
Appeal Decision

Site visit made on 21 March 2017

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 10 April 2017

Appeal Ref: APP/H1705/D/17/3169407

25 Laburnum Way, Basingstoke, Hampshire RG23 8AL

- 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 P Bond against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 15/01458/HSE, received on 28 April 2015, was refused by notice dated 6 December 2016.
 - The development proposed is the erection of single storey rear extension and 2-storey front extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would provide acceptable living conditions for future occupants, with regard to private amenity space, outlook, and light, and
 - the effect of the proposed rear extension on the character and appearance of the building and the surrounding area.

Reasons

Living conditions for future occupants

3. The Council has referred to its design guidance¹ which sets out minimum areas for residential amenity space, which in the case of a 3-bedroom house, it suggests should be no less than 60m². However, the introduction to the guidance, in describing its purpose, and the amount of amenity space, refers to new dwellings rather than existing dwellings. As the proposal concerns an existing dwelling, the guidance appears to have limited relevance to amenity space in this case.
4. Notwithstanding this, the area of the garden, which the Council measures as 48m², would support the day to day needs of the occupants, retaining a satisfactory degree of outlook. The greater part would have an aspect to the south, and only a part of the garden would be overshadowed by the proposed extension. In this respect, there would be no conflict with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029 adopted May 2016 (LP) which requires development to provide a high quality of

¹ Design and Sustainability Supplementary Planning Document, Appendix 16 - Residential Amenity Design Guidance adopted March 2012

amenity for occupants of developments having regard to access to natural light, outlook, and amenity space, in accordance with the Design and Sustainability Supplementary Planning Document.

5. However, the extension to the rear would cut-off the lounge from direct access to natural light and would provide no outlook from within the room, which would result in a poor standard of accommodation. For this reason, the proposal would conflict with LP Policy EM10. I acknowledge the appellant's reference to extensions which may be permitted under the neighbourhood consultation scheme; however, as I have no evidence of any fallback position in this regard, I am unable to accord this significant weight. Similarly, there is no evidence of the similar extensions mentioned by the appellant. I conclude on this issue that though the proposed development would retain an acceptable area and quality of private amenity space, the living conditions for future occupants with regard to outlook and light within the dwelling would be unacceptably harmed.

Character and appearance

6. I appreciate the concern of the Council regarding the overdevelopment of back gardens and the appearance of being cramped. However, while I note the overall depth of the extensions into the garden including the proposal, it would not be disproportionate in regard to the footprint of the house and the length of the plot. The proposal would retain an open side aspect, which combined with its relatively modest height, would make it appear subservient to the house and prevent the appearance of overdevelopment or a cramped extension. In the context of neighbouring gardens which are undeveloped or less developed than this proposal, the development would not appear out of place.
7. In respect of this issue, I identify no harm from the proposal to the character and appearance of the building and the surrounding area, and no conflict with LP Policy EM10 which requires development to have due regard to the scale, layout and appearance of the surrounding area and the relationship to neighbouring buildings.

Other Matters

8. I have considered the concerns from the occupier of 26 Laburnum Way regarding loss of light and outlook. However, given the height of the flank wall of the proposal and its distance from the rear openings of No 26, it would not reduce daylight into the dwelling or the outlook from within it or from the garden to an unacceptable degree. Being sited to the north of the back garden of No 26, and taking into account the boundary fence, there would be no harmful loss of sunlight to the garden or to the rooms within No 26.

Conclusion

9. Whilst the proposed development would expand the accommodation and would not harm the character and appearance of the building and the surrounding area, this is outweighed by the unacceptable harm it would cause to the living conditions of future occupants which is in clear conflict with the policies of the development plan. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR