



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: 19th June 2023

Appeal Ref: APP/W1715/D/23/3315633
68 Chalk Hill, West End SO18 3DB

- 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 Ms Philomene Lambaere against the decision of Eastleigh Borough Council.
 - The application Ref H/22/93889, dated 30 September 2022, was refused by notice dated 11 November 2022.
 - The development proposed is the extension of basement level to rear with ground and first floor rear extensions including terrace.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on: -
 - i) the character and appearance of the host property and surrounding area; and
 - ii) the living conditions of the occupiers of 66 Chalk Hill with specific regard to overbearing impact.

Reasons

3. The properties along Chalk Hill vary in size and design and there is no prevailing form, however, the trees adjacent to the road and the extensive rear gardens create a verdant and spacious character. No.68 is a two-storey detached property set back from the road with a single-storey element to the side. The land slopes significantly to the rear where the existing ground floor extension has a lower basement level with steps from the raised terrace area to the ground floor.
4. The proposal would extend above the existing rear projection up to the ridgeline and cover the entire rear facade of the main dwelling. An additional lower section with a deeper projection would be added to the north side which would have two floors, and a single-storey element would extend across the full width with a terrace to be created on the roof. It would thereby significantly increase the size and scale of the property and together with the difference in levels would result in a property with a substantial massing.
5. Whilst the alterations are to the rear and the plot is sizeable the varying elements would consume the original property and I agree with the Council

they would have a somewhat discordant form, particularly the north elevation. I do not find the proposed materials objectionable, yet contrasting to the host property they would exacerbate the substantial scale and visual presence of the extensions. The appellant has drawn my attention to the alterations that have been approved to No.72, although from the information before me, the extensions to the rear are single-storey and step down with the gradient. Therefore, it is not directly comparable in scale or form to this proposal, and each proposal is to be considered on its own merits.

6. Consequently, I find that the scale, form, and massing of the alterations would be out of keeping with the host property and would fail to integrate with the setting. Thus, they would be contrary to policy DM1 of the Eastleigh Borough Local Plan (2016 – 2036) (EBLP) and Quality Places SPD (2011) which together with the National Planning Policy Framework seeks to ensure that developments are of high quality, take account of the context, compatible with the character of the area and integrate in terms of scale, materials, design and siting.

Relationship with the Neighbour

7. No.68 is on higher ground than its neighbour, No.66, which to the front is primarily single-storey with the main ridge line effectively aligning with the roof to the existing single-storey element to the side of the appeal property. Under this proposal, this side element would be more than doubled in depth and would create a significant length of blank façade towards No.66. In addition, the terrace beyond would have a 1.8m screen, which whilst ensuring privacy, would further add to the depth and visual presence of the extensions.
8. The appellant suggests that the ground floor windows to the rear of No.66 are at a similar level as the lower ground of the appeal property, however, this is with reference to a photograph taken from within the lower part of the garden, rather than any survey data and the rear elevations to each property are on different alignments. I did not visit the neighbouring property, yet it was clear from my site visit that the levels vary significantly between the properties as indicated by the Council. The existing rear extension and terrace area to No.68 occupy an elevated position compared to the neighbour's garden and the additional depth will increase the height differential.
9. The extension would be inset from the boundary and as the appellant illustrates a horizontal 45-degree line would not be breached. As such, I agree that the outlook from the neighbour's rear windows would not be unduly restricted to result in a harmful sense of enclosure. Nonetheless, the impact on amenities is not restricted to the internal living environment and as noted in the Council's Quality Places SPD the topography may create extra constraints. The depth, height and scale of the proposed development will create an imposing presence along the northern boundary which will have an oppressive impact on No.66 and the occupiers' enjoyment of their property. This unneighbourly relationship adds to my concerns regarding the scale of the development and conflict with EBLP policy DM1, namely, criteria (a) (i) to not have an unacceptable impact on, and where possible should enhance residential amenities of both new and existing residents and the character and appearance of urban areas.

Other Matters

10. I appreciate that this proposal is a resubmission and that amendments have been made, and that the property has the capacity to be extended, including in a more contemporary form. Nonetheless, whilst the appellant has suggested that the materials could be revised and agreed with the Council this would not alter my findings and there are no other matters before me which outweigh the identified harm.

Conclusion

11. For the reasons set out the appeal is dismissed.

G Ellis

INSPECTOR