

Appeal Decision

Site visit made on 24 June 2019

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

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

Decision date: 10th July 2019

Appeal Ref: APP/H1705/D/19/3227932

331 Kempshott Lane, Basingstoke RG22 5LW

- 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 Jones against the decision of Basingstoke and Deane Borough Council.
 - The application, Ref. 18/03488/HSE, dated 27 November 2018, was refused by notice dated 12 April 2019.
 - The development proposed is the erection of a two-storey front extension and two storey side extension after partial demolition of the garage / utility room party wall and replacement with a brick cavity wall.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the visual amenity of the street scene of this part of Kempshott Lane.

Reasons

3. The Council's concern is that the size and height of the two storey side extension and its proximity to the side boundary would result in the loss of a gap between the host dwelling and No. 333. This would be perceived as being cramped and harmful to the street scene.
 4. The neighbouring property at No. 333 has had a first floor extension to the boundary on its northern flank and this has reduced the gap between it and the appeal property to the first floor above the latter's garage. The appeal scheme would infill this gap apart from 200mm and in my view this would not be perceived as serving any meaningful purpose in visual terms in views from the roadside.
 5. Furthermore, this infilling would be in clear conflict with Section 11 of the Council's Design and Sustainability Supplementary Planning Document 2018 ('the SPD') which explains that gaps between buildings often make an important contribution to the area and that excessive encroachment from infilling can contribute towards an inappropriate terracing effect, resulting in a cramped appearance detrimental to the street scene. In my assessment, the appeal proposal is an example of just this, as the gap is important in providing a relief
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from the substantial built form of Nos. 331 and 333 when read together in the street scene.

6. For the appellant it is argued that at the time of the extension of No. 333 the Council was explicitly aware that he would also wish to extend and that the comments in the officer's report of that extension were entirely at odds with the Council's current stance as regards the appeal application. I have read the report for No. 333 and having regard to its content I agree with the grounds of appeal that some equity in the approach to both No. 333 and 331 is fair and reasonable.
7. However, in my opinion this should have been in the form of requiring a reasonable gap to the boundary in each case rather than allowing No. 333 to extend. And I consider that the officer's report for the permission for No. 333 was wrong to dismiss the prospect of an extension to No. 331 of the type now proposed as not being a material consideration. In the event, a gap of, say 1m, each side of the boundary may not have been feasible to obtain a room of a reasonable width, but given that the original development was a pair of linked detached dwellings this should not be entirely unexpected. Such houses have an inbuilt constraint because of their proximity to one another.
8. I acknowledge that there is a diversity in the streetscene of Kempshott Lane and that the houses either side of the pair of Nos. 331 and 333 have already been extended. But far from the remaining small gap above the garage of No. 331 being unimportant and indeed incongruous as the appeal statement alleges, I consider that it continues to provide a degree of mitigation to a stretch of Kempshott Lane that has had its character and appearance somewhat spoiled by extensions that arguably at least are inappropriate. This is because more weight appears to have been given to the occupiers' aspirations for extra living space than to the effect on the appearance of the buildings and their context. Nor do I consider that with the proposed size and frontage design of Nos. 331 and 333 these properties realistically read as a pair of semi-detached houses.
9. I entirely understand that the appellant might have a sense of grievance as to the Council's 'first come first served approach' since 2016 which is a direct result of permitting an extension to the boundary. But for the reasons explained, I do not consider it appropriate for any favourable reconsideration of the appeal proposal because of the planning history to form part of this appeal.
10. Overall, I conclude that the proposal would have an unacceptable effect on the visual amenity of the street scene of this part of Kempshott Lane. This would result in conflict with Policies EM1 & EM10 of the Basingstoke and Deane Local Plan 2011-2029; Section 11 of the SPD, and Section 12: 'Achieving Well Designed Places' of the National Planning Policy Framework 2019.
11. For these reasons the appeal is dismissed.

Martin Andrews

INSPECTOR