
Appeal Decision

Site visit made on 17 February 2020

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/H1705/D/19/3240882
29 Juniper Close, Chineham RG24 8XH

- 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 Tanner against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 19/01861/HSE, dated 9 July 2019, was refused by notice dated 4 September 2019.
 - The development proposed is second storey side extension, two storey rear extension and a loft conversion.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Impact on the character and appearance of the area;
 - Effect upon the living conditions of the occupiers of 28 Juniper Close, with particular reference to impact on outlook.

Reasons

Character and appearance

3. The appeal property is a modern, two-storey, detached house, finished in facing brick under a tiled pitched roof. There is a single storey, pitched roof garage/utility room to the side.
4. The site is situated at the western end of Juniper Close, a cul-de-sac within a suburban housing estate. The Close is characterised by detached and link-detached pitched roof two-storey houses with single storey pitched roof garages to the side. The gaps above the garages are visible in the street scene due to the open plan frontages, and they make a positive contribution to the townscape, adding spaciousness to this part of the estate.
5. By providing a gable-ended side extension, positioned immediately adjacent to the side boundary, and with a ridge height matching that of the main dwelling, the proposal would effectively replace all of the space at first floor level above the garage with living accommodation. This form of development would not respect the original townscape of the road. It would result in a cramped form of

development, having regard to its position in relation to the neighbouring property at No.28, which has a full two-storey, gable-ended side wall within close proximity of the appeal site.

6. The proposal would appear incongruous within the streetscene, having regard to the aforementioned character of development within the cul-de-sac. It would result in a significantly larger property, which would extend across the whole width of the site at a full two-storey height with gables to both sides, and no subsidiary lower or set-back side element to provide space around the building. As such, the appeal scheme would not accord with the Council's adopted Design and Sustainability Supplementary Planning Document 2018 (DSSPD), which advises that the basic shape of residential extensions should be subservient to the original building.
7. I have noted the appellant's intention to include a second front gable which is subservient in size to the existing, in order to identify the extension. However, I find that this element of the scheme would add further perceived mass to the building, and, in conjunction with the front rooflights indicating a second floor level of accommodation, would further compound the perceived large size of the resulting building when viewed from the street.
8. The appellant has drawn my attention to a number of residential first floor side extensions on the housing estate. On the basis, of the information before me, and my site inspection, during which I observed other extensions within the vicinity of the appeal site, I find that none of these are directly comparable with the appeal scheme in respect of their detailed design and their juxtaposition with neighbouring properties. In any case, I must determine this appeal on the basis of the particular circumstances of the appeal site and on the merits of the scheme before me.
9. For the above reasons, I conclude that the proposed development would have a detrimental impact on the character and appearance of the area. The appeal scheme would be contrary to Policy EM10 of the Basingstoke and Deane Borough Local Plan (2011 – 2029) 2016 (BDBLP) and to the DSSPD, which, amongst other things, seek to ensure that extensions are of a high quality, are subservient and in proportion to the original building, and positively contribute to the existing street scene. For similar reasons, the proposal would also be contrary to chapter 12 of the National Planning Policy Framework 2019 (the Framework) which seeks to ensure high quality design.

Living conditions

10. The proposal would extend for a full two-storey height alongside the whole depth of the existing building, with a gable-ended side wall positioned on the side boundary with No.28, and very close to that neighbouring building. Since the rear wall of No.28 is set further forward than that of the appeal property, this would result in a significant rearward projection beyond the neighbouring rear building line.
11. I observed during my site visit that the rear garden of No.28 appears to be a well-used external amenity area, as evidenced by the well-maintained landscaping, and the presence of domestic paraphernalia, including garden furniture and equipment and pet accommodation. In particular, there is a paved patio immediately to the rear of the house, which extends across the whole width of the main part of the dwelling. The outlook from this is currently

- towards the rear-most part of the single storey garage/utility room of the appeal property, which is set back behind the line of the rear wall of the host property.
12. The replacement of this single storey element with the appeal proposal would result in a significant increase in building mass immediately adjacent to No.28. Due to its combined height, depth, gable-ended roof form, and position on the side boundary, the proposed development would have an overbearing and oppressive impact on the outlook from the rear patio and garden of the adjacent dwelling. Accordingly, I consider that the occupiers of No.28 would experience a feeling of being 'hemmed in' by the proposal when using their rear garden. The development would also detract from the outlook from the rear ground floor lounge bay window of that property, which is located close to the proposed extension.
 13. The appellant has referred to Nos. 26 and 27 Juniper Close where the two-storey side wall of No.27 extends beyond the rear building line of No.26. Whilst, this juxtaposition of buildings is noted, this is as a result of the original housing development and the occupier of No.26 would have been aware of this relationship when choosing the property. The circumstances of the appeal scheme differ in that the proposal would change the existing living conditions of the occupants of No.28. I must determine the appeal having regard to the particular circumstances of the appeal site.
 14. The appellant has also drawn my attention to the improvement the scheme would provide in respect of the privacy of the occupiers of No.28, through the removal of the existing first floor side elevation window which directly faces the rear garden of that property. Whilst this is noted, it does not outweigh my concern in respect of the impact of the proposal on the outlook from No.28. In making this judgement, I have had regard to the secondary nature of the window which serves a landing.
 15. For the above reasons, I therefore conclude that the proposed development would unacceptably harm the living conditions of the occupiers of 28 Juniper Close with respect to an overbearing impact on their outlook. As such, the appeal scheme would not accord with Policy EM10 of the BDBLP and the DSSPD, in so far as they aim to ensure that new development respects the amenity of occupiers of neighbouring buildings and does not have an overbearing impact on neighbouring properties. This is generally consistent with the Framework, which seeks to ensure that developments will function well and promote a high standard of amenity, health and well-being for existing and future users (paragraph 127).

Other Matters

16. The appellant refers to positive pre-application advice received from the Council. Notwithstanding this, I am not bound by the advice given by the Council prior to the submission of the planning application and it does not alter or outweigh my conclusion on the main issues.
17. My attention has been drawn to support for the appeal scheme from a number of neighbours, the lack of Parish Council objection in respect of its impact on the character and appearance of the area, and support from the occupiers of No.28 at pre-application stage. The appellant has also stated that the Council did not provide any opportunity to respond to any outstanding issues prior to

the determination of the planning application. Whilst I have noted these matters, they do not affect my decision in respect of this appeal, which I must determine on the basis of the merits of the proposed development before me.

Conclusion

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

S Leonard

INSPECTOR