

Appeal Decision

Site visit made on 15 July 2022

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2022

Appeal Ref: APP/N1730/D/22/3300761

10 Aspen Gardens, Hook, Hampshire, RG27 9RB

- 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 Matthew Harrison against the decision of Hart District Council.
 - The application Ref 22/00086/HOU, dated 13 January 2022, was refused by notice dated 17 March 2022.
 - The development proposed is the erection of a replacement porch, single storey rear and two storey side extensions and alterations to all windows on front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a replacement porch, single storey rear and two storey side extensions and alterations to all windows on front elevation at 10 Aspen Gardens, Hook, Hampshire, RG27 9RB in accordance with the terms of the application Ref 22/00086/HOU, dated 13 January 2022, subject to the conditions set out in the attached Schedule.

Preliminary matters

2. I have utilised the Council's description of the proposal used in its decision notice rather than that in the original application form, since I note that this amended description was agreed between the parties.
3. An assessment is contained in the officer report as to the design and appearance of the proposals. The report says:

There are a variety of house styles and materials in the immediate vicinity of the application site. In this context, the changes to the external appearance of the dwelling would be acceptable. The extensions would appear visually comfortable against the appearance of the original building and the proposal would be considered to be an appropriate form of development in design terms.

4. I have no reason to disagree with this assessment.

Main Issue

5. The main issue is the effect of the proposal on the living conditions of the residents of 10 Hornbeam Place with specific regard to visual impact.

Reasons

6. The appeal property is a detached dwelling set within a relatively modern residential estate. It stands alongside 10 Hornbeam Place. The Council's concern is that the proposed two-storey extension would be built so close to the common boundary separating the properties that it would be perceived as having an '*overbearing and oppressive impact on the outlook*' when viewed from the ground floor side window of 10 Hornbeam Place and its side door.
7. During my site visit I was allowed entry into 10 Hornbeam Place and its garden. I saw that its integral garage had recently been converted, partly into a store and partly into living accommodation. The living accommodation was served by two windows - one facing southwards over the rear garden, and one facing towards the appeal property.
8. It struck me that the former served as the principal window for the room whilst the side window was secondary in its function. Whilst the proposed extension would be seen from the side window, I do not share the Council's view that it would have an oppressive effect on residents using the room, in particular given that the main and pleasant outlook southwards from the room would remain unimpaired. Moreover, the current outlook from both the side door and window of No 10 is limited, being directed towards the appeal property's side elevation.
9. I therefore conclude that the proposed development would not materially harm the living conditions currently enjoyed by the residents of 10 Hornbeam Place. Accordingly, I find no conflict with those provisions of policy NBE9 of the Hart Local Plan (Strategy and Sites) 2032 or policy GEN1 of the Hart Local Plan(Replacement) 1996-2006, requiring new development to be sensitive to its surroundings causing no material loss of amenity to adjoining residential uses.

Conditions

10. In the interests of visual amenity, I shall impose the Council's suggested condition in respect of external materials.
11. It is also necessary, in the interests of certainty that the development shall be carried out in accordance with the approved plans.

Other matters

12. I have taken account of all other matters raised in the representations including that the Hook Parish Council raised no objection, and the letter of support submitted for the appeal by the residents of 10 Hornbeam Place. Whilst the latter has been noted, it has not proved decisive in my decision which is based, as required, on the planning merits of the proposal. No other matter raised outweighs those considerations which led me to my conclusions.

G Powys Jones

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 completed in accordance with the following approved plans: Plan Ref: L01; B01A; P01; P02; P03; P04; P05; P06; P07; P08; P09; P10 & P11.
- 3). The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.