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## Appeal Decision

Site visit made on 14 December 2020

**by Andrew Bremford BSc (Hons) MRICS**

**an Inspector appointed by the Secretary of State**

**Decision date: 30<sup>th</sup> December 2020**

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**Appeal Ref: APP/X1735/D/20/3262091**

**2 Ashwood Close, Bedhampton, Hants PO9 3QT**

- 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 Barry Hansler against the decision of Havant Borough Council.
  - The application Ref APP/20/00586, dated 12 July 2020, was refused by notice dated 9 October 2020.
  - The development proposed is first floor side extension (above existing garage) and two storey rear extension incorporating roof alterations to accommodate loft conversion with dormers to front and side elevations.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The description of the development as given on the application form is different from that provided on both the appeal form and the Council's decision notice; accordingly, I have used the latter description as it is more precise.

### Main Issues

3. The Council's refusal notice refers to the effect of the proposed development on the character and appearance of the host building and the surrounding area. It also refers to the effect of the development on the "*amenities of the occupiers*" of No 1 Ashwood Close. In respect of the latter issue, it is clear from reading the Council's officer report that this relates to outlook and sunlight.
4. Therefore, the main issues are the effect of the proposed development upon (i) the character and appearance of the host building and surrounding area; and (ii) the living conditions of the occupiers of No 1 Ashwood Close in regard to outlook and sunlight.

### Reasons

#### *Character and appearance*

5. The appeal property, No 2 Ashwood Close, is an L-shaped low profile detached bungalow with a barn-hipped roof and front projection with a hipped roof. The building is typical of the development in the area, the street scene of which is generally characterised by detached bungalows of similar design and massing. These characteristics, along with the space that exists around most

buildings within their respective plots and the ordered layout of development around Ashwood Close and Chestnut Avenue, combine to give the street scene a spacious appearance and established rhythm of development. The appeal site, by virtue of the design and massing of the bungalow and the space around the building, reflects the prevailing pattern of development and hence makes a positive contribution to the character and appearance of the area.

6. The proposal would substantially extend the property. The proposed side extension above the garage would extend the built form at first floor level across virtually the full width of the plot. The proposed two storey rear extension would increase the footprint of the building which, in combination with the proposed side extension, would significantly increase the overall size of the building. The ridge height of the extensions would be set at the same height as the main ridge and so, notwithstanding the barn hipped roof design, the shape of the original building would be materially lost. Overall, the size and bulk of the proposed extensions would simply overwhelm the proportions of the existing dwelling, failing to represent subordinate additions. Consequently, in the context of the size of the existing low profile bungalow, the development would result in a loss of space around the dwelling and, in terms of massing, a building at odds with the prevailing pattern of development described above, adversely affecting its character and appearance.
7. While the proposed rear extension would not be readily visible from the road, it would nonetheless be visible from the rear of neighbouring properties including those in Chestnut Avenue. Thus, in combination with the proposed side extension, the development would have a localised adverse visual impact. Although the dwelling is set back from the road frontage, owing to its elevated position and the proposed side extension, which would result in built form at first floor level across much of the width of the plot, it would become more prominent in the street scene and out of keeping with the size and appearance of most properties in the surrounding area. The use of materials to match the existing building would not diminish the harm caused by the increased size and bulk of the dwelling.
8. Owing to their modest size, the proposed dormers would not dominate the roof or the existing building. Consequently, they would not cause harm to the character and appearance of the host building or surrounding area given that some other properties in the vicinity of the appeal site have similarly sized dormers.
9. However, for the reasons outlined above the proposal would harm the character and appearance of the host building and surrounding area. Therefore, in this regard, it would conflict with the design aims of Policy CS16 of the Havant Borough Core Strategy 2011 (HBCS) which, amongst other things, seeks to ensure that all development demonstrate that its design responds to and respects local context and responds positively to local character within or close to the proposed development site; and, uses the characteristics of the locality to help inform the design of the new development including massing.
10. The proposed development would also conflict with the Council's Design Guide Supplementary Planning Document 2011 (SPD) which requires that proposals should look to the existing building as the main reference point for appearance (paragraph 5.35); and, in the case of side extensions remain subservient to the

main building, so it can be read which part of the building is the original and which is a later addition (paragraph 5.37). Although the roof form of the proposed rear extension, by virtue of its barn hipped design, would be sympathetic to the original building, the development would still conflict with the SPD in so far as it requires that rear extensions should also be subservient to the original building (paragraph 5.41).

#### *Living conditions*

11. The flank wall of the existing garage of the host building is positioned along the boundary with the neighbouring residential property, No 1 Ashwood Close. It is single storey in height and so does not represent an overly dominant feature in the outlook from the rear garden area adjacent to the rear elevation of No 1.
12. The proposed side extension would significantly increase the height of the flank wall along the boundary. Moreover, although it would be set in from the boundary by around 3.0 metres, due to the fact that No 1 is stepped forward from the host building, the proposed rear extension would extend some distance beyond the rear elevation of No 1. Consequently, notwithstanding the barn hipped roof design, owing to the height and position of the proposed extensions, which would be readily visible above the fence and wall that mark the boundary, the development would be a dominant and overbearing feature in the outlook from the garden area adjacent to the rear elevation of No 1.
13. The development would be to the east of No 1. So, by virtue of its scale and position it would result in a degree of overshadowing to the rear garden area and rear elevation windows of No 1 in the late afternoon period when the sun is in the west. However, I do not consider that the loss of sunlight as a result of overshadowing would, in this case, be so significant as to warrant refusal of planning permission.
14. However, for the above reasons, the proposed development would cause harm to the living conditions of the occupiers of No 1 Ashwood Close in regard to outlook. Consequently, it would not adhere to the living conditions aims of Policy CS16 of the HBSC which, amongst other things, seeks to ensure that development does not cause unacceptable harm to the amenity of neighbours through loss of outlook.

#### **Conclusion**

15. In conclusion, whilst the proposal would not cause harm to the living conditions of the occupiers of No 1 in respect of sunlight, this would not overcome the harm that would be caused in regard to outlook and the harm that would be caused to the character and appearance of the host building and surrounding area. Therefore, the appeal is dismissed.

*Andrew Bremford*

INSPECTOR