
Appeal Decision

Site visit made on 28 November 2017

by JP Roberts BSc(Hons) LLB(Hons) MRTPI

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

Decision date: 27th December 2017

Appeal Ref: APP/X1735/D/17/3179270

48 Kings Road, Cowplain, Waterlooville PO8 8UR

- 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 Shane & Mrs Jodie Banks against the decision of Havant Borough Council.
 - The application Ref APP/17/00294, dated 20 March 2017, was refused by notice dated 17 May 2017.
 - The development proposed is a two storey rear extension and first floor side extension including alterations to an existing roof, and a pitched roof over an existing flat-roofed garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal on the living conditions of the occupiers of the neighbouring dwelling at 50 Kings Road, with particular regard to light, outlook and visual impact.

Reasons

3. The appeal property is a two-storey detached house in a line of dwellings of various sizes, designs and set-back positions from the road frontage. The part of the proposal to which the Council objects is the two-storey rearward projection which lies close to the boundary with the house at 50 Kings Road.
4. The proposal would extend some 4.3m beyond the rearmost part of the existing two-storey part of the dwelling. The side elevation facing No 50 would consist of a blank wall finished in brick at ground floor level and tile hanging above. The extension would be about 2.3m from the side wall of the neighbouring house. However, the main rear wall of the house at No 50 does not project as far towards the rear as does that at No 48, and is just over 1m behind it. Thus, the cumulative impact of the proposal, together with the existing two-storey element of the house, would be of a rear projection over 5m in length.
5. The appellants have shown that the extension would slightly impinge on a 45 degree line drawn in plan view from the centre of the ground floor window in the part of the wall in No 50 nearest to the appeal site. The use of a 45 degree line is recommended in the Council's Supplementary Planning Document (SPD), the *Borough Design Guide* as a means of assessing the acceptability of

extensions in relation to neighbouring properties, and I accept that it can be a useful yardstick.

6. In my judgement, even though the extension has been designed with a hipped roof at the rear to help minimise its bulk and impact, it would still appear as an uninteresting, overbearing and unneighbourly form of development when seen from No 50, exacerbated by small changes in levels between the two properties, with No 50 being some 0.2m or so lower than the appeal site. The dominant impact of the lengthy and high rear extension would not provide a high standard of amenity for existing and future occupiers of that property, which would be contrary to one of the core planning objectives of the National Planning Policy Framework.
7. The rear windows in No 50 face north, and so the extension would have only a minor impact in reducing sunlight received in the garden of the property. There would be some impact on daylight, but in my view, this would not be sufficient to justify dismissing the appeal on its own. As it is, the small harm that would result from loss of daylight adds to the greater concern about the impact of the extension on outlook and visual appearance.
8. I have had regard to the absence of objection from neighbours, and whilst I have taken it into account, I also have to consider the living conditions for future occupiers, and thus the absence of objection is not a decisive matter.
9. I therefore conclude on the main issue that the proposal would result in material harm to the living conditions of the occupiers of 50 Kings Road, with particular regard to outlook and visual impact. It would also conflict with Havant Core Strategy Policy CS16 which deals with high quality design, and amongst other things, seeks to prevent unacceptable harm to the amenity of neighbours through a number of impacts, which includes outlook. The proposal would also conflict with the Council's SPD to which I have referred above.

Other matters

10. I recognise that the proposal would provide a number of benefits, enabling the appellants to provide additional accommodation in a layout to suit their needs, optimising the use of the site, and improving the appearance of the dwelling. However, these benefits do not outweigh the harm that I have found.

Conclusion

11. For the reasons given above, I conclude that the appeal should be dismissed.

JP Roberts

INSPECTOR