

Appeal Decision

Site visit made on 8 March 2023

by E Pickernell BSc MSC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2023

Appeal Ref: APP/N1730/D/22/3302270

14 Derbyfields, North Warnborough, Hook RG29 1HH

- 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 Champion against the decision of Hart District Council.
- The application Ref 21/03045/HOU, dated 28 November 2021, was refused by notice dated 28 June 2022.
- The development proposed is erection of two-storey extension to side of property following demolition of existing conservatory.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the host property (No. 14) and the area, and
 - the living conditions of the occupiers of 12 Derbyfields (No. 12) with particular regard to outlook and sunlight.

Reasons

Character and Appearance

3. The appeal site includes a two-storey brick and tile detached dwelling with a 1.5 storey side extension and a side conservatory. The area is characterised by detached dwellings which share a similar material palette but differ in terms of scale, layout, and design. The spaces between the dwellings along with the well-established gardens combine to give the area a spacious character. The gap between Nos 14 and 12 provides a view from the road, of the protected tree in the rear garden of No.14 and countryside beyond.
4. The proposal involves the replacement of the conservatory with a two-storey side and rear extension which would erode the gap between Nos 12 and 14 to a substantial degree when viewed from the road. The remaining gap would be smaller than is typical in the area and would be framed by two storey buildings. This would result in a cramped appearance which would be at odds with the general spacious character of the area. Furthermore, it would reduce the visual connection between the road and the countryside beyond. As such the proposal would result in a harmful impact upon the character of the area.
5. I acknowledge that the gap between the existing extension to No. 14 and the adjacent bungalow at No. 16 is relatively small. However, because these elements are 1.5 and 1 storey respectively, this close relationship does not result in as cramped an appearance as the proposal would. Furthermore, the

limited gap between these properties makes the existing gap between Nos 12 and 14 more important in terms of its contribution to the overall character of the area.

6. The extension would not be excessively scaled in comparison with the host property, would be set back from the front elevation, down from the main roof and would be appropriately detailed with matching materials. I therefore find that the proposal would have an acceptable impact upon the character and appearance of the host property.
7. Consequently, I find that the proposal would be harmful to the character and appearance of the area and it therefore conflicts with saved Policy GEN1 of the Hart District Local Plan (LP) (Replacement) and the First Alterations to it 1996 – 2006 (Adopted June & December 2006), and Policy NBE9 of the Hart Local Plan (Strategy and Sites) 2032 (Adopted April 2020). Amongst other things, these policies seek to ensure that development proposals are in keeping with local character and promote local distinctiveness. It would also conflict with Policy 5 of the Odiham and North Warnborough Neighbourhood Plan (NP) 2014 – 2032 (adopted June 2017) which seeks to ensure that development complements neighbouring properties. Furthermore, it would conflict with relevant paragraphs of the National Planning Policy Framework (the Framework) which seek to ensure that development is sympathetic to local character.

Living Conditions

8. The side elevations of Nos 12 and 14 are perpendicular to one another with the common boundary between the two properties positioned between them. Because of its distance from the boundary, the orientation of the buildings and the set down of the roof from that of the host property, the proposal would not have a harmful effect upon outlook from either the private amenity space or the habitable rooms of the neighbouring dwelling at No. 12.
9. The side elevation of No.12 and the area of garden adjacent to it receive the morning sun from the east. Because the extension would be angled away from the common boundary and is to the north of No.12, I find that there would be no material loss of sunlight to the occupiers of No.12 resulting from the proposal.
10. Consequently, I find that the proposal would not have an unacceptable effect on the living conditions of the occupiers of No. 12 with particular regard to outlook and sunlight and therefore accords with saved Policy GEN1 of the LP which seeks to ensure that development avoids any material loss of amenity to existing residential uses. Furthermore, it would accord with relevant paragraphs of the Framework which seek to ensure that developments achieve a high standard of amenity for existing and future users.

Other Matters

11. Other aspects of living conditions were raised by interested parties, however given my findings on the main issues there is no reason for me to reach a finding on these as they would not alter the outcome of the appeal.
12. I acknowledge the appellant's frustrations with the Council however, I have considered the appeal based on its merits and in accordance with the development plan for the area.

Conclusion

13. Although the proposal would not have an unacceptable effect on the living conditions of the neighbouring occupiers having regard to outlook and sunlight, it would be harmful to the character and appearance of the area. I therefore conclude that the proposal conflicts with the development plan as a whole and there are no material considerations, including the Framework, that outweigh that conflict. Therefore, the appeal is dismissed.

E Pickernell

INSPECTOR