

# Appeal Decision

Site visit made on 22 May 2017

**by Elizabeth Lawrence BTP MRTPI**

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

**Decision date: 26 May 2017**

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**Appeal Ref: APP/W1715/D/17/3170145**

**Amokura House, Bridge Road, Bursledon, Southampton, SO31 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 & Mrs Simmonds against the decision of Eastleigh Borough Council.
  - The application Ref F/16/79284 dated 23 September 2016, was refused by notice dated 29 November 2016.
  - The development proposed is for a 2 storey rear extension.
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## Decision

1. The appeal is allowed and planning permission is granted for a 2 storey rear extension at Amokura House, Bridge Road, Bursledon, Southampton, SO31 8AL in accordance with the terms of the application, Ref F/16/79284 dated 23 September 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: 292/07/01, 292/07/02, 292/07/03, 292/07/04, 292/07/05, 292/07/06 and 292/07/07.
  - 3) The external materials to be used in the construction of the extension hereby permitted shall match those of the host dwelling.
  - 4) The first floor windows on the northwest roof-slope of the extension hereby permitted shall be either:
    - a) obscure glazed and non opening below a height of 1.7 metres above the internal floor level of the areas they serve; or
    - b) positioned at least 1.7 metres above the internal floor level of the areas they serve. Once installed the windows shall be permanently maintained in that condition.

## Main Issues

2. The first main issue is the effect of the scheme on the character and appearance of the host property and the wider locality. The second main issue is the effect of the scheme on the living conditions of the occupiers of 23 Bridge Close (No.23) with particular regard to visual impact.
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## **Reasons**

### *Character and appearance*

3. The Appeal dwelling is one of several generous sized, individually designed detached dwellings set in a spacious and well treed setting. The Appeal dwelling is largely screened from the street scene by planting and existing buildings and where it can be seen it is in isolation and set against a backcloth of trees.
4. Together, policy 59.BE of the Eastleigh Borough Local Plan 2001 – 2011 (Local Plan) and policy DM1 of the Submitted Eastleigh Borough Local Plan 2011 – 2029 (Emerging Local Plan) seek to ensure that where possible proposals enhance the character and appearance of urban areas, whilst making the most efficient use of land. Proposals should take full and proper account of the context of the site, including the character and appearance of the locality. In addition, they should not unduly interfere with or have an unacceptable impact on the living conditions of the occupiers of nearby dwellings.
5. The National Planning Policy Framework (NPPF) similarly seeks a good standard of living for all residents and states that new development should respond to local character and add to the overall quality of an area.
6. The proposed extension would be located at the rear of the dwelling, where it would be set into the slope of the rear garden. It would be slightly lower than the tallest ridge height of the host dwelling and would respect the eaves and ridge heights of the eastern side of the dwelling. It would also respect the proportions and design detailing of the host dwelling. Finally, having regard to the size of the Appeal site, the resultant dwelling would not appear cramped or overdeveloped.
7. As a consequence, despite its size, the proposed rear extension would respect the character and appearance of the host dwelling and its immediate setting. This is subject to the use of external materials which match those of the host dwelling, which is something that can be secured through the imposition of a condition. Similarly a condition which requires the extension to be constructed in accordance with the submitted plans is necessary in the interests of certainty. This would ensure that despite the lack of any submitted ground levels, the floor, eaves and ridge heights of the proposed extension and the host dwelling are as shown on the submitted drawings.
8. The proposed extension would not be visible from the street scene and would be largely screened from the rear gardens to the west by boundary fencing and trees. Whilst these trees could be removed in the future, the proposed extension would have a lower ground level than any likely replacement boundary fence and its catslide roof would be sloped away from the western boundary of the site. In addition, the extension would be seen against the backcloth of the mature trees to the east and north. From the east and north the extension would be partially screened from the property to the north and the adjacent paddock area by the change in ground levels and existing trees.
9. I therefore conclude on the first main issue that the proposal would respect the character and appearance of the host property and the wider locality. It would

therefore comply with policy 59.BE of the Local Plan, policy DM1 of the Emerging Local Plan and the NPPF.

*Living conditions*

10. The proposed extension would be sited adjacent to almost the entire rear boundary of No.23 and would be sited between approximately 19 and 29 metres from the rear elevations of the dwelling at No.23. The main ridge of the proposed extension would be sited even further away and as stated previously the extension would be set into the slope of the existing rear garden. Even if the boundary trees were removed, they would likely be replaced with a tall boundary fence set at a higher ground level. At the same time the extension would be seen against a backcloth of tall trees.
11. Overall, the juxtaposition and distance between the dwelling at No.23 and the proposed extension would be unexceptional. The proposed extension would not be unduly prominent or visually overbearing for the occupiers of No.23. In addition, as suggested by the Council, a condition could be imposed to require the roof lights on the western roof slope to be non opening and obscure glazed below a height of 1.7 metres above the internal floor level. Such a condition is necessary to ensure that the proposed extension did not result in any loss of privacy for the occupiers of No.23.
12. I conclude on the second main issue that the proposed extension would not have an unacceptable impact on the living conditions of the occupiers of No.23 due to visual impact. As such the scheme would comply with policy 59.BE of the Local Plan and policy DM1 of the Emerging Local Plan.

**Conclusion**

13. Having regard to the conclusions on the main issue and having regard to all other matters raised the Appeal is allowed.

*Elizabeth Lawrence*

INSPECTOR