



Appeal Decision

Site visit made on 16 January 2024 by Ms S Indermaur MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th July 2024

Appeal Ref: APP/Y3940/D/23/3328123

67 Pavenhill, Purton, Swindon SN5 4DA

- 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 Tsara Hodson against the decision of Wiltshire Council.
 - The application Ref is PL/2022/09411.
 - The development proposed is a two storey rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of development on the character and appearance of the host dwelling and on the living conditions of the occupants of No 66 with particular regard to outlook and light.

Reasons for the Recommendation

Character and Appearance

4. The appeal property is a two-storey semi-detached dwelling which has detached single storey outbuildings to the rear. The appeal property has a different appearance to the surrounding dwellings which are of various scales, designs and materials. The attached neighbour is wider and shorter than the host property and of different design and materials, and has a timber clad part single storey, part two-storey rear extension. Both neighbouring properties extend out further than the appeal dwelling, with No 68 projecting out the furthest.
5. Whilst the proposed extension seeks to obtain a similar overall depth to No 68, only a small section would be single-storey and the two-storey element would project further than the two-storey parts of both neighbours. Therefore, while it would infill an existing gap, the proposal would not address an imbalance across these properties as the appellant suggests.

6. The proposal includes a pitched roof similar to that of the host property and its neighbours, and part of the extension would be set back from the rest of the ground floor addition. These factors along with the fenestration would to some extent break up the massing, however it would still be a very large extension in relation to the existing dwelling. The combination of the length and the height of the extension would dominate the appeal property and would not be subservient to it. Therefore, the proposed development would not relate positively to the existing pattern of development in terms of built form, mass and scale.
7. There are numerous rear extensions in the area, including both neighbours, but those show a greater degree of articulation than the proposal, with single storey elements making up a greater proportion of their depth. Consequently, they do not have the same impact as the appeal proposal.
8. The proposal would not be visible from public views, and therefore would not harm the surrounding area, however for the reasons outlined above the proposal would harm the character and appearance of the host dwelling. Therefore, the proposal would conflict with Policy CP57 of the Wiltshire Core Strategy (adopted 2015) which requires extensions to have a high standard of design.

Living Conditions

9. No 66 has windows facing the appeal property which are the only windows for those rooms, and therefore provide light and outlook. The kitchen window is an important source of light for that room, which I saw on my visit was a habitable space and already quite a dark room. Outlook from that window is slightly limited by the existing single storey buildings to the rear of No 67 and the extension to No 68, however it still benefits from natural light and some view of the sky. The dining room at the rear benefits from light from French doors and two rooflights. The other ground floor side window is a secondary window to the living room.
10. The proposal would not significantly affect the living room window, which already faces a two-storey wall. However, the proposal would bring the two-storey element of the dwelling much further to the rear than at present. It would result in some shading of one dining room rooflight, however that room would still receive adequate light from the other rooflight and rear doors, and the outlook towards the garden would remain. The two-storey element of the proposal would also extend past the kitchen window. Due to the height, depth, and proximity of the extension to No 66, this would significantly restrict the outlook from that room and light reaching it, appearing overbearing and dominant. Consequently, it would harm the living conditions of the occupiers.
11. While I appreciate the appellant feels that the neighbouring extensions create a tunnelling effect, both have a significant single storey element which limits their impact. No 66 has an unusual layout looking towards No 67, however the living conditions of the occupiers should still be safeguarded. The erection of a boundary fence as permitted development would further restrict outlook from the kitchen of No 66 compared to the existing situation, but not to the same degree as the proposed extension would. Consequently, these matters do not justify the harmful impacts on the living conditions of the occupiers of No 66.

12. For the reasons detailed above, the proposed development would harm the living conditions of the occupiers at No 66 with particular regard to outlook and light. The proposal would therefore conflict with Policy CP57 of the Core Strategy which requires development to have regard to the impact on the amenities of existing occupants.

Other Matters

13. A permitted development fall-back position has been put forward for a part single storey, part two-storey rear extension. However, even if permitted development rights could be utilised, the two-storey element would only be 3m deep and the single storey element a further 3m deep. The proposed extension would have a considerably greater depth than the fall-back position, particularly the two-storey section. Consequently, it would have a greater impact on light and outlook to No 66 than the suggested alternative. I therefore give this very limited weight and it does not justify the harm identified.
14. The original plans have been amended to reduce the depth of the proposal, with consideration to objection received from neighbouring properties. Nevertheless, the amended scheme would still result in harm. I appreciate that the appellant wants more living space for their family, however this is a private benefit that does not justify the harm identified.
15. I note the concerns raised about the handling of the application in terms of lack of a communication and the process. However, these matters do not affect the planning merits of the case.

Conclusion and Recommendation

16. The proposal would conflict with the development plan read as a whole and there are no material considerations that justify granting permission. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Indermaur

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and agree with the reasoning and recommendation. On that basis the appeal is dismissed.

L McKay

INSPECTOR