The Planning Inspectorate

Appeal Decision

Site visit made on 10 January 2012

by Gary Deane BSc(Hons) DipTP MRTPI

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

Decision date: 16 January 2012

Appeal Ref: APP/H1033/D/11/2165615
18 Brooklands Avenue, Chapel-en-le-Frith, Derbyshire SK23 0PR

- 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 Alan Peach against the decision of High Peak Borough Council.
- The application Ref HPK/2011/0426, dated 2 August 2011, was refused by notice dated 26 September 2011.
- The development proposed is the erection of a single storey extension to front of bungalow.

Decision

1. The appeal is dismissed.

Procedural matter

2. At the site visit, I viewed the site from 20 Brooklands Avenue with the consent of the occupier of that property, and did so unaccompanied.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the occupiers of 20 Brooklands Avenue, primarily with regard to outlook and visual impact.

Reasons

4. The proposal would add to the existing extension at the front of the appeal property, 18 Brooklands Avenue, which is a bungalow that is located in a predominantly residential area. The new addition would project forward from the front of the existing building and continue its general width and pitched roof form to create additional living accommodation. When added to the existing extension, the proposal would result in a lengthy front projection that would be evident when viewed from nearby dwellings, especially the adjacent bungalow, 20 Brooklands Avenue.

5. Specifically, the side wall of No 18, as proposed to be extended, would visually dominate views from the main entrance and the east-facing window of No 20. This is because the proposed extended wall would be close to and would face both of these openings. Having viewed No 18 from this adjacent dwelling, I am persuaded that the proposed extended dwelling would result in a poorer quality

outlook and be overbearing to the occupiers of No 20. The elevated position of the appeal dwelling relative to No 20 due to the difference in ground levels would exacerbate this visual impact.

6. Therefore, I conclude that the proposed development would be harmful to the living conditions of the occupiers of No 20, in conflict with Policies GD5 and H14 of the High Peak Saved Local Plan Policies (LP). These policies generally seek to safeguard residential amenity.

7. In reaching this conclusion, I have taken into account the appellant's view that the proposal satisfies other aspects of the LP and its policies. I also acknowledge that the proposed extension would meet the need to provide a wet room for an elderly relative. I am sympathetic to this need but personal circumstances seldom outweigh more general planning considerations. In this case, the proposal would be likely to subsist for many years to come.

8. Interested parties raise additional objections to the proposal. Although the proposal would reduce the amount of space available for vehicle parking at the front of No 18, there is nothing before me to indicate that local on-street parking problems would result or that access to nearby driveways would be obstructed. The Officer's report also notes that the Council raised no objection to the proposal on highways grounds. With regard to privacy, there would be no undue overlooking from the proposed extension given that the additional window in the new west elevation could be fitted with obscure glazing and this could be secured by condition. Notwithstanding, these findings do not outweigh the harm that I have identified in relation to the main issue.

9. For the reasons set out above and having regard to all other matters raised, including the proposed use of materials to match the existing building, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR