



---

## Appeal Decision

Site visit made on 8 August 2019

**by R J Maile BSc FRICS**

**an Inspector appointed by the Secretary of State**

**Decision date: 27 August 2019**

---

**Appeal Ref: APP/W1715/D/19/3231169**

**1 Marls Road, Botley, Southampton, Hampshire, SO30 2EY.**

- 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 Jonathan Jay against the decision of Eastleigh Borough Council.
  - The application ref: H/19/85118, dated 4 March 2019, was refused by notice dated 7 May 2019.
  - The development proposed was originally described as: "Erection of one and two extensions to the side and rear of the existing house and attached replacement garage."
- 

### Decision

1. The appeal is allowed and planning permission is granted for demolition of detached garage, erection of two storey rear and side extension, single storey rear extension and an attached garage to the south east elevation at 1 Marls Road, Botley, Southampton, Hampshire, SO30 2EY, in accordance with the terms of the application ref: H/19/85118, dated 4 March 2019, 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 surfaces of the development hereby permitted shall match those used in the existing building.
  - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 18-T3305/501 Rev A; 18-T3305/502 Rev A; 18-T3305-503 Rev F, 18-T3305/504 Rev F; 18-T3305/505.

### Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. Part E of the appeal form states that the description of development has not changed. Nevertheless, a different wording has been entered, which is identical to that used by the Council. Given that the Council's description of development more accurately reflects the totality of the scheme before me, I have used it in my formal decision.

### Main Issue

3. The main issue in this case is the effect of the development upon the character and appearance of the host dwelling and that of the surrounding area.

## Reasons

4. This property comprises a detached post-war house located within an area of similar detached and semi-detached dwellings. It is sited at the end of Marls Road, its flank elevation facing towards the busy A334 highway (Broad Oak).
5. The scheme before me proposes a part single storey/part two storey extension to the rear together with a replacement garage to the south east adjacent to 3 Marls Road and a two storey extension to the flank elevation within the side garden adjacent to the main road. The side extension would be set back from the front elevation by some 4.2m. Its ridge height would be marginally below that of the principal main roof.
6. I have been provided with a copy of a recent appeal decision that concerned a proposal to construct a self-contained detached dwelling within the flank garden of 1 Marls Road (ref: APP/W1715/W/19/3222430 dated 23 July 2019). The Inspector in that case dismissed the appeal, concluding that the proposal would have a harmful effect upon the character and appearance of the area.
7. The Council accepts that the site is within the urban edge of the settlement, where the proposed works are acceptable in principle. It has nevertheless expressed concern in respect of the proposed two storey side extension, that would project some 4.8m from the existing flank elevation towards the main road.
8. I note that the two storey side extension would be set back by over 4m from the front elevation of the host building. Moreover, it has been well designed with a small pitched roof feature facing Marls Road and would utilise matching materials, including a small tile hung panel between the ground and first floor windows of the front elevation. The gable end facing the A334 also has tile hanging between the eaves and ridge that would blend with the north-facing slope of the main roof.
9. I am satisfied that all of the extensions are to a high standard of design that would reflect the character and appearance of the host building. Moreover, the set back of the two storey side extension will ensure that this element of the scheme will not appear disproportionate to the original dwelling. Similar comments apply to the rear extension and to the replacement garage.
10. In terms of the impact of the development upon the locality, I have noted that although sited in a prominent position the flank elevation of the two storey side extension would be partly screened by a tall close boarded fence surmounted on a low concrete base to the flank of the garden, with a mature laurel hedge beyond. This boundary treatment, together with the mature laurel hedge to the frontage, will act as a partial screen to the side extension as viewed from both Marls Road and the A334. Furthermore, the overall bulk of the dwelling when extended would reflect the combined frontage and bulk of the pair of semi-detached houses at 3-5 Marls Road next door.
11. I therefore find upon the main issue that development as proposed would not be harmful to the character and appearance of the host dwelling or that of the surrounding area and would accord with "saved" Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011), Policy DM1 of the Submitted Eastleigh Borough Local Plan (2016-2036), the Council's 'Quality Places' Supplementary Planning Document and national policy at Chapter 12 of the Framework, all of

which seek to ensure good design in all new developments that takes account of the context of the site and the character and appearance of the locality.

### **Other Matters**

12. The adjacent owner at 3 Marls Road has raised concerns regarding the impact of the replacement garage upon the outlook from her kitchen window and the potential for loss of light.
13. Whilst appreciating these concerns I am satisfied that the replacement garage, which would have a flat roof and a height of approximately 2.5m, would not bring about any unacceptable loss of amenity to the occupiers of no. 3 arising from loss of light or outlook. My conclusions in this regard are reflected in the Officer's Report.
14. I also note the concerns expressed by the owner of no. 3 as to the impact of removing the existing garage at no. 1 upon the stability of her own garage. This, however, is not a planning matter and would need to be the subject of discussions with the appellant or his advisers.

### **Conditions**

15. I have considered the three conditions put forward by the Council against the tests of the Framework and advice provided by the Planning Practice Guidance and find all to be reasonable and necessary in the circumstances of this case.
16. Condition 1 is the standard commencement condition imposed in accordance with section 91(1) (a) of the Town and Country Planning Act 1990. Condition 2 will ensure a satisfactory appearance to the completed development in the interests of the visual amenities of the area while Condition 3, which requires the development to be carried out in accordance with approved plans, provides certainty.

### **Conclusion**

17. For the reasons given above, I conclude that the appeal should be allowed.

*R. J. Maile*

INSPECTOR