
Appeal Decision

Site visit made on 7 June 2017

by H Butcher BSc (Hons) MSc MRTPI

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

Decision date: 12 June 2017

Appeal Ref: APP/W1715/W/17/3169807

44 & 46 Woolston Road, Netley Abbey, SO31 5FQ

- 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 Alec Twitchen against the decision of Eastleigh Borough Council.
 - The application Ref F/16/79235, dated 13 September 2016, was refused by notice dated 24 November 2016.
 - The development proposed is a two storey rear extension to No 46 and a two storey rear and side extension to No 44.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal site given on the application form refers only to 44 Woolston Road. However, it is clear from the evidence before me that the appeal concerns 44 and 46 Woolston Road. I have therefore included both addresses in the banner heading above.

Main Issue

3. The main issue is the effect of the extension to 46 Woolston Road on the living conditions of occupiers of the neighbouring property 48 Woolston Road, having particular regard to matters of light.

Reasons

4. The proposal before me is for extensions to a pair of semi-detached properties, namely 44 and 46 Woolston Road. No 46 currently has a flat roof, single storey rear extension. However, it is proposed to erect a first floor extension over this and to add a further 2.7m deep two storey rear extension onto the back.
 5. I note that planning permission has recently been granted for broadly similar extensions at Nos 44 and 46 to those before me (ref F/17/79836) although the approved plans show the first floor rear extension at No 46 reduced in depth and with a tapered design. I have, nevertheless, considered the appeal before me on its own planning merits.
 6. The neighbouring property 48 Woolston Road is also semi-detached. A window serving a ground floor dining room in the side elevation of No 48 faces directly onto the side elevation of No 46. This room is broadly south facing so the close
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proximity and position of No 46 means light to this room is already somewhat restricted, as demonstrated by the appellant's submitted visuals. These show that No 46 casts a shadow over this window during the morning but that light does reach it in the early afternoon. The appellant's argument essentially is that this window would be unaffected by the extension at No 46. The visuals do not, however, in my opinion, provide the full picture of the light currently received by the dining room window at No 46. The extension would be located to the east of this window therefore its impact in terms of shadowing would most likely be felt in the early morning. The visuals before me show no earlier than 10am in September and 9am in December. I do not have visuals for earlier in the morning and/or in the summer months, for example, when this window might reasonably receive light; light which could be adversely affected by the extensions proposed at No 46.

7. The Council's Quality Places, Supplementary Planning Document (SPD) (2011) sets out various tests for assessing a loss of day light and the occupants of No 48 have also provided diagrams, both of which indicate that the amount of light to this window would be adversely affected by the proposal. In light of this, and in the absence of visuals providing the full picture of light currently received to the dining room window at No 48 and the effect of the proposed extensions on this, I cannot be satisfied that this window would not be adversely affected, particularly in the early morning, a time when most people would be at home and therefore their living conditions affected.
8. Furthermore, the occupiers of No 48 refer to a loss of outlook which I also consider to be a legitimate concern. Where the outlook from the dining room window is currently partially open to the east over the existing single storey rear extension at No 48 this would be more or less completely lost.
9. For these reasons I find conflict with Policy 59.BE vii of the Eastleigh Borough Local Plan Review (2001-2011) which requires development to avoid unduly interfering with adjoining uses in terms of a loss of daylight and outlook, and the relevant provisions of the SPD which seek to ensure the windows of neighbouring properties enjoy reasonable daylighting.
10. In coming to the above conclusions I note the appellant's suggestion that the existing boundary fence currently restricts light to the dining room window at No 48. However, when viewed in the context of the existing higher single storey and two storey form of No 46, and the larger and higher two storey extensions proposed any impact on light to this room as a result of the existing fence is immaterial. This does not, therefore, alter my findings above.
11. Whilst I can understand the appellant's desire for enlarged accommodation for an expanding young family this does not outweigh the harm I have found. The appeal is therefore dismissed.

Hayley Butcher

INSPECTOR