
Appeal Decision

Site visit made on 2 February 2021

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 February 2021

Appeal Ref: APP/W1715/D/20/3262814

72 Thornbury Wood, Chandler's Ford, SO53 5DQ

- 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 Sonia Chahal against the decision of Eastleigh Borough Council.
 - The application Ref H/20/88186, dated 7 July 2020, was refused by notice dated 28 August 2020.
 - The development proposed is two storey side extension and removal of existing conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for two storey side extension and removal of existing conservatory at 72 Thornbury Wood, Chandler's Ford, SO53 5DQ in accordance with the terms of the application, Ref H/20/88186, dated 7 July 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 hereby permitted shall be carried out in accordance with drawing nos. 19.043.01RevA, 19.043.02, 19.043.03RevF and 19.043.04RevC.
 - 3) The external materials to be used in the construction of the extension hereby permitted shall match those used in the existing dwelling.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the surrounding area; and
 - The effect of the proposal on the living conditions of the occupiers of 74 Thornbury Wood, with particular reference to outlook, light and overshadowing.

Reasons

Character and appearance

3. The appeal property comprises a modern, detached two storey dwelling, with facing brick and part tile hung walls under a pitched tiled roof. A flat-roofed

double garage projects to the front of the building, and there is a single storey conservatory to the rear.

4. The site lies within a suburban housing estate, which is made up of detached late 20th century, two storey houses, set back behind deep, soft landscaped, open plan frontages, and featuring attached garages off-set to the front or side. Spacing between dwellings is a strong feature of the townscape, with houses generally not extending across the whole width of their plots, and usually including a first-floor height gap to one side above the garage. These side spaces often allow a maturely landscaped backdrop to be visible from the street. As such, the area has a pleasant, spacious and verdant character. The appeal property is typical of the prevailing dwellings, and, with spaces to both sides of the building, the appeal site makes a positive contribution to the character and appearance of the area.
5. Whilst not all properties are identical in design, and some have been extended to the side, an overall consistency of building character and spacing has been maintained in the area. Two storey side extensions, where evident, tend to be of a height, scale, width and depth such that they appear subservient to the host property and allow the retention of space between neighbouring dwellings.
6. Although clearly forming part of the established pattern of development of the estate, the group of houses in which the appeal site is located, includes variations in design, and some subservient side extension, as well as some differences in terms of the spatial positioning of dwellings in relation to their side boundaries and neighbouring properties.
7. As a result of its significantly lower ridge height than that of the host property, its lower eaves height, its narrow vertical appearance when viewed from the street, its shallower depth than that of the main building, and its set back position behind the line of the front wall of the house, the proposed two storey extension would appear as a subsidiary addition to the host property. It would also be comparable in height and width to the extension which has been built to the side of no.74.
8. The appeal site is wider than other properties within this stretch of the road, so that there is a significant amount of space at upper level to both sides of the house. Although the extension would reduce the existing gap to the south side of the dwelling, its width would be such that it would still enable the retention of a spacious gap between its side wall and the side boundary. This gap would be enhanced by the offset siting of the side of no.74 from the appeal site boundary.
9. Furthermore, the proposal would retain the existing wide first floor space between the north side of the property and the side boundary with no.70. As such, whilst the space to the south side of the appeal property would be reduced as a result of the appeal scheme, the space to both sides of the property would not be diminished to such an extent that would be unduly harmful to the street scene. The essential character and appearance of the dwelling would not be undermined, and it would continue to be perceived as a detached property with generous spacing to both sides. Accordingly, I find that the appeal proposal would be in keeping with the established street scene in this stretch of the road.

10. For the above reasons, I conclude that the proposal would not materially harm the character and appearance of the area. As such, the proposal would accord with Saved Policy 59.BE of the *Eastleigh Borough Local Plan Review 2001 – 2011* (2009) (the LPR), Emerging Policy DM1 of the Submitted *Eastleigh Borough Local Plan (2016-2036)* (2018) (the SEBLP) and the *Quality Places Supplementary Planning Document* (2011) (the QPSPD). These policies and guidance, amongst other things, require new developments to be of a good design, take full and proper account of the context of the site, including the character and appearance of the locality, and to be appropriate in mass, scale, design and siting in themselves and in relation to adjoining buildings and spaces.
11. For similar reasons, the development accords with guidance in Chapter 12 of the *National Planning Policy Framework 2019* (the Framework), which requires high quality design.

Living conditions

12. The Council's second reason for refusal relates to loss of outlook and light as well as overshadowing to no.74. The proposed two storey extension would be sited opposite a two-storey side projection to no.74 and a small courtyard area between the front wall of this extension and the rear wall of the garage of that property. Whilst there would be some impact on the outlook from, and light reaching this recessed courtyard area, this would not be so materially harmful as to warrant refusal of the appeal scheme. In coming to this view I have had regard to the spacious gap which would remain between the side wall of the proposal and the side boundary with no.74, the absence of windows on the side wall of the extension at no.74, the secondary/high level nature of the windows in the courtyard-facing walls of no.74, and the proposed near alignment of the rear wall of the proposal and the rear wall of no.74. Furthermore, this courtyard area is already partially enclosed by 3 walls of no.74 and the side boundary wall.
13. On the basis of the evidence before me, I am not persuaded that the appeal scheme would result in undue overshadowing to no.74, having regard to the aforementioned juxtaposition of the proposal in relation to no.74, and given the proposed siting of the extension to the north/northeast of that property.
14. For the above reasons, I conclude that there would be no demonstrable harm to the living conditions of the occupiers of 74 Thornbury Wood, with particular reference to outlook, light and overshadowing. As such, the proposal would accord with Saved Policy 59.BE of the LPR, emerging Policy DM1 of the SEBLP and the QPSPD, in so far as these policies and guidance seek to ensure that new development avoids unduly interfering, disturbing or conflicting with adjoining uses, including in terms of loss of outlook and daylight.
15. 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

16. The Council has referred to 3 dismissed appeal decisions in respect of proposals for two-storey side extensions to nos. 76 and 78 Thornbury Wood. I find that these proposals were notably different to the current appeal scheme in respect

of their height, massing and design, and their relationship with the host property and juxtaposition in relation to the side boundary and neighbouring property. As such, I am satisfied that these proposals would have resulted in significantly different impacts upon the spatial characteristics of the street scene than the appeal scheme, and they do not alter my findings in respect of the current proposal.

17. I acknowledge the concerns from the occupier of no.74 regarding harm to the privacy of the rear garden of that property. Having regard to the absence of first floor side elevation windows in the proposal, and the fact that the proposed rear elevation first floor window would serve non-habitable accommodation, I am satisfied that material harm would not arise in this respect.

Conditions

18. I have considered the Council's suggested conditions in accordance with Paragraph 55 of the Framework and the national Planning Practice Guidance. In addition to the standard implementation condition, it is necessary to define the plans, and ensure that the proposed external materials match those of the existing dwelling, in the interests of certainty and the character and appearance of the area.

Conclusion

19. For the above reasons, I conclude that the appeal should succeed, and planning permission be granted subject to conditions.

S Leonard

INSPECTOR