



Appeal Decision

Site visit made on 27 March 2024

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th April 2024

Appeal Ref: APP/W0340/W/23/3324951

1 Shepherds Mount, Compton, Newbury, West Berkshire RG20 6QY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Patrick Miller against West Berkshire District Council.
 - The application reference is 23/00215/HOUSE.
 - The development proposed is a loft conversion, the roof to be raised and many internal modifications.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion and the roof to be raised and many internal modifications at 1 Shepherds Mount, Compton, Newbury, West Berkshire RG20 6QY in accordance with the terms of the application, Ref 23/00215/HOUSE, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) Unless amended under Condition 4 below, the development hereby permitted shall be carried out in accordance with Drawing Numbers/Titled S178-004C, S178-005B, S178-006D, Site Plan and Location Plan.
 - 3) The materials to be used in the development hereby permitted shall be as specified on the plans and the application forms. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.
 - 4) Prior to the first occupation of the development hereby permitted, details of the on-site parking shall be submitted to and approved in writing by the local planning authority, and provided (if not already present), and the approved parking provision shall thereafter be retained at all times.

Main Issues

2. The main issues in this case are the development's effect on the character and appearance of the area, and on the living conditions of neighbouring residents.

Reasons

Character and appearance

3. In the *West Berkshire Core Strategy* (the Core Strategy), Policies CS14 and CS19 together broadly state that new development should protect local distinctiveness and be appropriate in terms of location, scale and design.

4. This appeal concerns a gable-ended bungalow that sits at the entrance to Shepherds Mount, at right angles to the road. A further bungalow, 64 Burrell Road, is to the north while extending away to the south and west is a relatively modern housing estate. However, although the majority of dwellings in the immediate vicinity of the appeal site are of 2 storeys, there is great variety in their design, materials, form and arrangement, partly as a result of how they were built originally, and partly as a consequence of subsequent alterations.
5. Therefore, while the dwellings on the estate sit together in a complementary manner, there is no strong rhythm in their appearance and there is a notable degree of individuality in the street scene. I acknowledge too that there are no dormer features nearby that are comparable to the one before me. However, this variety means that the proposed alterations to the form and appearance of the appeal property are not of themselves at odds with the local distinctiveness, and the resultant building would sit comfortably within the diversity around. Moreover, with a bungalow to one side and a 2-storey dwelling to the other, the higher ridge would not be incongruous within the streetscape but rather would be perceived as a gradual grading in the height of buildings. In reaching this view I appreciate that the dormer feature would be apparent when travelling northwards along Shepherds Mount, but in my opinion it would not be visually unattractive or out-of-keeping in this context.
6. The raised roof would sit comfortably on this property, given the space around it and its setting, and would not appear as a discordant element. While the dormer feature would be sizeable, it would be confined within the roof slope, with roof slope to either side and below. The proposal would change the character of the dwelling to some degree, but it would still be read predominantly as a bungalow form, albeit with accommodation in its roof, and so this change would not be harmful. Overall, I find the scale and design of the works would be acceptable and would overwhelm neither the dwelling nor the streetscape.
7. The *House Extensions* Supplementary Planning Guidance (the SPG) says that dormers should not be seen as a means of increasing floorspace in the dwelling while the Supplementary Planning Document called '*Quality Design*' (the SPD) advocates the maintenance of traditional roof forms. Although material considerations, these are guidance and not part of the development plan, and as I consider its appearance would not be harmful, the fact the dormer feature is creating floorspace and deviating from a traditional roof form are not, of themselves, reasons to resist the scheme.
8. Finally, Compton is within the North Wessex Downs National Landscape (formerly the North Wessex Downs Area of Outstanding Natural Beauty). There is therefore a responsibility both in Policy ADPP5 of the Core Strategy and also in the *National Planning Policy Framework* (the Framework) to conserve and enhance the landscape and scenic beauty of the area. As the development is within the village, surrounded by varied housing that is mainly 2 storeys in height, I consider it would not harm to any degree the landscape or scenic beauty of the surrounding designation.
9. Accordingly, I conclude the development would not harm the character and appearance of the area or the landscape and scenic beauty of the North Wessex Downs National Landscape, and so would not conflict with Core Strategy Policies CS14, CS19 or ADPP5, the SPG, the SPD or the Framework.

Living conditions

10. No 64 has windows in its rear elevation looking over its back garden towards the appeal property. I recognise this neighbour is to the north of the development and set at a slightly lower level. However, as it is proposed to increase the height of No 1 by only 1.25m, and given the new ridge would be set in from the boundary, the works would not be tall enough to affect daylight or sunlight to the rear rooms or garden of this adjacent bungalow to any appreciable extent. Furthermore, their limited height, the sloping nature of the roof, the set back from the boundary and the presence of the existing garage at No 64, mean the works would not be oppressive or unduly dominant. The walls would be raised either side of the appellant's existing garage, but again the scale of their increase and their distance from the boundary with No 64 mean they would not cause undue harm.
11. The proposal includes 3 rooflights on the north-facing slope of the new roof, which would serve a storage space. However, noting No 64 is a single storey, and taking into account the relatively shallow gradient of the roof, I consider these would not give rise to harmful levels of actual or perceived overlooking at that neighbouring property as they would only be visible obliquely.
12. The development would have 3 windows in the dormer feature facing southwards over the front garden of 3 Shepherds Mount. However, I anticipate there is little expectation of privacy in this area and indeed it provides virtually none at present, being widely visible from the road and surrounding dwellings. Consequently, the presence of these 3 new windows would not cause material harm to any sense of privacy currently experienced in that area of garden. Moreover, the relationship of the proposed windows to those on the front elevation of No 3 would be too acute to give rise to harmful overlooking or overdominance, and, mindful it is to the north, the proposal would not adversely affect sunlight and daylight.
13. Accordingly I conclude that the proposal would not unreasonably harm the living conditions of neighbouring residents, and so would not conflict with Core Strategy Policies CS14 and CS19 or the SPG, which together seek to protect neighbours' living conditions by requiring development to be appropriate to its location.

Other matters

14. If the proposal is to encroach onto the neighbouring garage, that does not have any material bearing on my reasoning and nothing in my decision affects any private rights the owner of that garage might enjoy. The plans do not show the garage at No 64, but this of itself does not compromise an assessment of the scheme's planning merits.
15. Although the proposal would result in the loss of a single level dwelling from the housing stock by changing No 1 to one with 2 floors, I have no basis in policy or evidence to show that is a ground to resist the scheme or that material harm would result in this regard.
16. I note the comments about parking provision and the proximity to the school, but to my mind sufficient room on the drive would remain for adequate parking to serve the development. Furthermore, given the character of the road and the facilities at other properties around, on-site turning is unnecessary.

Conditions

17. For the avoidance of doubt the standard commencement condition and a condition identifying the approved plans should be imposed. The car parking space should also be secured in the interests of highway safety while, having regard to the appearance of the area, the materials should be as stated on the submitted plans and forms.

Conclusion

18. I conclude that the appeal should be allowed.

JP Sargent

INSPECTOR