



Appeal Decision

Site visit made on 22 October 2019

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 November 2019

Appeal Ref: APP/L1765/D/19/3237214

3 Boyne Mead Road, Kings Worthy, Winchester, SO23 7QZ.

- 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 J and Mrs P Attwood against the decision of Winchester City Council.
 - The application Ref. 19/00189/HOU, dated 22 January 2019, was refused by notice dated 25 June 2019.
 - The development proposed is a loft conversion with front, rear and side dormers, rear balcony, side and rear decking, fencing and terrace; and conversion of garage into studio with small front extension.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion with front, rear and side dormers, rear balcony, side and rear decking, fencing and terrace; and conversion of garage into studio with small front extension at 3 Boyne Mead Road, Kings Worthy, Winchester, SO23 7QZ. in accordance with the terms of the application, Ref. 19/00189/HOU, dated 22 January 2019, and the plans submitted with it, 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: drawings (all 1709 (P)): 01; 02; 03; 04; 05; and 06.
 - 3) The external surfaces of the development hereby permitted shall be constructed in materials which match those used on the existing building or as otherwise set out on the drawings hereby approved.

Preliminary matters

2. I have based the description of development used above on all of the aspects of the proposal set out in the application forms, but I note that the latter element involving the conversion and extension of the garage has been completed and the appellants' say that they considered this part of the proposal to be 'permitted development'.
3. At the request of the Council, I visited three neighbouring properties, with the owner/occupiers' permission, to appraise the effects of the development proposed from these locations.

Main Issues

4. The main issues are the effect of the development proposed on:
 - the character and appearance of the host property and the wider area;
 - the living conditions of the occupiers of neighbouring properties.

Reasons

Background

5. The appeal site contains a bungalow with a high pitched roof which fronts a narrow lane in a residential part of Kings Worthy. The footprint of the property is 'T' shaped and the broad axis of the roof faces the lane and at a slight angle. It is proposed to revise the main roof to have a full gable at one end and a half-hip at the other and install dormer windows in three of the roof slopes. The fenestration in the new gable would lead out onto a new first floor balcony and an area of decking is proposed at ground floor to the side and rear of the dwelling.

Policy context

6. The development plan includes the Council's Local Plan Part 1 – Joint Core Strategy and the Winchester Local Plan Part 2 – Development Management and Site Allocations. I have also had regard to the High Quality Places Supplementary Planning Document (2015) (SPD) as a material consideration.
7. From my reading of the relevant policies, the site lies in an established residential area and there is no objection in principle to extensions and alterations to this domestic property subject to detailed site specific aspects such as design and appearance and the effect on the living conditions of neighbours.

Effect on character and character and appearance

8. At my site visit I noted that the other properties along Boyne Mead Road were of a variety of architectural styles and there were many of a chalet bungalow form with accommodation in the roof and lit by windows in the gable end or by dormer windows. The principle of some form of accommodation in the roof space is therefore generally acceptable.
9. Regarding the specific design put forward, the dormer on the front elevation would extend above the broad roof ridge but be at the same height as the ridge on the main axis and I do not consider that the design and appearance of this structure would be materially at odds with the public realm of the present street scene. The proposed dormer on the south-west elevation would have a relatively unusual design with a flat roof element to ensure that it does not protrude above the height of the ridge. However, in practice, part of the view of this feature from the lane is restricted by the secondary roof ridge. The dormer would also be clad in materials to 'run through' with the ground floor elevation. Finally, the full gable at the north-western end would continue with the main roof form and would continue the present bulk and scale of the property.

10. On balance, I am satisfied that the scale, design and appearance of the physical alterations put forward, both individually and when taken together, maintain the appearance and form of the existing property. They would not over-dominate it and would not result in a design of dwelling which would be materially at odds with or harmful to the street scene. I find that the proposal would conserve and respond positively to the character of the area and would meet the requirements of Policies DM15 and DM16 of the Local Plan Part 2.

Effect on living conditions

11. Under this issue there are two main aspects to the Council's objection: the residential amenity of neighbouring properties being visually dominated, and secondly a harmful effect caused by overlooking resulting in a loss of privacy.
12. In terms of the visual effect, as assessed under the first main issue, I am satisfied that the scale and appearance of the alterations put forward would not have a material negative impact on the environs of neighbouring properties having regard to the present variety in their designs and the distance between the dwellings.
13. Regarding overlooking, the windows proposed for the south-west elevation are to a bathroom, which would be likely to have obscure glazing, and to a stairwell, and would not result in material overlooking. Although full height doors and a narrow balcony are proposed to the north-west elevation, this would be to a bedroom rather than living room space. Views to the left (west) from the balcony would in part be restricted by the presence of the converted 'garage' on the appeal site. Further, I noted at my site visit that the fenestration and balcony would mainly look towards the garden at the appeal site and then part of the garden of the adjacent property 'Half Acre' located to the north-west. There is a mature beech tree in the garden of this property which screens views to the north. Where there is a more open aspect to the east side of the tree this looks towards a gravelled parking area in Half Acre rather than the main garden.
14. Even in winter months when the screening afforded by the vegetation would not be so great, I am satisfied that surrounding properties to the appeal site would not be materially overlooked by the proposed windows or balcony at first floor level or by the minor extent of decking at ground floor level. I find on this issue that the proposal meets the requirements of part (vii) of Policy DM17 by not causing overlooking or by being over-bearing.

Planning balance

15. Bringing together my conclusions on the main issues, I have found that the development proposed to the host property would not harm its appearance or its setting in the local street scene and would conserve the character of the area. Neither would the proposal cause material overlooking of neighbouring properties or harm the living conditions of the occupiers. I have also found that the proposal accords with the relevant policies in the development plan. This conclusion is not outweighed by any other consideration and therefore the appeal should be allowed.

16. In terms of conditions the Council recommends the imposition of standard ones related to the commencement of the development; external materials to match the existing property; and the development to accord with the submitted plans. These are reasonable and necessary in the interest of clarity and to maintain the appearance of the area and I will impose them.

Conclusion

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

David Murray

INSPECTOR