The Planning Inspectorate

Appeal Decision

Site visit made on 3 December 2019

by R J Jackson BA MPhil DMS MRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 16th December 2019

Appeal Ref: APP/P1750/D/19/3232515
182 Lower Farnham Road, Aldershot GU12 4EN

- 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 John Moffat against the decision of Rushmoor Borough Council.
- The application Ref 19/00167/FULPP, dated 11 March 2019, was refused by notice dated 24 April 2019.
- The development proposed is erection of a two storey rear extension.

Decision

1. The appeal is dismissed.

Procedural matter

2. The application form gave an extended description for the proposal including an explanation for the proposal. The Council shortened the description to that given in the heading, and the appellant used that on the appeal form. Given that revised description precisely sets out the proposal I have used that in the heading.

Main Issue

3. The main issue is the effect on the living conditions of the occupiers of 184 Lower Farnham Road in terms of overbearing effect.

Reasons

4. The appeal property is an end of terrace two storey dwelling. It has a rear outrigger. Adjacent to the main rear elevation of the dwelling this is two storey, although the ridge is set down from the main roof. There are then two single storey extensions, with that further away from the dwelling being of lesser height. The main rear elevation has a patio door with a window above facing down the garden. This is less than one-third of the width of the house and is a relatively narrow space.

5. The adjoining property, No 184, is essentially a 'hand' of the appeal property so that the two outriggers are separated by the two main, narrow rear elevations of the respective dwellings. Facing the appeal site and the intervening fence there is a single window in the ground floor of the two storey element of the outrigger and a window and door in the closer single storey element.

6. The proposal is to demolish the two single storey extensions and erect a two storey extension extending the same length as these extensions, but with a ridge roof continuing at the height of the existing two storey rear outrigger.

7. By extending the ridge to the full length of the existing property it would result in an overbearing effect harmful to the living conditions of the occupiers of No 184 as this would make the area between the two dwellings very enclosed. This harm would be to those within the rooms lit by the ground floor windows in the main rear elevation and in the two storey outrigger element.

8. I have taken into account the fact that the occupiers of No 184 have not objected to the proposal. However, I give this little weight as the planning system operates in the public interest and to ensure appropriate living conditions.

9. I have also taken into account the appellant's view that the proposal would better link the dwelling with its rear garden and allow supervision of children playing in the garden. However, I only give this benefit little weight as it has not been shown that the current proposal is the only way that this could be achieved. This benefit therefore does not change my overall conclusion.

10. Consequently, the proposal would be harmful to the living conditions of the occupiers of 184 Lower Farnham Road. As such it would be contrary to Policy DE1 of the Rushmoor Local Plan 2014 – 2032 which requires new development not to cause harm to existing and/or adjacent users by reason of loss of outlook. It would also be contrary to paragraph 127 of the National Planning Policy Framework which states that planning decisions should ensure that developments create places with a high standard of amenity for existing users.

Conclusion

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

R J Jackson

INSPECTOR