



Appeal Decision

Site visit made on 11 January 2021

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th January 2021

Appeal Ref: APP/Y9507/D/20/3258734 18 Station Road, Petersfield GU32 3ES

- 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 P Donovan against the decision of South Downs National Park Authority.
 - The application Ref SDNP/20/01402/HOUS, dated 31 March 2020, was refused by notice dated 19 June 2020.
 - The development proposed is the erection of a roof extension, roof terrace and replacement garage outbuilding.
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Decision

1. The appeal is dismissed insofar as it relates to replacement garage outbuilding.
2. The appeal is allowed and planning permission is granted insofar as it relates to the erection of a roof extension and roof terrace at 18 Station Road, Petersfield GU32 3ES in accordance with the terms of the application, Ref SDNP/20/10402/HOUS, dated 3 April 2020, and subject to the conditions in the attached schedule.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the living conditions of occupants of 20 Station Road, with particular regard to outlook and sense of enclosure; and
 - the living conditions of existing and future occupants of the host property, with particular regard to its enclosing effect on the garden space.

Reasons

4. The proposed development includes the replacement of an existing single-storey garage outbuilding positioned at the rear of the garden to Number 18 (No 18) with a larger single-storey building which would have a pitched roof with a ridge line indicated to be around 5.5 metres. The southern elevation of the building would feature a dormer window with a gable form and a lower Dutch hipped roof on the boundary with Number 20 (No 20).

Living conditions - neighbours

5. No 20 is a two-storey house with a very small garden. It has a single-storey extension close to its boundary with No 18. Within the rear elevation of this

extension there are glazed doors positioned a short distance from and facing towards the existing single-storey outbuilding at No 18.

6. The proposed outbuilding would be significantly taller than the existing. Whilst the highest part of the roof would be set away from the boundary with No 20 beyond the Dutch hip, the height on this boundary would nevertheless increase from around 2 metres to 2.8 metres. In addition, the front elevation of the proposed outbuilding would also extend forward of the existing bringing it closer to the rear elevation of No 20. Due to the proximity of the proposed development and its additional height on the boundary, the proposed outbuilding would significantly reduce outlook from these glazed doors. It would also have an enclosing effect on No 20's very small rear garden. These harmful effects would be exacerbated by the angle of the boundary between Nos 18 and 20 which orientates the rear elevation of No 20 towards the boundary line. This would make the proposed outbuilding appear more overbearing and oppressive when viewed from No 20. This would adversely affect the living conditions of these adjoining neighbours.
7. Planning permission was granted for a replacement outbuilding in 2016¹. This would have extended a shorter length but would have been taller along the boundary with No 20 although with a lower overall height. Whilst this may have been acceptable in 2016, I have no information whether the relationship between No 20 and the outbuilding has changed in the intervening years. In coming to this view, I am mindful that the extension to No 20 appeared relatively new and may have been a recent addition to this neighbouring property. Furthermore, the 2016 approved outbuilding would not have been as close to the rear elevation, either with or without the extension, as the scheme before me. This is a contributing factor to the sense of enclosure and loss of outlook. The earlier permission does not therefore represent a reliable fallback position and does not justify the scheme before me.
8. Consequently, I conclude that the proposed outbuilding would significantly harm the living conditions of occupants of No 20, with particular regard to outlook and sense of enclosure. It would therefore conflict with Policies SD31 and SD05 of the South Downs National Park Local Plan 2019 (Local Plan) which together seek proposals that would not be detrimental to the amenity of nearby residents. It would also not accord with the National Planning Policy Framework (the Framework) guidance that requires developments to create places with a high standard of amenity.

Living conditions – host property

9. No 18 is a five bedroom property. The existing garden is small in size with the space between the existing outbuilding and the rear elevation of the host property being quite narrow. The relationship between the host property and outbuilding has an enclosing effect on the outdoor garden space. The proposed outbuilding would be both taller and closer to the rear elevation of the host property which would reduce the space between the two buildings and reduce the small garden by approximately 6 square metres. The additional height would result in a slightly more dominating form of development that would lead to a greater sense of enclosure within this small garden area, although the pitched roof design would provide some mitigation of this.

¹ SDNP/16/03506/HOUS

10. The proposed development would also provide a sizeable roof terrace. Consequently, existing or future occupants would not be solely reliant on the garden as outdoor space. Whilst the roof terrace would not function in the same way as garden space which, due to its direct access from the ground floor, would be more convenient, it would nevertheless provide space for sitting out and relaxing. These two spaces in combination would meet the varying needs of the household. The roof terrace would therefore compensate for the limited reduction in quality of the garden space that would arise.
11. I conclude that the proposed outbuilding would not harm the living conditions of existing and future occupiers of the host property. It would therefore accord with Policies SD31 and SD05 of the Local Plan and the Framework which together require development to provide high quality outdoor amenity space appropriate to the needs of its occupiers.

Split Decision

12. The proposal additionally includes a roof extension and roof terrace to the host property. The Authority does not appear to object to this part of the proposal and I consider that it is acceptable. This part of the proposal is clearly severable from the remainder, and consequently I am going to issue a 'split' decision allowing the appeal in this respect.

Other Matters

13. The existing outbuilding is of no architectural merit and the proposed development would improve the design quality. However, this does not outweigh the harm that I have identified.
14. The appellant has raised a concern that the Authority may not have taken all his submitted evidence into account in considering the application. I appreciate that this must be frustrating for the appellant, however, this is a procedural matter and does not affect my assessment of the merits of the case.

Conditions

15. The Authority has suggested a number of conditions should the appeal be allowed, I have considered these and imposed them where they meet the tests set out in Paragraph 55 of the Framework, amending where necessary for the sake of simplicity, clarity and precision.
16. I have imposed a condition requiring that the development is carried out in accordance with the approved plans in the interests of certainty. A condition requiring samples of materials to be submitted and approved is necessary in the interests of the appearance of the development and the Petersfield Conservation Area.
17. A condition requiring the provision of a bat or bird box is reasonable in order to comply with Policies SD2 and SD9 of the Local Plan which seek new development to contribute to the conservation and enhancement of biodiversity. In order to protect the special quality of the South Downs National Park and especially the designated International Dark Night Reserve, a condition requiring details of mitigation methods for new glazed doors and windows is necessary and reasonable.

Planning Balance and Conclusion

18. I have found the proposed development would not harm the living conditions of occupiers of the host property, but it would harm those of neighbouring occupiers of No 20. For this reason, I conclude that the appeal should be allowed insofar as it relates to the erection of a roof extension and roof terrace and dismissed insofar as it relates to the replacement garage outbuilding.

Rachael Pipkin

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in strict accordance with the following approved drawings: 584_03_000, 584_03_001 Rev B, 584_03_02 Rev C and 584_03_003 Rev B.
- 3) Notwithstanding any indication of external materials and windows, no construction of the external surfaces or windows shall be installed to the development hereby permitted, until details or samples including manufacturer's details of all materials, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details or samples.
- 4) Within two months of the date of substantial completion of the development hereby permitted, a minimum of one bat or bird box shall be installed within the site. The bat or bird box shall be installed as per manufacturer's instructions and shall be maintained and retained thereafter.
- 5) Prior to the first use of the development hereby permitted, details of mitigation methods (in accordance with the South Downs National Park Dark Skies Guidance) for the two sets of bifold doors in the rear elevation and roof windows in the porch canopy of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The approved mitigation shall be installed prior to the first use of the development hereby permitted and shall be permanently used and maintained thereafter.

End of Schedule of Conditions