

Appeal Decision

Site visit made on 24 April 2017

by Michael Evans BA MA MPhil DipTP MRTPI

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

Decision date: 15th May 2017

Appeal Ref: APP/W1715/D/17/3169659

29 Kingsway, Chandler's Ford SO53 2FG

- 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 and Mrs Beasley against the decision of Eastleigh Borough Council.
 - The application Ref F/16/79640 was refused by notice dated 23 January 2017.
 - The development proposed is described on the application form as 'Loft conversion and extension.'
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension including enlarged dormers to side elevations, at 29 Kingsway, Chandler's Ford SO53 2FG, in accordance with the terms of the application, Ref F/16/79640, 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 subject to condition 4 below: A, B, C, D and E, all dated 18/10/2016.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Prior to occupation of the development hereby permitted, the bedroom windows W1 and W2 in the side elevations facing 27 Kingsway and 11 Purkess Close shall be installed to be high level and non-opening and the bathroom window W4 facing 11 Purkess Close shall be installed with obscured glass and be top opening only, all in accordance with the approved plans and notwithstanding the notes on drawing C, the bedroom windows W1 and W2 shall also be installed with obscured glass and the three rooflights facing 11 Purkess Close shall be installed to be non-opening with obscured glass. These windows shall thereafter all be retained in accordance with these details.

Preliminary Matter

2. The Council and Appellant have used the same description of development on the decision notice and appeal form. This provides a more accurate and fuller indication of the scheme than that given on the application form and I have therefore used it in the decision above.
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Main issues

3. The main issues in this appeal are:

- The effect on the character and appearance of the host dwelling and locality.
- The effect on the living conditions of the occupiers of the adjacent dwellings at 27 Kingsway and 11 Purkess Close, with regard to visual dominance, outlook and privacy.

Reasons

Character and appearance

4. The appeal concerns a detached bungalow with dormer additions, which is located between the dwellings at 27 Kingsway and 11 Purkess Close. Across the northern boundary of the site there is a public footpath and, to the opposite end, the street and a turning head in Purkess Close. The main roof would be extended to the south-east with a partly hipped end, over the existing lower double pitched roofs. There would also be dormer additions built to the sides.
5. Although relatively long, these would slope down from and not rise above the ridge, while being set in significantly from the eaves. They would be set back from each end of the enlarged property, while also replacing the existing dormer additions. The latter have an unsympathetic flat roof form and somewhat awkwardly partly wrap around the ends of the roof, so that they are a particularly jarring and discordant feature. Moreover, they are in a relatively prominent location, readily seen from Purkess Close and the footpath to the north.
6. The new dormer extensions would be noticeably larger, especially given their length. However, they would relate more satisfactorily to the roof and not have any detrimental wraparound effects given the gaps at the ends. Their sloping form would better reflect and be more compatible with the main pitched roof of the host dwelling, as well as those of other properties in the locality. As a result, rather than unacceptably dominating the roof or representing an unsympathetic alteration, the proposal would improve the architectural quality of the existing dwelling.
7. Dwellings in the locality are reasonably varied in their design and dormer additions of differing sizes and styles can be seen. The extended dwelling would not disrupt any significant consistency in the built environment and be compatible with the context. Moreover, given the removal of the existing dormer additions, the proposal would result in an enhancement to the character and appearance of the host dwelling and locality.
8. The proposal would take full and proper account of the context of the site, including the character and appearance of the locality, in accordance with Eastleigh Borough Local Plan (LP) Review Policy 59.BE i. By taking account of the context of the site and enhancing the character and appearance of the area, there would be compliance with Revised Pre-submission (RPS) Eastleigh Borough Local Plan Policy DM1 i (b) and iii.
9. The core planning principle of the National Planning Policy Framework (The Framework) that planning should seek to secure high quality design would also be satisfied.

Living conditions

10. The dwelling at the appeal site is set significantly further back from the street in Purkess Close than that at 11 Purkess Close. It also abuts the side boundary of the garden, beyond the rear of the neighbouring bungalow. In consequence, the host dwelling is a relatively dominant presence. Nevertheless, the extra bulk in relation to the extent of the elevation currently facing the adjacent dwelling would be reasonably modest, with the enlarged dwelling being no higher than at present and not extending any further along the boundary.
11. Furthermore, part of the development would be behind and not project northwards beyond the back wall of the neighbouring bungalow. The visual impact would be further mitigated by the tapering boundary, with the extended dwelling being angled away from the adjacent property. The adjoining occupiers would also retain a particularly open outlook to the other side, as well as to the rear.
12. The adjacent dwelling at 27 Kingsway adjoins the boundary with no. 29. The extended property would project beyond the end elevation of the dwelling facing Purkess Close, next to an area of amenity space with an outbuilding further to the south-east. However, I saw at my site visit that the appreciably larger main garden area is at the opposite end of the dwelling where it would not be affected by the development. The fairly low eaves level and set back of the dormer addition from the side boundary, together with the part hip, would also tend to alleviate any sense of dominance, as in relation to the dwelling at the other side.
13. In these circumstances the additional bulk would be insufficient to result in any undue visual dominance, or unacceptable reduction in outlook, at either of the adjacent properties.
14. At my site visit I saw that the rear garden of 11 Purkess Close is subject to particularly intrusive overlooking from the fairly large clear glazed bedroom window in the dormer addition to this side of the dwelling at 29 Kingsway. The new dormer addition facing this dwelling would contain two windows. The drawings show that one would be obscure glazed with a top opening and the other both high level and non-opening. There would also be three rooflights below these.
15. The stairwell window would face the roof of the dwelling at 27 Kingsway, so that there is no need for this to have obscured glass. However, I do consider that the other side facing upper level windows should all have obscured glazing, given their particularly sensitive positions and potential to at least result in perceived, if not actual, overlooking, if clear glazed, despite this not being indicated on the submitted drawings. Other proposed details, such as windows being high level and non-opening should be controlled and the rooflights should be non-opening as well as obscure glazed. These matters could be secured by a condition.
16. As a result, the scope for overlooking 11 Purkess Close would be significantly reduced by comparison to the existing situation, giving rise to a consequent increase in the level of privacy enjoyed by the adjacent occupiers.
17. For these reasons, it is concluded that the living conditions of the occupiers of 27 Kingsway would not be harmed, with those of 11 Purkess Close being enhanced. The proposal would comply with LP Policy 59.BE vii by avoiding

unduly conflicting or interfering with the adjoining uses in terms of loss of outlook or overlooking. There would be no unacceptable effect on residential amenities in accordance with RPS Policy DM1 i (a).

18. The development would comply with the core principle of the Framework that planning should always seek to secure a good standard of amenity for existing occupants of buildings.

Conclusion

19. The proposal would enhance the character and appearance of the host dwelling and locality, while improving the living conditions of the occupiers of the dwelling at 11 Purkess Close and not harming those of the other adjacent residents. These are compelling factors in favour of the appeal and taking account of all other matters raised there are no reasons to take a different view. In consequence, it is determined that the appeal succeeds.

Conditions

20. In addition to that referred to above, a condition specifying the approved plans is necessary to provide certainty. The facing materials used should match those of the existing dwelling in order to protect its appearance.

M Evans

INSPECTOR