



Appeal Decision

Site visit made on 1 September 2020

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 11 September 2020

Appeal Ref: APP/L1765/D/20/3250855

Merrymead, 2 Lynford Way, Winchester SO22 6BW

- 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 Ms Kate King against the decision of Winchester City Council.
 - The application Ref 19/02806/HOU, dated 16 December 2019, was refused by notice dated 25 March 2020.
 - The development proposed is new side and rear extensions with new accommodation in roof. Relocate garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant submitted amended plans part way through the determination of the planning application. For the avoidance of doubt, I have determined the appeal based on the amended plans, as referenced in the notes accompanying the Council's decision notice.

Main Issues

3. The Council's refusal notice refers to the effect of the development on the character and appearance of the host building and the local area. It also states that the development would have an *"unacceptable adverse impact on the residential amenities of the dwelling no.3 Lynford Avenue by being overbearing due to the existing difference of land levels"*. In respect of the latter issue, it is clear from reading the Council's officer report that this relates to the impact of the proposal upon the outlook from the two windows in the rear elevation that serve habitable rooms in No 3 Lynford Avenue and upon the outlook from the primary external living space of No 3 Lynford Avenue.
4. Therefore, the main issues are the effect of the proposal upon (i) the character and appearance of the host building and the local area; and (ii) the internal and external living conditions of the occupiers of No 3 Lynford Avenue in terms of outlook.

Reasons

Character and appearance

5. The appeal property is a detached bungalow located on the west side of Lynford Way close to the junction of Lynford Avenue. It is typical of the development in this part of Lynford Way, the street-scene of which is generally

characterised by reasonably evenly spaced bungalows, some of which have been extended. When viewed from the street, the bungalows appear somewhat linear and similar in design and scale. This positive characteristic is highlighted by virtue of the appreciable increase in land levels along Lynford Way to the south of the site and the resultant staggered hipped rooflines and the set back position of the bungalows within relatively spacious plots. Indeed, the appeal property is part of a row of bungalows that have a similar form that gives the street-scene a strong rhythm and rather spacious feel.

6. As a result of the size of the proposed extensions and alterations to the property the roof height would be increased by approximately 0.80 metres. Although the increase in itself would be limited, given that the resultant roof height of the development would be greater than the roof height of the neighbouring properties, and significantly so in comparison to the roof height of No 3 Lynford Avenue, it would disrupt the marked staggered rooflines of the row of bungalows along this part of Lynford Way. Moreover, the increase in the pitch of the roof slopes, in combination with the flat roof element at the apex, would be at odds with the prevailing roof form of neighbouring bungalows and so would disrupt the strong rhythm described above. Taking into account the rise in land levels along Lynford Way the resultant roof form would be conspicuous and readily visible, and particularly so in local public views from the vicinity of the junction of Lynford Way and Lynford Avenue.
7. The existing detached garage to the rear of the host property would be demolished and a new one would be integrated into the proposed development. Consequently, the width of the property would be increased which, in combination with the rear extensions and the height and design of the roof, would result in a built form significantly greater in size than the host building. The proposal would overwhelm the host property and so would not represent a subordinate addition. Thus, it would be contrary to the guidance contained within Winchester City Council's 'High Quality Places' Supplementary Planning Document, 2015 (SPD) which, amongst other things, states that extensions should generally be subservient to the host dwelling.
8. Whilst the existing eaves height of the bungalow would be retained, the increase in the overall size of the property would not be in keeping with the scale of most of the other bungalows in the immediate vicinity of the appeal site. I recognise that to some degree the rise in ground levels along Lynford Way would exacerbate the scale of the proposal. Nonetheless, notwithstanding that the proposed development would not encroach forward of the front elevation of the existing building, the overall size of the proposed development would erode the spacious character that exists around existing buildings. Thus, the proposal would represent a prominent addition out of character with the prevailing pattern of development in the immediate vicinity of the appeal site. It would be very readily apparent from the public domain and so would have a significant adverse impact on the street-scene when viewed against the immediate pattern of development. For these reasons, therefore, the proposed development would be significantly harmful to the character and appearance of the host building and the local area.
9. Consequently, in this regard, it would conflict with Policy DM16 (i) of the Winchester District Local Plan Part 2, April 2017 (LPP2) and the SPD which, amongst other things, set out to ensure that development proposals respond positively to the character and appearance of the local environment, within and

surrounding the site, in terms of its design and scale; and ensure that extensions are generally subservient to and proportionate with the scale of the existing dwelling.

Living conditions

10. The outlook from the rear elevation windows of No 3 Lynford Avenue, which are secondary windows that serve a bedroom and a living room, is towards a tall wooden fence along the common boundary with the appeal site. The rear elevation of No 3 is close to the boundary fence and by virtue of the rise in ground level the top of the fence is well above the windows, indeed it is above the eaves level of No 3. Consequently, the existing tall wooden fence to a large extent limits the outlook from the secondary windows.
11. Part of the proposed new side extension would incorporate a garage. It would be built along the boundary with No 3 and would, at eaves level, be taller than the existing wooden fence. This element of the proposal would be positioned directly opposite the rear elevation window that serves the bedroom and virtually opposite the rear elevation window that serves the living room. However, taking into account the existing outlook described above and the fact that the roof slope of the proposed side extension would be away from the boundary and hence away from No 3, in my judgement, the proposal would not result in a material change to the outlook from either of the secondary rear elevation windows. Consequently, the development would not result in a material change to the internal living conditions of the occupiers of No 3 in terms of outlook.
12. No 3 is on the corner of Lynford Avenue and Lynford Way and its primary external living space is the garden area to the west of the property. The outlook to the south from the garden area is towards the tall wooden boundary fence and the existing detached garage positioned to the rear of the appeal property which is readily visible above the boundary fence.
13. The existing detached garage would be demolished. The proposed built form, which would be of greater height than the existing dwelling and in part be positioned along the boundary with No 3, would have a pitched roof that would slope away from the boundary. However, except for the proposed flat roofed rear extension, which would in any event be positioned further away from the boundary than the existing detached garage, the development would mainly be in proximity to the built form of No 3 and hence away from the garden area. Thus, even after taking into account the difference in land levels between the appeal site and No 3, the proposed development would not have an enclosing effect, nor would it represent a dominant or overbearing feature in the outlook from the primary external living space of No 3.
14. For the reasons outlined above, I conclude that the proposed development would not result in a harmful change to the internal or external living conditions of the occupiers of No 3 in terms of outlook. Consequently, it would not conflict with Policy DM17 of the LPP2 which states in part (vii), amongst other things, that development will be permitted where it does not have an unacceptable adverse impact on adjoining property by reason of being overbearing.

Other Matters

15. My attention has been drawn to other development in the area. The appellant says that they demonstrate substantial variety in the appearance of residences in the area. The appellant cites two specific local properties, one at 16 Lynford Way and the other at 6 Vernham Road, pointing out that they appear substantially different to the traditional bungalows in the area, being much larger and more modern in appearance. However, I am not aware of the full circumstances which led to these other developments being built, nor whether they are directly comparable with the case before me. In any event, I have determined the appeal proposal on its individual planning merits and the existence of the other developments referred to by the appellant does not alter or outweigh my conclusions on the character and appearance main issue.

Conclusion

16. In conclusion, whilst the proposed development would not result in a harmful change to the internal or external living conditions of the occupiers of No 3 Lynford Avenue in terms of outlook, this would not overcome the significant harm that would be caused to the character and appearance of the host building and the local area. Therefore, for the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Andrew Bremford

INSPECTOR