

---

## Appeal Decision

Site visit made on 10 March 2020

**by Janet Wilson BA (Hons) BTP MRTPI DMS**

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

**Decision date: 25<sup>th</sup> March 2020**

---

**Appeal Ref: APP/J1725/D/19/3243350**

**48 Gordon Road, Gosport PO12 3QF**

- 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 and Mrs Jurd against the decision of Gosport Borough Council.
  - The application Ref 19/00388/FULL, dated 27 August 2019, was refused by notice dated 13 November 2019.
  - The development proposed is described as a double storey rear extension.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the development on the living conditions of the occupiers of adjoining properties with regard to outlook and light.

### Reasons

3. The property is part of a terrace of dwellings which vary in size and detail including the depths of the main two storey elements. The configuration of the dwellings at the rear is such that the adjacent property to the south is of shallower depth with the rear wall at first floor set back from the rear wall of the appeal property by around two metres. This arrangement would mean that the addition of a rear extension of around 3.7 metres directly on the boundary, incorporating two additional windows and of the full height of the terrace would lead to an overbearing and dominant impact when viewed from No. 46 Gordon Road (No.46). As a result, the bulk, scale and detailing of the extension would have a harmful effect on the living conditions of the occupiers of No.46 which would be to their detriment.
4. To the North (No. 50) the impact would be different as the property already has a single storey extension which would remain. Nonetheless the height and depth would cause some overshadowing to the rear outdoor space which would adversely affect the use of that space by the occupants. The appellants have provided sunlight diagrams however these are not specific in relation to the detail of the proposal and as such they do not fully reflect the impact on the adjacent property which would result from the development. I am not persuaded that they effectively demonstrate there would be no harmful impact on the living conditions of the occupier at No. 50.

5. For these reasons the proposal would conflict with: Policy LP10 of the Gosport Borough Local Plan 2011-2029 (2015); to the Councils' Design Guidance: Supplementary Planning Document 2014; and to the aims of the National Planning Policy Framework. These seek, amongst other things, to ensure that development does not cause harm by reason of loss of light or outlook and does not have any other adverse impacts on the occupants of adjacent properties.

### **Other matters**

6. The appellant emphasises the principle of sustainable development and draws attention to paragraph 11 of the Framework. However, there is no evidence before me that the development plan policy relied on by the Council is out of date and this particular provision does not weigh in support of the proposal in the manner suggested by the appellants.
7. The appellants argue that a development of smaller size would fall within permitted development. I do not have the details of the smaller scheme to which they refer. Even if I did, it is not the function of this appeal to address any issue of whether a smaller extension would, or would not, require planning permission. That would be a matter for the Council in the first instance.

### **Conclusion**

8. For the reasons given above and having regard to all other matters raised the appeal is dismissed.

*Janet Wilson*

INSPECTOR