
Appeal Decision

Site visit made on 30 September 2020

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 16 October 2020

Appeal Ref: APP/X1735/D/20/3251943

53 Penhurst Road, Havant PO9 3NX

- 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 Jason King against the decision of Havant Borough Council.
 - The application Ref APP/20/00211, dated 4 March 2020, was refused by notice dated 28 April 2020.
 - The development proposed is demolition of garage; two storey side extension incorporating hip to gable roof and loft conversion with dormers to front and rear.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the living conditions of the occupiers of neighbouring properties.

Reasons

3. The appeal property is a semi-detached dwelling located within a primarily residential area close to the junction of Penhurst Road and Scratchface Lane. Unlike other similarly designed semi-detached dwellings fronting Penhurst Lane, the property's side elevation is adjacent to the shared boundary with 85 and 87 Scratchface Lane. These neighbouring properties are bungalows with accommodation within their roofspace and they possess rear single storey extensions with habitable accommodation.
4. The outlook from the rear habitable room windows of No. 85 is principally towards the shared boundary with the appeal property. Adjacent to this shared boundary is a single storey garage which means the property's 2-storey flank wall is sited away from the boundary. The property has a hipped roof that slopes away from the boundary which reduces the visual bulk of this elevation.
5. The proposed development includes the erection of a 2-storey side extension, which would replace the single storey garage, and a hip to gable roof extension which would extend across both the property and the side addition. The proposed extension's flank wall would only be sited about 750mm away from the shared boundary.
6. The measurements provided by the appellant indicate that the separation distance between the proposed 2-storey flank wall and No. 85 would be less than the minimum 10 metres identified in the Council's *Design Guide*

Supplementary Planning Document (SDP). The separation distance referred to in the SPD is for the spacing between a new dwelling's blank gable wall and any neighbouring properties. Although it is an existing property rather than new dwelling, the SPD's guideline is a useful benchmark but there still needs to be an assessment of any harm associated with the appeal scheme.

7. In this case, because of its siting, height, gable roof form and overall bulk, the outlook from the rear habitable room windows of No. 85, and also the rear garden, would be visually dominated by the flank wall of the proposed extension. This element of the appeal scheme would be an overbearing form of development for the occupiers of No. 85. The different external materials and the inclusion of obscurely glazed windows would not break-up the unacceptable visual bulk of the proposed extension.
8. From the garden and rear windows of No. 87 the outlook would principally be towards the garden of the appeal property because the proposed side extension would not be sited adjacent to the shared boundary between these neighbouring properties. The same unacceptable harm which would be experienced by the occupiers of No. 85, by reason of the overbearing appearance of the appeal scheme, would not apply to the occupiers of No. 87.
9. The appellant has referred to alterations to other similar dwellings within the surrounding area. However, the detailed planning circumstances of these other dwellings have not been provided. Further, from what was observed these other schemes, including along Penhurst Road, do not have the same physical relationship with the rear gardens of neighbouring properties as the proposed development. Limited weight is given to these other schemes in the determination of this appeal.
10. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of the neighbouring properties, specifically the occupiers of 85 Scratchface Lane, and, as such, it would conflict with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011. Amongst other matters, this policy refers to proposals not causing unacceptable harm to the amenity of neighbours, including by reason of outlook. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR