The Planning Inspectorate

Appeal Decision

Site visit made on 20 November 2019

by S Thomas BSc (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 June 2020

Appeal Ref: APP/W1715/D/19/3235931
38 Guildford Drive, Chandler's Ford, Hampshire S053 3PT

- 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 Dr K Balachandra against the decision of Eastleigh Borough Council.
- The application Ref H/19/85385, dated 8 April 2019, was refused by notice dated
- 31 May 2019.
- The development proposed is the construction of a single storey garden pavilion to the rear garden.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is located in a pleasant and verdant residential area, with the area characterised by large detached dwellings set generally in large open plots. The openness of the large gardens and tree cover contribute to the character of the area. The presence of outdoor garden buildings is not uncommon with examples in rear gardens along Guildford Drive and along Velmore Road which borders the rear gardens. No.38 Guildford Drive is a large detached property located on a bend and benefits from a substantial verdant rear garden containing patio area, lawns, shrubbery and tree cover together with a swimming pool.

4. The proposed garden pavilion would be located within an area to the north east of the garden which would overlook the pool area. I observed on my site visit this is a flat area containing fruit trees adjacent to the northern and eastern boundaries of the garden. The fruit trees would be removed as part of the development. However, the proposal would retain a substantial number of trees along the northern boundary with neighbouring properties along Velmore Road which will be protected as part of the development.

5. The Quality Places Supplementary Planning Document (2011) (SPD) states that the size of new buildings need to respect the setting in which they are built. It further states that a building does not exist in isolation and so the proportions

of the structure should also consider those of site and setting. In addition, it advises that other considerations may also be the surrounding built environment and the relationship to buildings on and off site.

6. The proposed garden pavilion would be of approximately 14 metres in length and approximately 3.9m in height at the pitched roof level. Whilst the materials would be acceptable this would be a substantial structure within the rear garden. The length of the proposed building would be of a comparable length to the existing dwelling. Whilst I acknowledge this is a large plot, I consider this would be a disproportionate addition to the garden. Whilst tree cover would provide some screening, the structure would still be visible from neighbouring properties and given its scale would be an overly dominant feature.

7. Whilst I acknowledge the presence of garden outbuildings in the locality, these are generally at a much smaller scale and would not have the same imposing effect that the proposed pavilion would. Therefore, whilst I recognise a timber outbuilding would not be harmful, I conclude the scale of the building proposed in this scheme is such that it would disrupt the large open gardens which is characteristic of the area by introducing a dominant structure contrary to the pattern of existing development.

8. For the reasons above, I conclude that the proposal would result in harm to the character and appearance of the area. Thus, the proposal would conflict with Policy 59.BE of the Eastleigh Borough Local Plan Review (2006) and the SPD. Together, these amongst other matters seek that development should take full account of the context of the site including the character and appearance of the locality and is appropriate in mass, scale both in themselves and in relation to adjoining buildings. These policies are consistent with the National Planning Policy Framework in seeking to ensure that proposals are sympathetic to local character, including the surrounding built environment.

Other Matters

9. Whilst the Council and other parties have expressed concern regarding the potential use of the garden building as a separate dwelling, the proposal is clear on the intended use of the building as incidental to the enjoyment of the existing dwelling. Accordingly, I have assessed the proposal on that basis. In any event, proposed use of the building as a separate dwelling would have necessitated a further planning application.

10. I acknowledge the appellant wishes to make better use of the underused part of the garden and the building would provide benefits to the appellant in this regard. In addition, I recognise there will be minor economic benefits through the construction of the proposed building. However, these benefits would not outweigh the harm I find the proposal would cause to the character and appearance of the area.

Conclusion

11. For the reasons outlined above, the appeal is dismissed.

S Thomas

INSPECTOR