



Appeal Decision

Site Visit made on 10 November 2020

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 13 November 2020

Appeal Ref: APP/N1730/D/20/3258055

38 Queens Road, North Warnborough, Hook RG29 1DN

- 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 Tanya Stewart against the decision of Hart District Council.
 - The application Ref 20/01034/HOU, dated 6 May 2020, was refused by notice dated 10 July 2020.
 - The development proposed is the erection of a single storey rear extension to include – window, 3x roof lights & bi-folding doors. Garage conversion to include 5x roof lights & windows.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a single storey rear extension to include – window, 3x roof lights & bi-folding doors. Garage conversion to include 5x roof lights & windows at 38 Queens Road, North Warnborough, Hook RG29 1DN, in accordance with the terms of the application, Ref 20/01034/HOU, dated 6 May 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development shall be carried out in strict accordance with the following submitted plans: Site Location and Block Plan, Existing Floor Plans, Existing Elevations, Proposed Floor Plans, Proposed Elevations, Existing Garage and Proposed Garage.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The development hereby approved shall at all times be ancillary and incidental to the host dwelling at 38 Queens Road. It shall not be let, sub-let, sold or otherwise occupied independently, and at all times shall remain as ancillary accommodation only.

Preliminary Matter

2. At the time of my visit to the site an extension to the rear of the dwelling was largely complete. I have determined the appeal on this basis.

Main Issues

3. Whether the proposal is acceptable in principle with regard to whether the garage could be used as a separate residential unit, and the effect of the proposal on parking provision.

Reasons

4. The converted garage would provide a modest level of accommodation, which would include a living area at the ground floor, and a small bedroom and en-suite at first floor. Although separate from the principal dwelling, it would only be accessible from the existing rear garden and would be close to the back of the principal dwelling. The rear elevation of the converted garage would be almost entirely glazed at ground floor and would face onto the existing garden. This would create a level of mutual overlooking between the converted garage and garden that would only be acceptable on the basis that the accommodation provided would be incidental to the use of the principal dwelling.
5. The Council suggests that the garage conversion has been designed with primary residential use in mind. However, the unit would be small, with first floor accommodation particularly restricted by the limited height of the building. It would be of a subservient scale to the level of accommodation provided by the existing dwelling. Furthermore, the appellant has not applied for a separate dwelling and has set out the specific needs of an existing family member who would benefit from the proposed accommodation. A condition can be imposed to ensure that it remains in a use incidental to the use of the existing dwelling.
6. The proposal would result in the loss of the parking space currently provided by the garage. The proposal would also see an increase in the level of accommodation at the site including an increase in the number of bedrooms from three to four. Two parking spaces would however be retained at the front of the dwelling, which appears to be similar to that provided for many other dwellings in the area. Furthermore, at my visit I saw that some on street parking is available, and the space in front of the converted garage, although outside the appellant's ownership, would still be available for parking.
7. The proposal is therefore acceptable in principle as an extension to the existing residential accommodation provided by the dwelling, and would retain adequate parking provision. This would accord with Policies NBE9 and INF3 of the Hart Local Plan (strategy and sites) 2032, Saved Policies GEN1 and RUR1 of the Hart Local Plan (Replacement) 1996-2006 and Policy 5 of the Odiham and North Warnborough Neighbourhood Plan 2014-2032, which together seek to ensure that development proposals are well designed and provide appropriate parking provision.

Other Matters

8. The proposal includes an extension at the rear of the dwelling to which the Council did not object. The extension has a simple lean-to form that relates well to the design of the existing dwelling. It retains an adequate area of private garden and does not harm the living conditions of neighbouring occupiers. I therefore find no reason to disagree with the Council's findings in respect of this element of the proposal.

9. Matters of noise transmission between the converted garage and the adjacent garage would be addressed through other legislation. The garage faces onto a small parking area with other garages, which provides parking for three other dwellings. Its front elevation would be altered, by replacing the garage door with a window and the fitting of two roof lights into the front facing roof slope. Although this would look different to the remaining three garages, I am satisfied that the changes would not be harmful, particularly as they would only be visible from within this small area.

Conditions

10. I have had regard to the planning conditions that have been suggested by the Council and considered them against the tests in the National Planning Policy Framework and the advice in the Planning Practice Guidance. I have imposed a condition specifying the approved plans as this provides certainty, and a condition to ensure that materials match to safeguard the character and appearance of the area. I have imposed a condition to ensure that the development remains in a use incidental to the principal dwelling, as the formation of an independent residential unit in this location would be undesirable and unacceptable.

Conclusion

11. For the reasons above, the appeal should be allowed.

Andrew Tucker

INSPECTOR