



Appeal Decision

Site visit made on 23 May 2023

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 June 2023

Appeal Ref: APP/D1780/D/23/3314828
70 Chestnut Road, Southampton SO16 6BR

- 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 Jayarajan Perumgothra and Shynamma Mannanal against the decision of Southampton City Council.
 - The application Ref 22/01080/FUL, dated 13 October 2022, was refused by notice dated 14 December 2022.
 - The development proposed is a single-storey side and rear extension (retrospective).
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Decision

1. The appeal is allowed, and planning permission is granted for a single-storey side and rear extension at 70 Chestnut Road, Southampton SO16 6BR in accordance with the terms of the application, 22/01080/FUL, dated 13 October 2022.

Procedural Matters

2. The Council refer to discrepancies between the plans but does not provide specific details. As this is a retrospective scheme, I have had regard to the development as built which reflects the floor and elevation plans.

Main Issue

3. The main issue is the impact of the development on the living conditions of the occupiers of No.21 Sycamore Road, with specific regard to light and outlook.

Reasons

4. The appeal property is located at the junction of Chestnut Road and Sycamore Road and is attached to No.21 Sycamore Road. The arrangement of 'L' shaped semi-detached buildings is replicated at each corner with these properties having an unusual boundary to the rear which is angled.
5. The single-storey extension to the southern elevation also infills the area to the side (east) up to the angled boundary and projects in front of the rear elevation of No.21. However, it follows the existing boundary alignment and due to the layout, the existing boundary fence and two-storey dwelling already restrict the outlook from No.21 and will create overshadowing in the later part of the day. Additionally, planning permission has been granted for an extension of the same form, but with less depth (Council reference 20/01494/FUL). This extant consent represents a fallback and establishes a substantial length of development adjacent to the boundary.

6. The appeal scheme has a shallow-pitched roof and a reduced eaves height compared to the extant scheme. The projection above the boundary fence is modest and having regard to the unorthodox relationship with the neighbour and the extant consent I do not find that the increased depth, of less than 1m, will significantly further reduce the light and outlook from the ground floor windows.
7. As such, I do not find that the proposal has a direct material impact which would be harmful to the living conditions of the occupiers of No.21. Thus, the development does not conflict with Policy SDP1 of the City of Southampton Local Plan Review (2015) which, amongst other things, seeks to ensure that development does not have unacceptable impacts on the health, safety and amenity of the site and its citizens. This policy is generally consistent with advice in Chapter 12 of the National Planning Policy Framework 2021 (the Framework), which requires well-designed places with a high standard of amenity for existing and future users.

Conclusion and Conditions

8. For the reasons set out and having regard to all other matters raised the appeal is allowed. As the development has already been completed conditions are not necessary.

G Ellis

INSPECTOR