
Appeal Decision

Site visit made on 22 September 2020

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2020

Appeal Ref: APP/N1730/D/20/3256095

3 Whinchat Close, Hartley Wintney, Hook RG27 8TT

- 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 Mrs Joanna Cooper against the decision of Hart District Council.
 - The application Ref 20/00633/HOU, dated 9 March 2020, was refused by notice dated 2 June 2020.
 - The development proposed is erection of a two storey side extension, single storey front extension and part garage conversion into habitable accommodation.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of the proposal from the Council's decision notice, which matches that on the appeal form. This is a more precise description of the development involved than that used on the planning application form.
3. The appellant has drawn my attention to amended drawings Ref D2227-PL-02 Rev B, Rev C and Rev D, which were submitted to the Council prior to the determination of the planning application. These sought to address the concerns of the case officer, and included alterations to the design of the side extension and changes to the proposed materials. The Council has confirmed that the amended plans were not accepted, since they did not address all the case officer's concerns. As such, the Council has confirmed that the decision was based on drawings Ref D2227-01 Rev A and D2227-02 Rev A.
4. The appellant has requested that I consider the aforementioned amended plans in my determination of the appeal. I have not been provided with copies of the amended plans. In any case, the planning appeals procedural guidance¹ (Annexe M) advises that, if an applicant thinks that amending their application proposals will overcome the local planning authority's reasons for refusal, they should normally make a fresh planning application. Moreover, if an appeal is made, the appeal process should not be used to evolve a scheme, and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought. Accordingly, I have determined the appeal on the basis of the scheme which was refused by the council.

¹ Procedural Guide. Planning Appeals – England. The Planning Inspectorate August 2019.

Main Issues

5. The main issues are the effect of the development on:
- the character and appearance of the host property and the surrounding area; and
 - the living conditions of the occupiers of 4 Whinchat Close in respect of outlook and daylight impacts.

Reasons

Character and appearance

6. The appeal property is a modern, detached, two storey house, with brick and cladding finished walls under a tiled pitched roof. There is an attached double garage to the side. This is set back from the main front wall of the building and has a catslide roof with side dormer windows serving first floor en-suite bathrooms. To the rear, there is a single storey pitched roof projection.
7. The site is situated close the entrance to Whinchat Close, a cul-de-sac within a suburban housing estate. The road, and wider surrounding area, are characterised by modern two storey houses with open plan frontages. The Council states that the appeal property comprises one of 4 recurrent building designs occurring throughout the estate. Notwithstanding that some properties have been altered and extended, elements of uniformity of building design remain throughout the locality. Properties within Whinchat Close comprise detached houses which are characterised by attached subsidiary side garages. 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 street scene, by providing breaks between the buildings and adding spaciousness to this part of the estate.
8. The proposed side addition would extend to almost the whole depth of the dwelling, with only a small set back behind the line of the front wall, and to within close proximity of the side boundary with No.4. As such, it would add considerable bulk and massing to the existing building, and a subsidiary side garage element would no longer be a feature of the building. As a result of its combined width, depth and height, and matching eaves and ridge heights to those of the existing roof, the side extension would not be read as a subservient addition to the building in views from the street. Furthermore, the perceived width of the side extension would be accentuated by its relatively shallow hipped roof form in comparison to the pitched roof of the main dwelling.
9. As such, the proposal would not respect the character of the host property, whose original identity, comprising a design which is common throughout the estate, would be lost. It would result in an unduly bulky and visually prominent addition, which is out of keeping with the established pattern of development within the close. It would comprise a more cramped form of development than is characteristic of the road, and would significantly erode the space around the existing garage, thereby materially harming the open and spacious character of this part of the road. It would not, therefore, be sympathetic to the surrounding built environment.

10. The incongruous nature of the development within the street scene would be exacerbated by the proposed rendered walls and slate roof, which would be at odds with the brick and tile finishes which typify the road, and are a feature of the surrounding area
11. The appellant has drawn my attention to a number of single and first floor extensions that have been carried out within the locality of the appeal site, including within Whinchat Close. On the basis of the information before me, and my site inspection, I find that none of these are directly comparable with the appeal scheme in respect of their detailed design and 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.
12. For the above reasons, I conclude that the proposed development would cause significant harm to the character and appearance of the host property and the wider surrounding area. As such, the appeal scheme would be contrary to Policy NBE9 of the *Hart Local Plan: Strategy and Sites 2016 – 2032 (2020)* (the HLPSS), Saved Policy GEN1 of the *Hart District Local Plan (Replacement) 1996-2006 (and First Alterations) (2002)* (the HDLP) and Policy 2 – Design Guide of the *Hartley Wintney Neighbourhood Plan 2017-2032 (2019)* (the NP). These policies, amongst other things, aim to ensure that development proposals seek to achieve a high quality design, positively contribute to the overall appearance of the area, and are in keeping with the local character by virtue of their scale, design, massing, height, prominence and materials. 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

13. The proposed side extension would be sited close to the flank wall of the adjacent dwelling at No.4, and directly opposite a clear-glazed ground floor window within that side wall. As such, it would impact on the outlook from, and natural daylight entering into, that window. Having regard to the full two storey height of the proposal, its close proximity to that window, and its proposed position to the south/south-east of the window, there is potential for these outlook and daylight impacts to have a significant impact on the living conditions of the occupiers of that property. The appellant has not provided any cogent evidence to persuade me that such impacts would not be materially harmful.
14. For the above reasons, I therefore conclude that it has not been satisfactorily demonstrated that the appeal scheme would not materially harm the living conditions of the occupiers of 4 Whinchat Close, in respect of outlook and daylight impacts. As such, the development would not accord with one of the aims of HDLP Policy GEN1, which is to protect the quality of life of the District's residents. This is generally consistent with paragraph 127 of 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.

Other Matters

15. Notwithstanding that the Framework encourages Local Planning Authorities to approach decisions in a positive and creative way, this is not unqualified, and would not address, or outweigh, the aforementioned harm that I have

identified in respect of the main issues. The Framework confirms that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development (paragraph 124).

16. The appellant has drawn my attention to the social objectives of sustainable development contained within the Framework, which include the provision of a supply of housing to meet the needs of present and future generations. The appeal scheme, comprising extensions to an existing dwelling, would not result in the creation of any additional housing units.
17. The appellant has referred to the Council's procedures during the determination of the planning application, which did not include a site visit by the case officer. This is not a matter for consideration as part of this appeal. I have determined the appeal on the merits of the proposal before me, and in so doing I have undertaken a site inspection.

Conclusion

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

S Leonard

INSPECTOR