



Appeal Decision

Site visit made on 3 August 2009

by **K D Barton** BA(Hons) Dip Arch DipArb
RIBA FCI Arb

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
10 August 2009

Appeal Ref: APP/Y3940/D/09/2108155

Woodspring, Livery Road, West Winterslow, Salisbury, Wiltshire SP5 1RH

- 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 Martin Paver against the decision of Wiltshire Council.
- The application Ref S/2009/608/FULL, dated 21 April 2009, was refused by notice dated 16 June 2009.
- The development proposed is a first floor extension above an existing 1970s extension.

Application for costs

1. An application for costs was made by Mr Martin Paver against Wiltshire Council. This application is the subject of a separate Decision.

Decision

2. I allow the appeal, and grant planning permission for a first floor extension above an existing 1970s extension at Woodspring, Livery Road, West Winterslow, Salisbury, Wiltshire SP5 1RH in accordance with the terms of the application, Ref S/2009/608/FULL, dated 21 April 2009, and the plans submitted with it, 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 extension hereby permitted shall match those used in the existing building.
 - 3) Notwithstanding the provisions of the *Town and Country Planning (General Permitted Development) Order 1995* (or any order revoking, re-enacting or modifying that Order), no windows/dormer windows other than those expressly authorised by this permission shall be constructed in the elevation of the extension hereby approved that faces Bel Etage.

Effect on the Character and Scale of the Existing House

3. The appeal property lies within a Housing Policy Boundary Area where small scale development will, in principle, be permitted. Woodspring stands in a line of dwellings that vary in height, design and materials but which stand in relatively large plots. The existing house is a two storey brick building with a single storey extension to the rear that stands close to the boundary with the bungalow to the north known as Bel Etage.
4. The proposal would add a two storey structure on the footprint of the existing single storey extension to provide an additional bedroom and en-suite facilities

at first floor level. The size of the extension, although large, would not be readily apparent from any public vantage point. The ridge level would be slightly lower than that of the existing house and a condition could ensure that it was constructed using the same materials as the existing house. Notwithstanding its bulk, I consider that the proposal would be subservient to the existing house and would be in keeping with its overall character and scale. The proposal would therefore comply with the aims of saved Policy D3 of the *Salisbury District Local Plan (LP)*.

Effect on the Living Conditions of the Occupiers of Bel Etage in terms of Outlook, Privacy and Loss of Daylight and Sunlight

5. The two storey extension would be angled slightly towards the boundary with Bel Etage and would be some 0.84 to 0.38 metre away from the timber boundary fence. Bel Etage has windows and a door in the side elevation looking towards Woodspring. In terms of outlook, the rear most windows in the side elevation of Bel Etage are obscure glazed and serve a bathroom and toilet, which are not habitable rooms. Windows serving a kitchen/dining room are positioned either side of an obscure glazed 'back door'. These windows already face the two storey gable end of Woodspring. Because of the relatively short distance between Bel Etage and Woodspring the extension would only be visible in very obtuse views from the windows, whilst from the path at the side of Bel Etage the extension would appear to be a similar height to the existing gable end but extend only to about the rear elevation of Bel Etage. Although the rear access to the garden is well used, I do not consider that the impact on outlook would be so great as to warrant dismissing the appeal.
6. Considering privacy, there are three first floor windows in the existing rear elevation of Woodspring. That furthest from the joint boundary with Bel Etage is obscure glazed and serves a bathroom. The centre window serves a landing on the staircase whilst the third serves a bedroom. Existing views across the garden of Bel Etage from these two windows would be blocked by the proposed extension. Whilst there would be a large glazed opening with a Juliette balcony at first floor level in the rear elevation of the proposed extension affording some views of the neighbouring rear garden, they would be screened to some extent by trees and vegetation and would not be dissimilar to the views that would be blocked by the extension. Such views are common where houses stand alongside each other with first floor windows overlooking neighbouring rear gardens. In my view, the introduction of the proposed extension would have little impact on the level of privacy enjoyed by the occupiers of Bel Etage.
7. Turning to daylight and sunlight, Woodspring lies roughly to the south of Bel Etage. As noted above, the windows facing towards the proposed extension do not serve habitable rooms. The two remaining windows, and the glazed door, which face the gable end of Woodspring serve the kitchen/dining room, which is also served by a further window on the front elevation. I agree with the occupiers of Bel Etage that the two windows at the dining room end would not be affected. Daylight and sunlight from the window in the side elevation at the kitchen end of the room is already restricted by the proximity of the gable end of Woodspring and the single storey extension. The increased height of the proposed extension would reduce direct sunlight in the early to mid morning but the room would continue to receive afternoon sunlight through the windows at the dining room end of the kitchen/dining room. The increased height of the

extension would also affect the amount of natural light at the kitchen end of the room to some extent but, in my view, the reduction would not make the situation worse than that which existed before the occupiers of Bel Etage installed a glazed rear door, and would be acceptable.

8. I conclude that the proposed extension would not unacceptably affect the living conditions of the occupiers of Bel Etage in terms of outlook, privacy or loss of sunlight and daylight. The proposal would therefore meet the objectives of LP Policy G2(vi).

K D Barton

INSPECTOR