

Appeal Decision

Site visit made on 10 July 2017

by Michael Evans BA MA MPhil DipTP MRTPI

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

Decision date: 19th July 2017

Appeal Ref: APP/B1740/D/17/3175018
18 Priestlands Road, Pennington SO41 8HY

- 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 B and K Kritter against the decision of New Forest District Council.
 - The application Ref 16/11644 was refused by notice dated 13 February 2017.
 - The development proposed is described on the planning application form as "Rear ground floor & first floor / roof extension with dormer; side ground floor extension for Garage & Annexe in roof space over incl. dormer; fenestration additions & alterations".
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues in this appeal are:
 - The effect on the character and appearance of the locality and the streetscene.
 - The effect on the living conditions of the occupiers of the adjacent dwelling at 16 Priestlands Road with regard to whether the extended dwelling would be overbearing.

Reasons

Character and appearance

3. The appeal concerns a detached chalet style dwelling. The proposed side extension, as with the host dwelling itself, would be at an angle to the side boundary. The gap to the boundary at the front would be about 2.3m and 0.3m at the rear corner. The space between the side wall of the extension and that of the neighbouring dwelling at no. 16 would range from 3.5m to 1.3m and be sufficient to prevent a terracing effect. Priestlands Road in the vicinity is characterised by dwellings with hipped roofs but the property at no. 18 has gable ends. The gabled form of the side extension would not therefore be visually detrimental.
 4. The nearby school provides a significant degree of spaciousness due to the amount of open space visible from the street. However, the host property is
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part of the row of dwellings on the other side of the street extending to the east from the junction with Whitaker Crescent.

5. There are some examples of relatively generous gaps at first floor level, such as that to the side of the flank wall at no. 18 to the boundary with no. 16 where there is a single storey garage. However, there are also a significant number of fairly small gaps. These include those concerning two pairs of two storey semi-detached dwellings where the overall buildings only have fairly limited space to the side boundaries.
6. At the rear on the western side there is a fairly limited gap so that both sides of the enlarged dwelling would be fairly close to the side boundaries at the back. However, the front part to the western side is set back significantly further. In consequence a reasonable sense of spaciousness would remain to both sides at the front. Moreover, despite the reduced gap next to no. 16, the extended property would be compatible with the significant variation and general lack of consistency in this respect that is found in the street. In this context the enlarged dwelling would not appear cramped.
7. It is therefore concluded that there would be no harm to the character and appearance of the locality or the streetscene. The scheme would therefore comply with the aims of New Forest District, outside the National Park, Core Strategy (CS), Adopted October 2009, Policy CS2, which include being appropriate and sympathetic to its setting.
8. The core planning principles of the National Planning Policy Framework (The Framework) that planning should seek to secure high quality design and take account of the character of different areas would be satisfied.

Living conditions

9. It is acknowledged that the Officer report on the application raised no objections in relation to this matter. However, the Planning Development Control Committee took a different view and I must consider this appeal on its own planning merits. In the side of the adjacent dwelling at 16 Priestlands Road there are two ground floor windows facing towards the boundary with no. 18. The one closer to the street is said by the Council to be a secondary window to the living room, which lessens its significance.
10. However, the rearmost is the only window serving a room that the neighbour explains is to be used as a study. As it is the sole window it is not therefore secondary. Moreover, significant time may well be spent there given the nature of the personal office use and the stated intention of the neighbours in this regard.
11. Correspondence on behalf of the applicant suggests that this area was part of the lounge prior to works in 2011. Nevertheless, I must consider this appeal in relation to the current situation where the affected accommodation comprises a separate room served only by a single window.
12. In these circumstances and despite the Appellant considering the room to be secondary and the accommodation available elsewhere within the dwelling, I consider that it should be accorded some significance in terms of the quality of the residential environment for the adjacent occupiers.

13. The window currently faces the existing gable end of the dwelling itself and the closer detached garage and boundary wall. However, the gable is set back significantly and the boundary wall and garage are of relatively modest height. The side extension would be just under 4m closer to the window than the existing gable. Although further back from it than the garage, it would still be unduly near given its appreciably greater height and bulk. It would have a fairly tall ridge, only just below that of the main roof of the host dwelling. As a result of its height, bulk and proximity, the side extension would result in an unpleasant and oppressive sense of enclosure. It would therefore be overbearing when seen from the adjacent window.
14. It is accepted that, in general, a lower standard of amenity might reasonably be expected in relation to a side window compared to those facing in other directions. However, this proposal concerns an existing window where I consider that the increased sense of enclosure would be of such a degree as to be unacceptable despite its flank location.
15. I acknowledge the evidence regarding the effect on light levels. However even if considered acceptable in this regard, due to the above factors it is concluded that the living conditions of the occupiers of the adjacent dwelling would be harmed. As a result, there would be conflict with the intention of CS Policy CS2 to prevent such detrimental effects.
16. The development would also be at odds with the core principle of the Framework that planning should always seek to secure a good standard of amenity for existing occupants of buildings.

Other considerations

17. There is no technical evidence to justify dismissing the appeal on the basis of drainage concerns. I also share the view of the Council that none of the range of other matters raised, such as concern over the potential use of the side extension as a separate unit, car parking, access for maintenance, encroachment, the effect on flues and in relation to the side door would justify rejection of the proposal.

Conclusion

18. Despite the acceptability in relation to character and appearance, because of the harmful effect on the living conditions of the adjacent occupiers and taking account of all other matters raised, it is determined that the appeal fails. In reaching this decision I have considered the views of local residents, including those in support of the appeal, as well as other interested parties.

M Evans

INSPECTOR