
Appeal Decision

Site visit made on 7 December 2017

by Andy Harwood CMS MSc MRTPI

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

Decision date: 19 December 2017

Appeal Ref: APP/A1720/D/17/3181719
8 The Glade, Fareham PO15 6EQ

- 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 Hammond against the decision of Fareham Borough Council.
 - The application Ref P/17/0559/FP, dated 14 May 2017, was refused by notice dated 10 July 2017.
 - The development proposed is a 2 storey side extension and a single storey rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a 2 storey side extension and a single storey rear extension at 8 The Glade, Fareham PO15 6EQ in accordance with the terms of the application, Ref P/17/0559/FP, dated 14 May 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 'PG No:02'; 'PG No:04'; 'PG No 06'; 'PG No:08'; and 'PG No:09'.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The Council has confirmed that the proposed rear extension is acceptable and I agree. The main issue is therefore the effect of the proposal upon the living conditions for the occupiers at No 10 The Glades with respect to outlook and the degree of enclosure.

Reasons

3. The appeal site is one of a pair of semi-detached dwellings in a leafy residential area. The site is close to the end of the cul-de-sac. The neighbouring dwelling at No 10 is on the opposite side of the turning head at the end of the cul-de-sac, separated from the site by open parking areas.
4. A window in the front of No 10 currently faces towards the side wall of the

dwelling at the appeal site and faces towards the parking areas between the dwellings. Although I could not enter No 10 and was not requested to do so, it is clear from the Council's report that the window serves a lounge which is a main habitable room.

5. The proposal would involve extending 2.8m to the side of the dwelling with the 2 storey side elevation facing No 10 appearing very similar as it does currently. This would be closer to the front window of No 10. A substantial distance of close to 10m, according to the Council, would remain between the 2 dwellings.
6. Given this substantial separation and good degree of space that would be retained between the dwellings, I do not consider the extension would affect the amount of daylight or direct sunlight entering through the front window. The extension would not be close enough to the lounge window to interfere substantially with the field of view or to cause a substantial increase in the amount of enclosure perceived by those neighbouring occupiers. It would not be overbearing for people in that dwelling.
7. The Council has referred to its Design Guidance¹ (DG) and have stated that this requires a distance of 12.5m between windows and 2 storey flank walls. Page 4 of the DG however states that a distance of only 6m is required between the flank of 2 storey extensions affecting a sole window in neighbouring properties serving a habitable room at ground floor level. Page 5 goes on to state that a distance of 12.5m should be retained between the windows in the rear of neighbouring houses and the wall of a proposed extension. The rationale for the difference in these requirements is not at all clear in the DG and is not explained by the Council. However, the proposal is a side extension and not a rear extension and so the guidance on page 4 seems more appropriate. This conforms with my view that the degree of space would be substantial and appropriate. The DG does not weigh heavily against this proposal.
8. In relation to the main issue, proposal would not cause adverse impacts upon living conditions of neighbouring dwellings including those at No 10. This would comply with Local Plan² Policy DSP3. By responding positively with respect to the key characteristics of the area, the proposal would not conflict with Core Strategy³ Policy CS17. The requirement in paragraph 17 of the National Planning Policy Framework to secure a good standard of amenity for all existing and future occupants of land and buildings would also be achieved.
9. A condition specifying the relevant drawings provides certainty that the development will be implemented as proposed and another requires the materials to match those of the existing dwelling.

Conclusion

10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

A Harwood

INSPECTOR

¹ Fareham Borough Design Guidance, Supplementary Planning Document (excluding Welborne), adopted December 2015

² Local Plan Part 2: Development Sites and Policies, June 2015 adopted version

³ Fareham Local Development Framework, Core Strategy, adopted August 2011