
Appeal Decision

Site visit made on 30 May 2017

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 3 July 2017

Appeal Ref: APP/M1710/W/17/3169612

54 Sutton Field, Whitehall, Bordon, Hampshire GU35 9BP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Keith Benstead against the decision of East Hampshire District Council.
 - The application Ref 30130/003, dated 27 October 2016, was refused by notice dated 13 December 2016.
 - The application sought planning permission for an attached dwelling with associated car parking, fencing and landscaping after demolition of the existing single storey side extension without complying with a condition attached to planning permission Ref 30130/002, dated 18 February 2015.
 - The condition in dispute is No 11 which states that: *"The development hereby permitted shall be carried out in accordance with the following approved plans and particulars..."* [there then follows a list of plans and particulars].
 - The reason given for the condition is: *"To ensure provision of a satisfactory development"*.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal seeks to revise the design of the approved extensions by substituting revised drawings into the relevant condition.

Main Issue

3. The main issue in this appeal is the effect of the revised design on the character of the area.

Reasons

4. The appeal relates to this 2 storey semi-detached house which is located within a large residential estate. The estate contains a mixture of semi-detached and terraced houses as well as some flats. The house has been extended in the past in the form of a single storey side extension with a pitched roof. The extant planning permission would result in the single storey side extension being replaced by a 2 storey extension, to form a new dwelling, which would appear as a continuation of the existing house with the same roof line and pitch.

5. In broad terms, the appeal would result in a revised extension with a lower roof but of a steeper pitch. The living accommodation within the proposed extension would be reduced as a result. At the front, the proposal would have a shallow pitched roof for a short section, which would appear to be the same pitch as the existing extension. After this the pitch would change to a steeper angle, which would also be steeper than the pitch of the main roof of the house (and others in the area).
6. The approved development would match the existing house in terms of its height and angle of the roof. This would ensure that the new dwelling harmonises with the area and would have a satisfactory appearance. The combination of the 2 different angles of roof and the difference in pitch between the original building and the development now proposed would have a considerable negative effect on the area. It would be visually awkward and would appear significantly out of place in the context of this house and those others in the area.
7. The appellant considers that the new proposal would reflect the existing form of the extension, with only a minor alteration to the roof. In my judgement the proposed change is significant; the existing roof pitch matches the existing house, although set at a lower level, whilst the proposal would not match it and would stand in stark contrast to it. In this way I consider that the proposal does not represent an exemplary standard of design and does not respect the characteristics of the area, as required by Policy CP29 of the East Hampshire District Local Plan.

Conclusions

8. The approved scheme which is referred to in the existing condition 11 would match the existing house in terms of its roof design and overall appearance. I have found that the revised scheme would have a harmful effect on the surrounding area, contrary to Policy CP29. In this respect, the existing condition 11 is necessary in order to ensure that the development has an acceptable effect on the area and I shall not agree to the revised scheme. Therefore, the appeal is dismissed.

S T Wood

INSPECTOR