

Appeal Decision

Site visit made on 27 February 2017

by Chris Couper BA (Hons) DiP TP MRTPI

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

Decision date: 1 March 2017

Appeal Ref: APP/C1760/D/16/3167528

62 Upton Crescent, Nursling, Southampton, Hants SO16 8AB

- 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 Mark Fuller against the decision of Test Valley Borough Council.
 - The application ref: 16/01441/FULLS, dated 7 June 2016, was refused by notice dated 14 October 2016.
 - The development proposed is a single storey side/rear extension to form a garage and utility room, and an extended kitchen and bathroom.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side/rear extension to form a garage and utility room, and an extended kitchen and bathroom at 62 Upton Crescent, Nursling, Southampton, Hants SO16 8AB in accordance with the terms of the application, Ref 16/01441/FULLS, dated 7 June 2016, 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 development hereby permitted shall be carried out in accordance with the following approved plans: site location plan at 1:1250 scale, and drawing ref. nos. 05/16 (01) and 05/16 (02).

Main Issue

2. The main issue is the effect of the proposal on the living conditions at no. 60 Upton Crescent, with particular regard to the outlook from that property and any overshadowing of it.

Reasons

3. The proposed single storey extension would be located to the rear and side of no. 62 Upton Crescent. Its northern flank wall would be set in slightly from the boundary with its detached neighbour at no. 60. That property has a side wall facing this site, which is largely blank other than a high level, obscurely-glazed window. However beyond its main rear wall it has a glazed conservatory.

4. The proposal would extend well beyond no. 60's main rear elevation and would be visible from its conservatory and from the adjacent rear amenity area. However, its bulk would be limited by its height, which the Council calculates at approximately 2.85m, and by its flat-roofed design. A significant proportion of it would be hidden behind the existing boundary fence, should that be retained. However, the appellant states that, following discussions with no. 60, the fence may be removed, which would address Nursling and Rownhams Parish Council's concerns about its maintenance. If it is removed, the proposed extension's predominantly lightly-coloured rendered side wall would assist in limiting its perceived bulk. Furthermore, I note that the conservatory is set in some distance from the boundary, and that the proposed side extension would also be set in slightly from there, thus ensuring a reasonable gap between the two.
5. Consequently, I am satisfied that although the extension would be visible from parts of no. 60, it would not have a significant overbearing impact on those occupants, or result in an unreasonable sense of enclosure.
6. Turning to any potential overshadowing impact, I note that the scheme is located to the south of no. 60's conservatory and part of its garden. Whilst the Council states that it would therefore result in overshadowing of part of no. 60's patio and rear elevation from 11:00 until approximately 17:00, I have no substantive evidence to assess the extent of any overshadowing that would be caused. In my view, given the impact of the existing boundary fence, and the limited height of the proposal, from the information before me, the scheme would not have a significant overshadowing effect on those occupants. In reaching that conclusion I also observed that no. 60 has a wide rear garden, parts of which would be fairly distant from this scheme, and therefore largely unaffected by it.
7. Policy LHW4 of the Test Valley Borough Revised Local Plan DPD 2011-2029 (2016) requires at parts a) and c) that development shall provide for the amenity of neighbouring properties and not unacceptably reduce the level of daylight and sunlight to them. For the reasons above, the scheme would not have a significant impact on the living conditions at no. 60 Upton Crescent, and it would not conflict with that policy.
8. I have considered the Council's suggested conditions against the tests in the National Planning Policy Framework. In addition to the standard time limit condition, as it provides certainty, I have imposed a condition, as suggested, specifying the relevant drawings. For the above reasons, and having regard to all other matters raised, the appeal is allowed.

Chris Couper

INSPECTOR