

Appeal Decision

Site visit made on 20 June 2017

by Mr C J Tivey BSc (Hons) BPI MRTPI

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

Decision date: 10 July 2017

Appeal Ref: APP/W1715/D/17/3173487

9 Nordik Gardens, Hedge End, SO30 0LQ

- 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 Dan Morant against the decision of Eastleigh Borough Council.
 - The application Ref F/17/79849, dated 13 January 2017, was refused by notice dated 6 March 2017.
 - The development proposed is for a single storey side extension, new loft accommodation (including raising the ridge line) and alterations to the existing fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension, new loft accommodation (including raising the ridge line) and alterations to the existing fenestration at 9 Nordik Gardens, Hedge End, SO30 0LQ in accordance with the terms of the application Ref F/17/79849, dated 13 January 2017 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 materials to be used in the construction of the external walls shall match those used in the existing building and no development shall commence until details/samples of the roof tiles and cladding to the front and rear gables have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
 3. The development hereby permitted shall be carried out in accordance with the following approved plans: 001 rev D, 002 rev C and 003 rev B.

Application for Costs

2. An application for Costs by the appellant has been made in respect of this appeal and is the subject of a separate decision.

Main Issues

3. The main issues are the effect of the proposal upon the character and appearance of the area; and upon the living conditions of the occupants of 8 Nordik Gardens, with specific reference to outlook.

Character and Appearance

4. The appeal site is situated within an established residential area, comprising a variety of built forms, including gable fronted detached houses and bungalows, as well as chalet style properties. It is situated at the end of a cul-de-sac and is on slightly lower ground than 8 Nordik Gardens to the north west with which it shares a common boundary. No.8 is of a similar design to the appeal dwelling, as are 10, 11 and 12 Nordik Gardens to the south.
5. The contribution that no.9 makes to the street scene is modest with a shallow pitched roof and lower ridge line than both adjacent bungalows. The proposal would bring the built form of the subject dwelling closer to the boundary with no. 8, the rear elevation of which is broadly in line with the front elevation of no. 9. I noted on my site visit that beyond the immediate cul-de-sac, along Nordik Gardens as a whole, that ridge heights vary considerably, with two storey chalet style properties at the entrance to Bergen Crescent, including 6 Nordik Gardens, which is in close proximity to another bungalow at 7 Nordik Gardens.
6. Whilst the proposal would quite clearly change the design, scale and form of the subject dwelling, it would, nevertheless, be in proportion when viewed from the primary vantage point, that being from the west along Stockholm Drive. The proposal would be read within the wider context of the full two storey houses along the southern side of the highway, namely 13-16 Nordik Gardens. Furthermore, notwithstanding the fact that the roof extensions would be visible from the street, by virtue of the considerable fall in ground levels when viewed from Stockholm Drive, and the varied building forms within the locality, I consider that the proposal would not appear incongruous within the street scene
7. In addition, I note the Council's concern with regard to the use and colouring of the proposed facing materials that would be utilised and it would be appropriate for details or samples to be submitted to the Council for approval. As highlighted above, the proposal would bring built form closer to the site's north western boundary, however, ample front and rear garden space would be retained and therefore it would not appear as over-developed within its plot.
8. With regard to the Character Area Appraisal, I find that within the locality there is no clearly defined uniformity in building heights and therefore I find no direct conflict with this; nor do I consider that the proposal would amount to poor design and therefore it complies with the National Planning Policy Framework (the 'Framework') in this respect. Therefore on this issue I find that the proposal complies with Saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001 – 2011) (LPR) which permits development proposals, provided, amongst other things, that they take full and proper account of the context of the site, including the character and appearance of the locality and are appropriate in mass, scale, materials, layout, density, design and siting, both in themselves and in relation to adjoining buildings, as well as making the most efficient use of land.

Living Conditions

9. The rear garden boundary shared with no.9 is demarcated by a mature conifer hedge with the side extension proposed to be set in from this. The proposal would bring the new higher ridge closer to the shared boundary, although the eaves would broadly stay at the same level as existing. The new roof would be of a slightly steeper pitch than the existing, although this would slope away from the neighbouring rear garden and, consequently, I consider that it would not be unduly overbearing upon the occupants of no.9. The proposal would be visible from the

remaining neighbouring properties, but due to the staggered layout of the dwelling and the orientation of windows for those properties, to the east and the west, the proposal would not result in any material harm to the outlook currently enjoyed by the occupants of those properties.

10. As acknowledged within the Officer Report, due to the changes of levels between the appeal site and no.8 and the pitch of the roof that slopes away from it, the proposal would not result in a material loss of light, neither would it directly affect sunlight received from the property to the south (no. 10) due to its orientation. I have been given no substantive reason to come to a different conclusion on this.
11. In addition, as also highlighted within the Officer Report, rooflights would be located 1.7m above the internal floor level that they serve, which is the same height as that stipulated by the General Permitted Development Order, to mitigate any overlooking from upper floor windows. Consequently, I consider there would be no direct overlooking of the immediately adjacent gardens to the north and south; and that there would be adequate separation distance between the proposed first floor rear Juliet balcony and the rear boundary shared with properties situated within Bergen Crescent. Therefore the proposal would not give rise to a material loss of privacy to the occupants of any surrounding residential properties.
12. On this matter I conclude that the proposal would protect the living conditions of the occupants of surrounding residential properties and would also comply with LPR Policy 59.BE and specifically its 7th criterion, which requires developments to avoid unduly interfering, disturbing or conflicting with adjoining or nearby uses through, amongst other things, overlooking, loss of daylight and loss of outlook.

Other Matters

13. I note third party concerns with regard to the increase of the bungalow to a larger unit of residential accommodation, however I have not been made aware of any planning policy to prevent such proposals taking place. I therefore consider that this is not a determining factor in this appeal.

Conclusion and Conditions

14. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.
15. In addition to the standard time limit condition the Council has suggested a condition requiring external materials to be used in the construction of the extension to match those of the existing building. However, as timber cladding and new tiles are proposed to the roof, I consider it necessary for details or samples to be submitted to the Council for its approval, prior to the commencement of development. This is in the interests of the character and appearance of the area. In addition, for the avoidance of doubt, a condition requiring that the development is carried out in accordance with the approved plans is also imposed.

C J Tivey

INSPECTOR