

Report for Information

Appeal made against the refusal of planning permission

Appeal reference APP/P1805/D/12/2178329
Planning application 12/0039
Proposal A bedroom extension.

Location 63 Houndsfield Lane, Hollywood, Worcestershire, B47
6LX

Ward Wythall
Decision Allowed

The author of this report is Lisa Allison who can be contacted on extension 1658 (e-mail: l.allison@bromsgrove.gov.uk) for more information.

Discussion

The proposal is for a bedroom extension

The application was determined under delegated powers and refused due to the following reasons as detailed below;

1. The proposed extension would unacceptably overlook the adjoining property causing a loss of privacy to its occupiers contrary to Policy S10 of the Bromsgrove District Local Plan 2004 and the advice contained within the Council's Residential Design Guide (SPG1).
2. It is considered that the proposed extension, by virtue of its proximity to the site boundary, would have an overbearing impact on the occupiers of the adjoining property contrary to Policy S10 of the Bromsgrove District Local Plan 2004 and the advice contained within the Council's Residential Design Guide (SPG1).

The Inspector found the main issue of the appeal to be;

The effect of the proposals on the living conditions of the residents of 3 Houndsfield Mews with specific reference to privacy, overshadowing and visual impact.

Discussion

Access to the appeal property is currently obtained at first floor level by means of a set of steps. Clear views into the neighbouring garden of 3 Houndsfield Mews are obtained from the top of the steps, so that the garden's privacy is already impaired when the access is used.

The main access is to be relocated to the front of the property, and like the Council, the Inspector found this aspect of the proposals unobjectionable in its effect on the front elevation.

The proposed extension at first floor level would take an acceptable gabled form, sitting on a set of piers. The main window would look out directly at 3 Houndsfield Mews' flank wall, and its position would be such that it would not overlook that property's rear garden. Whilst acknowledging the Council's concerns based on the SPG's advice that the window is close to a boundary, I am satisfied that the siting of this particular window would not give rise to harm.

Two rooflights are also proposed, one of which faces towards the rear garden of 3 Houndsfield Mews. Judging from the plans, it would be possible for a tall, standing person to see out of this opening. However, any possible harm to No 3's residents could be prevented either by removing this rooflight from the scheme, as intimated by the appellant's builder, or by the imposition of a suitable condition.

The intended position of the extension is such that it would not be visible from within 3 Houndsfield Mews, but it would be seen from the garden. However, it would be tucked-in well away from the lawned and most used areas of No 3's garden, so that it would not appear obtrusive or dominating.

The proposed extension would not cause unacceptable overshadowing since the trees between the appeal property and No 3, on the latter's land, are higher than the proposed extension and would cast more and a longer shadow at most times when the sun is in the southern sector of the sky. Most of the extension's shadow would thus be subsumed within that already cast by trees.

Conclusion

The inspector concludes that the proposal would not harm the living conditions of the neighbouring residents at 3 Houndsfield Mews by reason of loss of privacy, overshadowing or visual impact. Accordingly, no conflict arises with those provisions of LP policy S10 requiring extensions to properties not to adversely affect the existing amenities of adjoining occupants.

Therefore the Inspector allowed the appeal

Appeal outcome

The appeal was **Allowed** subject to the following conditions;

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. 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.
3. The development hereby permitted shall be carried out in accordance with

the following approved drawings: Drwg Nos ONE & TWO, dated December 2011.

4. The proposed northern facing rooflight shall either be removed from the extension hereby permitted, or shall be designed to be un-openable and obscurely glazed in accordance with details previously submitted and approved in writing by the local planning authority. Once inserted, the approved rooflight shall not be removed or modified.

Costs application

No application for costs was made.