



Appeal Decision

Site visit made on 12 September 2023

by P Terceiro BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 October 2023

Appeal Ref: APP/W0340/D/23/3322529

24 Gordon Road, Thatcham, West Berkshire RG18 3DD

- 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 M Clutterbuck against the decision of West Berkshire District Council.
 - The application Ref 23/00320/HOUSE, dated 14 February 2023, was refused by notice dated 14 April 2023.
 - The development proposed is the construction of dormer to side of garage roof.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of dormer to side of garage roof at 24 Gordon Road, Thatcham, West Berkshire RG18 3DD in accordance with the terms of the application, Ref 23/00320/HOUSE, dated 14 February 2023, subject to the following conditions:
 - 1) the development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) the development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no 23/195/11A – Location Plan, Block Plan and Drawing no 23/195/12 – Proposed Plan and Elevations.
 - 3) the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The windows at first floor level in the north elevation shall be fitted with obscure glass (in accordance with Drawing no 23/195/12). The obscure glazing shall be permanently retained in that condition thereafter.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of the properties to the north having regard to privacy and outlook.

Reasons

3. No 24 Gordon Road is a detached bungalow located in a residential area. The property has a detached garage in the rear garden which contains accommodation within the roof space which is served by rooflights that face north.

4. The site shares a side boundary with 26 Gordon Road to the north. The shared boundary is enclosed by a close boarded fence and No 26 has mature landscaping and an outbuilding along this boundary which further obscures views into its garden from the appeal site.
5. The proposed dormer windows would be obscure glazed, and this could be controlled by a condition. As such, it is unlikely that there would be any significant overlooking of No 26. Given the intervening boundary fencing, vegetation and the outbuilding within No 26's garden, there is unlikely to be any significant perception of overlooking or loss of outlook either. Furthermore, given the long distances involved, the proposal would not result in unacceptable overlooking, perception of overlooking or the loss of outlook currently enjoyed by neighbouring residents beyond No 26 to the north.
6. I acknowledge that the House Extensions Supplementary Planning Guidance 2004 (SPD) also discourages the use of dormers to increase floor space. However, the Council found the proposal's design and materials, and effect on the character and appearance of the area to be acceptable and I see no reason to disagree with this position.
7. For the reasons set out above, I conclude that the proposed development would not cause harm to the living conditions of the occupiers of the properties to the north having regard to privacy and outlook. Accordingly, the proposal would comply with Policies ADPP1, CS14 and CS19 of the West Berkshire Core Strategy (2006 – 2026) 2012 (CS) where these policies seek to protect residential amenity. The proposal would also comply with the Quality Design – West Berkshire Supplementary Planning Document Part 2 Residential Development 2006, and with the House Extensions SPD insofar as it would protect neighbouring amenity. Further, the proposal would align with the National Planning Policy Framework, which seeks to create places with a high standard of amenity for existing and future users.
8. The Council's reason for refusal refers to Policy ADPP3 of the CS. As this policy concerns the spatial strategy for Thatcham it would have limited relevance in the context of this appeal.

Conditions

9. A condition is necessary to require the development to accord with the approved plans, as this provides certainty and precision. A condition securing matching materials is also necessary, to ensure that the development is in keeping with the existing building and, where visible, with its surroundings. A condition requiring the windows to be obscure glazed is necessary in the interests of protecting the privacy of the occupiers of neighbouring properties.

Conclusion

10. For the reasons given above, I conclude that the proposal complies with the development plan read as a whole. There are no material considerations that indicate that a decision should be taken otherwise other than in accordance with it. As such, I conclude that the appeal should succeed.

P Terceiro

INSPECTOR