



Appeal Decision

Site visit made on 21 November 2023

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07.12.2023

Appeal Ref: APP/C1760/D/23/3326958

331 Vigo Road, Andover, Hampshire, SP10 1LD

- 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 Jinneng Liang & Meiyang Zeng against the decision of Test Valley Borough Council.
 - The application Ref 23/00741/FULLN, dated 15 March 2023, was refused by notice dated 12 May 2023.
 - The development proposed is the erection of a first-floor side extension to provide bedroom and home study.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal upon the living conditions at 329 Vigo Road, with particular regard to visual impact.

Reasons

3. The appeal property is a two-storey, semi-detached dwelling and is one of six similar pairs (Nos 311-333 odd) built as a group in an echelon pattern fronting Vigo Road. With the exception of Nos 311 and 333 to each end, each property spans the full width of its plot, with a single-storey front and side porch projection extending up to the side boundary with its neighbour, and with the main two-storey bulk of the building set back from this same boundary. Due to the arrangement of the dwellings, with the exception of No 311, the left side property of each pair is deeply recessed behind the rear elevation of its unattached neighbour. In the case of the appeal property, No 331 is deeply recessed behind No 329, with the flank wall of its single-storey side projection running along part of the side garden boundary between both properties for a length of almost 9m, including the front projecting porch.
4. The proposal would involve a first-floor side extension that would project the existing two-storey form of the dwelling sideways, over the flat roofed single-storey side projection, creating a new two-storey side gable along the boundary with No 329 measuring just over 7.5m in length.
5. The existing flank wall to No 331 along the boundary undeniably has a strong visual presence in the outlook from No 329 and from its garden, as does the two-storey scale and bulk of the main part of the dwelling. However, at a

distance of over 2m, the recessed position of the dwelling's first floor provides some visual respite and reasonable sense of balance to ensure that the juxtaposition between these two neighbouring dwellings does not create an oppressive relationship for the occupiers of No 329.

6. The first-floor extension would significantly increase the scale and bulk of the dwelling's side elevation immediately on the boundary with No 329. Contrary to the appellants' viewpoint, I share the Council's opinion that the resulting remodelled form of No 331, would impose itself on the outlook from the rear of No 329, and from the garden, as a considerably more dominant and overbearing presence than existing. Whilst I accept that the garden to No 329 would not become unusable, a significant part of it would feel oppressed and dominated by the addition. Even in the absence of any direct loss of sunlight, or any significant loss of daylight, the overbearing effect of the extension would be harmful to the neighbours' living conditions. As such, by failing to provide an acceptable level of amenity for the occupants of the neighbouring property, the proposal would be contrary to Policy LHW4 of the Test Valley Borough Adopted Local Plan 2011-2029 (2016). This policy conflict means that the proposal would not be supported by the strategic aims of the Council's settlement hierarchy as set out in the Local Plan's Policy COM2.
7. The appellants have directed me to a number of examples where similar style and aged properties in the area have extended to the side at first-floor level with the benefit of planning permission. I saw some of these for myself during my visit and have taken note of the photographs provided of others. However, none of the examples reflect the same layout and/or relationship experienced between Nos 329 and 331. I do not know the precise circumstances or context of the example at 213 Vigo Road, but as the appellants point out, this relates to a rear extension and is not directly comparable with the design of the appeal scheme. Moreover, the Council did not consider that extension to have a significant overbearing impact. None of the examples reflect the circumstances of, or my own conclusions on, the appeal proposal.

Conclusion

8. For the reasons given, I find that the proposal would be harmful to the living conditions at 329 Vigo Road. Accordingly, and notwithstanding the absence of any formal objection to the proposal expressed to the Council from the neighbours, the appeal is dismissed.

John D Allan

INSPECTOR