

Appeal Decision

Site visit made on 18 January 2022

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st February 2022

Appeal Ref: APP/B1740/D/21/3283974

30 Ashleigh Close, Hythe SO45 3QP

- 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 Kyle Hall against the decision of New Forest District Council.
 - The application Ref 21/10632, dated 28 April 2021, was refused by notice dated 9 July 2021.
 - The development proposed is for a rear ground floor extension; additional storey over bungalow with pitched roof over.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal proposal upon the character and appearance of the area; and upon the living conditions of the occupants of 32 Ashleigh Close with specific reference to privacy.

Reasons

Character and Appearance

3. The appeal site is situated within a residential area comprising a mix of dwelling types and designs; there are 2no detached houses opposite the appeal site, with other dwellings in the cul-de-sac comprising bungalows and chalet bungalows.
4. The host dwelling is a hipped roof bungalow of modest proportions, there are bungalows either side although no 32 has a pair of dormer windows on the facing elevation; it is gable fronted, but nonetheless remains relatively compact in its appearance.
5. The proposal would significantly increase the height of the host dwelling and combined with the rear extension would create a two storey structure with a very deep plan form. Consequently it would result in a significantly enlarged dwelling which would appear unduly conspicuous in the street scene, and out of scale with the neighbouring bungalows.
6. I understand the appellant's reasoning behind the proposal, however I am not convinced that the scheme before me is the only solution to increase living accommodation on the site. Further, no evidence has been put before me that

would demonstrate that such a scheme would normally comprise Permitted Development, notwithstanding that the proposed materials would match the existing bungalow.

7. Therefore in spite of the fact that the current property may be of dated construction and the design is to meet the requirements of modern family living, I find that the proposal would give rise to demonstrable harm to the character and appearance of the area. It is contrary to Policy ENV3 of the New Forest District Local Plan Part 1 2020 and Policies D1 and D3 of the Hythe and Dibden Neighbourhood Plan which together require developments to achieve high quality design that contributes positively to local distinctiveness whilst avoiding unacceptable effects by reason of visual intrusion; and create buildings which are sympathetic to their context, including in relationship to adjoining buildings.

Living Conditions

8. There are 3no windows proposed on the north east elevation of the dwelling to be extended; one of which would serve a bedroom; and consequently overlooking from this into the dormer windows on the facing elevation of no 32 could give rise to a material level of loss of privacy. This would be contrary to Policy ENV3 of the Local Plan which also requires new development to avoid unacceptable effects by reason of, amongst other things, visual intrusion and overlooking.

Conclusion

9. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR