of place by drawing upon the local context and having a form and character that complements existing patterns of development in terms of built form, height, mass, scale and elevational design. Core Policy 58 seeks to conserve and enhance the heritage assets in a manner appropriate to their significance.

8. A notable feature of this setting of the appeal site is the presence of the outbuilding and its relationship with the host properties and other more recent buildings in the immediate vicinity. The appeal proposal would make best use of the existing built form and be entirely complementary to the rhythm and juxtaposition of the present arrangement of buildings in the immediate locality. Its height, scale and mass would mean that the original cottage would remain relatively intact thereby helping to retain its characterful appearance. The shape and design of the 'L'-shaped extension and garage together with the use of appropriate local materials would be in keeping with the host property whilst its subservience would help retain the original building's character and its significance.
9. Accordingly, I am satisfied that the proposal would be in compliance with Core Policies 57 and 58 of the CS and would not unacceptably harm the significance of the building that I have identified including in the terms set out in Policy 58 and paragraph 135 of the National Planning Policy Framework.

Living conditions

10. The rear garden areas of the two cottages are separated by a stone wall that runs along the common side boundary until it meets the outbuilding at the rear. Beyond the dividing boundary wall lies the linked extension to No.20. Windows to the living room of the neighbouring cottage in the linked extension face out in a north-easterly direction towards the boundary wall, which is some 1.8m in height.
11. The proposed extension would be built some 400mm from the face of the boundary wall and, according to the Council's measurements, approximately 4m from the neighbouring linked extension with the eaves height protruding slightly over the height of the existing boundary wall. The main roof to the proposed linked extension would fall away from the neighbouring property whose aspect is already compromised to a significant degree by the present boundary wall. Although the Council estimates that the ridge height would extend above the boundary wall by some 2m, the set back to the extension and the direction of the roof slope away from No.20 would be unlikely to significantly affect the amount of light from reaching the lounge windows of the neighbouring property. Moreover, it is also unlikely that sunlight penetration would be noticeably reduced given the north-easterly facing aspect of the existing linked extension.
12. Similarly, an extension at this location would not be unduly oppressive given the presence of the existing boundary wall, which already creates a sense of enclosure. I am mindful too of permitted development rights as explained by the Council and that an extension protruding some 3m from the rear of the property could be built without reference to the local planning authority.
13. Taking the above factors into account, I do not consider that the appeal proposal would lead to a significant loss of daylight or sunlight penetration entering the side facing windows of No.20 or would constitute an unduly oppressive or overbearing form of development on the outlook from that property. Consequently, the proposal would not conflict with Core Policy 57 of the CS which requires new development, amongst other things, to have regard to the impact on the amenities of existing occupants.

Other matters

14. The neighbouring occupiers consider that the proposed development would lead to an increase in noise levels from within the neighbouring property should the extension be built. However, the proposal would mean that there would likely to be a reduction in the level of activity within the rear garden area. In addition it is likely that the extension itself will act in the manner of a sound baffle with the rooflights facing north-eastwards and the kitchen doors leading out into the rear garden and private amenity space.
15. In addition, there is a fear that there will be increased overlooking from the proposed bedroom window. However, this also faces out onto the garden area and the extension will provide an intervening built structure that will prevent the feeling of being directly overlooked.

Conditions

16. The Council has suggested a number of conditions, which I have considered in the light of the advice contained within the Planning Practice Guidance (PPG). In addition to setting the timeframe for commencement of development, a condition and specifying the approved drawings is necessary in order to provide certainty. A condition requiring prior approval by the Council of all external materials is necessary in order to protect the character and appearance of the area. I have also included conditions requiring the provision of two parking spaces and to prevent the garage being converted to habitable accommodation in the interests of highway safety. I do not consider that a condition that prevents the conversion of the extension to a separate dwelling is necessary as the Council would have full control over such a possibility in any event.

Conclusion

17. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be allowed.

Gareth W Thomas

INSPECTOR