
Appeal Decision

Site visit made on 26 September 2016

by David Cliff BA Hons MSc MRTPI

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

Decision date: 12TH October 2016

Appeal Ref: APP/M1710/D/16/3157443

1 Wode Close, Horndean, Waterlooville PO8 0HX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Paragraph A4 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Mr and Mrs Wheatley against the decision of East Hampshire District Council.
 - The application Ref 53249, dated 16 May 2016, was refused by notice dated 7 July 2016.
 - The development proposed is described in the application form as a "single storey extension".
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Decision

1. The appeal is allowed and approval granted under the provisions of Schedule 2, Part 1, Paragraph A4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) for the erection of a single storey extension at 1 Wode Close, Horndean, Waterlooville PO80HX in accordance with the details submitted pursuant to Schedule 2, Part 1, Paragraph A4 (2) of the GPDO.

Preliminary Matters

2. I note that an existing single storey rear extension has already been constructed at the appeal property. For the avoidance of doubt, I have considered this appeal on the basis of the additional extension now proposed as shown on the application drawings and not for the development already carried out.
3. I have used the description of development as stated on the application form. The details of the proposal are clear from the submitted drawings.
4. The provisions of the GPDO require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining premises, taking into account any representations received. My determination of this appeal has been made in the same manner, noting the representations made by the occupiers of 33 Viking Way.

Reasons

5. As referred to above, an existing single storey extension has already been constructed. The proposed development would extend from the rear elevation
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of the existing extension, extending no more than 8m in length from the rear wall of original building. There is no dispute between the main parties that the proposed extension would fall within the scope of the GPDO and I am satisfied from the information before me that the development falls within the relevant provisions, subject to the consideration of its impact on amenity of adjoining premises.

6. The neighbouring property at 33 Viking Way has an existing conservatory, the side windows of which would face towards the proposed extension. It also has rear facing windows in the main part of the dwelling, including one close to the boundary of the appeal site. Its garden and patio area also adjoins the boundary with the appeal site.
7. The proposed extension would be located close to the side boundary with 33 Viking Way and it would also protrude a considerable distance from the rear of the existing appeal property. However, the difference in levels between the two sites (with the appeal site being lower than 33 Viking Way) means that, whilst the extension, in particular its roof, would be clearly visible from the neighbouring property, it would not appear as unacceptably overbearing when viewed from either the windows or the rear amenity area of the neighbouring property.
8. Furthermore, the roof of the proposed extension slopes away from the boundary and would be hipped, which will limit its impact in the outlook from 33 Viking Way.
9. In respect of impacts upon natural light, the proposal would breach lines of 45 degrees from the rear windows of 33 Viking Way (the 45 degrees line from the window nearest to the boundary is already breached by the existing extension). Nevertheless, given its single storey form with hipped roof sloping away from the boundary and the difference in ground levels, no significant impacts would result on the levels of light received by any of the adjacent rooms or outdoor areas of the neighbouring property. The neighbouring conservatory also has rear facing windows which would be unaffected by the proposed extension.
10. The extension would provide further accommodation at the existing dwellinghouse and does not amount to a separate residential unit. I do not consider that any resulting parking implications arising from the additional accommodation would be likely to give rise to significant impacts on the amenity of any adjoining premises.
11. Concerns are also raised by the occupier of 33 Viking Way regarding the impacts of a soil and vent pipe. Nevertheless, such a pipe would appear to be permitted development under the provisions of Schedule 2, Part 1, Class G of the GPDO and, in any case, I do not consider that the relationship with the adjacent property is such for it to result in any significant amenity impacts.
12. There is no compelling evidence to lead me to consider that any implications arising from the foundations required for the proposed extension, including any effects on the adjacent tree, are likely to result in any unreasonable impacts on the amenity of the occupiers of 33 Viking Way. Even should the tree be adversely affected in any way this would not lead me to any different conclusions on the planning merits of this appeal.

Conclusion

13. Overall, I find that the proposed extension would not result in any unreasonable impacts upon the amenity of adjoining premises.
14. I conclude that the appeal should be allowed and approval granted. In granting approval the appellant should note that the GPDO requires at Paragraphs A4 (13), (14) and (15) that the development shall be completed on or before 30th May 2019 and that the developer shall notify the local planning authority as soon as practicable after completion. Such notification shall include the name of the developer; the address or location of the development; and the date of completion.

David Cliff

INSPECTOR