



Appeal Decision

Site visit made on 6 April 2022

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 26TH April 2022

Appeal Ref: APP/J1725/D/22/3293477

20 Chester Crescent, Lee-on-the-Solent PO13 9BH

- 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 & Mrs Squibb against the decision of Gosport Borough Council.
 - The application Ref: 21/00607/FULL dated 6 December 2021, was refused by notice dated 31 January 2022.
 - The development proposed is two storey side and rear extensions, including alterations to existing loft and removal of existing single garage. Front facing balcony.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - a) The effect of the proposal on the street scene, and
 - b) The effect of the proposal on the living conditions of the neighbours at No 22 Chester Crescent, with particular regard to loss of light and outlook.

Reasons

Issue a) Street Scene

3. The appeal property is a large detached house and existing side garage on the north east side of Chester Crescent. It is two storeys with loft accommodation and front and rear facing dormers at roof level. It has a deep front garden and garden to the rear and to the eastern side of the property. It is situated within a predominantly residential area with a mix of bungalows as well as houses, all of varying designs. To the rear, beyond Cherque Way, is the Alver Valley Country Park.
4. The proposal would extend the property with a two storey development along the western side, replacing the existing garage. The hipped roof would extend the existing roof, matching the ridge height, with a wide dormer to the front and dormer to the rear.
5. The existing property is prominent in the street scene, primarily as a result of its height and dominant dormer on the front roof slope. However, I consider that the proposed scheme, with its greater width over two storeys and

extended roof width together with the very wide dormer at roof level, would all combine to result in a very bulky and visually over dominant house within the varied street scene. It would also exacerbate the bulk and massing of the property in relation to the adjoining property, at No 22 by building over two storeys so close to the common boundary. Although there is a varied street pattern in terms of the relationship of adjoining dwellings, I consider that the proposed development would result in a particularly uncomfortable juxtaposition that would increase the visual over dominance of the extended property.

6. The property, as existing, is visible from the rear along Cherque Way and from parts of the Alver Valley Country Park and the property as proposed to be extended would also be seen from these locations. However, given the varied and partial street scape views as seen from these locations, I do not consider that the proposal would be visually over dominant in such views; my concerns relate primarily to the views from within Chester Crescent.
7. I have taken into account that the appeal property benefits from permission for extensions and alterations to the property (Council Reference: 21/00231/FULL) and that the Appellant would prefer the proposed scheme now before me. However, I consider that the additional scale and massing introduced from the proposal before me, particularly at roof level and the introduction of the wide front dormer would be very different in terms of its completed form, scale and massing and impact on the street scene, compared with the permitted scheme. The existing permission does not therefore persuade me that the current proposal should be granted permission.
8. The Council has raised a specific concern in respect of the extent of proposed flat roof. However, the existing property and the earlier permitted scheme also include areas of flat roof, although I acknowledge that the extent of flat roof would be larger than as existing or permitted. However, given the height and angles of public view of the property and the roof line, I do not consider that the extent of flat roof would be dominant in street scene views and as a result, I do not consider that this matter would, on its own, justify withholding planning permission. Nonetheless it does not outweigh the findings I have already reached under this issue.
9. I therefore conclude that the proposal would harm the street scene. This would conflict with Policy LP10 of the Gosport Borough Local Plan 2011 – 2029 (Local Plan), the Council's Design Supplementary Planning 2024 (Design SPD) and the National Planning Policy Framework (Framework) and in particular Section 12, all of which, amongst other things, seek a high quality of design which respects the local context.

Issue b) Living Conditions

10. There is just under a 1m gap between the side boundary of the appeal property to the common boundary with its adjoining neighbour at No 22, at its closest point, and a similar gap between No 22 and the common boundary. No 22 has two windows in the side elevation facing towards the appeal property; the one at first floor level is obscure glazed and serves a bathroom. This is not a habitable room and any impact on light would not, on its own, justify withholding planning permission.

11. At ground floor the window in the side elevation serves a large kitchen and dining area. The room is served by three other windows, one facing to the front (south west) and two in the north-western elevation.
12. The Appellant has provided a Sunlight Assessment which compares the existing situation with the proposed as well as the approved scheme, which I have taken into account.
13. The proposed development would introduce two storey development very close to the shared boundary. The light and outlook from the window facing towards the appeal property is already affected by the existing built development although the boundary treatment, which appeared to have been a close boarded fence, had been removed at the time of my site visit. The levels of light and outlook from that window would be affected as a result of the proposed development. However, given the existing situation and given that the room is served by more windows facing towards the south west and the north west, I do not consider that the effect on the one side window would materially affect the living conditions of the neighbours at No 22 in terms of both light and outlook to this room.
14. I do not therefore find that the living conditions of the neighbours at No 22 would be materially harmed as a result of the proposed development, with particular regard to loss of outlook and loss of light. There would be no conflict with Policy LP10 of the Local Plan, the Design SPD and the Framework, and in particular Section 12 and paragraph 130 f), all of which amongst other things seek to protect the amenities of existing and future occupiers.
15. New windows would be proposed in the extension at ground floor level facing towards No 22. There are windows as existing in close proximity to the common boundary, but they currently serve the garage. Providing that there was appropriate boundary treatment between the two properties, which is a matter that could be the subject of conditions were no other matters of issue and planning permission were to be granted, I do not consider that the proposed ground floor windows in the side elevation would lead to concerns of overlooking and loss of privacy for the neighbours at No 22. The Council also raised no concerns in this regard.

Planning Balance and Conclusion

16. I have found that there would be no material harm to the living conditions of the adjoining neighbours at No 22. However, my findings in respect of this issue do not outweigh the harm I have concluded under my first issue in terms of the harm to the street scene.
17. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR