



Appeal Decisions

Site visits made on 16 April 2024

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 May 2024

Appeal A Ref: APP/N1730/D/23/3335933

18 Connaught Road, Fleet GU51 3RA

- 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 N Freeman against the decision of Hart District Council.
 - The application Ref 23/02302/HOU, dated 16 October 2023, was refused by notice dated 13 December 2023.
 - The development proposed is the erection of a two storey side and rear extension following demolition of existing single storey rear element, erection of a porch and other alterations, together with landscaping in the rear garden.
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Appeal B Ref: APP/N1730/D/24/3339055

18 Connaught Road, Fleet GU51 3RA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
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Decisions

Appeal A Ref: APP/N1730/D/23/3335933

1. The appeal is allowed and planning permission is granted for the erection of a two storey side and rear extension following demolition of existing single storey rear element, erection of a porch and other alterations, together with landscaping in the rear garden at 18 Connaught Road, Fleet GU51 3RA, in accordance with the terms of the application, Ref 23/02302/HOU, dated 16 October 2023, subject to the following 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 carried out in accordance with the following approved plans: DPapp/05, DPapp/10, DPapp/15, DPapp/16, DPapp/20, DPapp/25, DPapp/30, DPapp/31, DPapp/32, DPapp/33, DPapp/34, DPapp/35, DPapp/36, DPapp/37 and DPapp/38. All Rev planning submission post pre-app.
 - 3) No development shall take place until details of the materials to be used in the construction of the external surfaces of the development have been

submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal B Ref: APP/N1730/D/24/3339055

2. The appeal is allowed and planning permission is granted for the erection of a two storey side and rear extension following demolition of existing single storey rear element, erection of a porch and other alterations, together with landscaping in the rear garden at 18 Connaught Road, Fleet GU51 3RA, in accordance with the terms of the application, Ref 23/02303/HOU, dated 16 October 2023, subject to the following 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 carried out in accordance with the following approved plans: DPapp/05, DPapp/10, DPapp/15, DPapp/16, DPapp/20, DPapp/25, DPapp/30, DPapp/31, DPapp/32, DPapp/33, DPapp/34, DPapp/35, DPapp/36, DPapp/37 and DPapp/38. All Rev householder planning app.
 - 3) No development shall take place until details of the materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) The flat roof area of the development hereby permitted immediately to the rear of the property next to the master bedroom shall not be used as a balcony, roof garden or similar amenity area.

Preliminary matters

3. I have dealt with these appeals together as they concern the same site. Nevertheless, I shall consider the appeals on their own merits but in order to avoid repetition have set out the reasoning together.
4. Revised plans were submitted with Appeal B. These reduce the height of the rear first floor gable by 200mm and also show a gap between it and the rear gable end of the main body of the dwelling when looking from the sides. In consequence, the proposal would be materially changed. To consider the appeal in relation to these drawings would prejudice the interests of other parties that do not have the opportunity to comment on any submitted during a householder appeal. I shall therefore decide the appeal on the basis of those that were considered by the Council.

Main issues

5. The main issues are:
 - For appeal A, the effect on the living conditions of the occupiers of the adjacent dwelling at 16 Connaught Road with regard to whether the extension would appear overbearing.
 - For Appeal B, the effect on the character and appearance of the host dwelling, locality and the streetscene.

Reasons

Living conditions

6. The appeals concern a two storey detached dwelling. The neighbouring dwelling at no. 16 has a ground floor kitchen window. This faces towards the existing two storey side wall of the host dwelling and therefore would have a significantly enclosed outlook anyway. There is also a rear first floor bedroom window which faces directly down the garden at no. 16.
7. The nearest part of the development would be at single storey height with the upper floor part set significantly further back from the side boundary. The bedroom window at no. 16 would enable views over the single storey part. The first floor of the rear extension from either adjacent window would be seen at a fairly oblique angle. Visibility of the single storey part from the kitchen window would also be at a fairly acute angle.
8. In consequence, there would be no undue reduction in outlook and no oppressive sense of enclosure. In consequence the proposed development in Appeal A would not appear overbearing. As a result, the living conditions of the occupiers of the neighbouring dwelling would not be harmed.
9. The proposal would therefore accord with the aim of Hart Local Plan Replacement 1996-2006 Saved Policies, Policy GEN 1, to avoid any material loss of amenity to existing residential uses. It would also comply with the National Planning Policy Framework (The Framework) where it is indicated that planning should always seek to secure a good standard of amenity for existing occupants of buildings.

Character and appearance

10. The host dwelling is a gable fronted property with the ridgeline of its main roof at a right angle to the street. There is a two storey flat roof addition to the southern side of this. The extension in Appeal B would include a gable ended first floor part also on the southern side and further to the rear than the main two storey body of the dwelling.
11. The ridge of its roof would be no higher than that of the main roof. Moreover, it would be set back at an appreciable distance from the street, significantly limiting its prominence. The depth of its roof and ridgeline would also be noticeably less than those of the main part. Although the flat roof area to the side would increase in depth and extend further forward, this is an existing feature of the property. It would remain noticeably narrower in width than the front gable when seen from the street.
12. In these circumstances the scale, bulk and massing of the development would not be excessive. The new gable would also reduce the prominence of the flat roof part by rising above it. As a result of these factors, rather than resulting in a jarring appearance, the new gable would appropriately reflect that at the front, which would remain the most prominent and assertive feature of the property. Furthermore, the rear gable would add articulation and visual interest to the roofscape. As a result, the proposed extension would not appear unduly dominant. It would also be compatible with the locality and streetscene where the design and scale of properties vary appreciably.

13. For these reasons, the character and appearance of the host dwelling, locality and the streetscene would not be harmed.
14. The relevant policies are policy GEN 1 of the Hart Local Plan Replacement 1996-2006 Saved Policies, policy NBE9 of the Hart Local Plan Strategy and Sites 2032 and Policy 10 of the Fleet Neighbourhood Plan 2018-2032, which would be complied with. Taken together and, among other things, these intend that development should achieve high quality design, positively contribute to the overall appearance of the area, be in keeping with the character by virtue of matters such as scale, height and prominence and well integrated with properties in the locality with well articulated roofscapes.
15. In the Framework it is indicated that decisions should ensure that developments satisfy a number of considerations. These include adding to the overall quality of the area, as well as being visually attractive and sympathetic to local character, which would all be achieved in this case.

Other matters

16. There would be three car parking spaces positioned in a tandem arrangement in front of the garage in both cases. The Council has raised no objection to this as it reflects the existing situation. There is no technical evidence regarding any highway safety issues arising from this that would justify taking a different view.
17. Both of the planning applications the subject of these appeals were accompanied by daylight and sunlight reports. These showed that there would be no unacceptable reduction in daylight or sunlight from either of the proposed developments despite their two storey height and depth. The Council also found the proposals acceptable in this respect and this is not a matter that would justify rejecting the appeals.
18. In respect of Appeal B there is a flat roof area to the rear of the master bedroom which if it were used as a balcony would result in unacceptable overlooking of the adjacent dwellings. A condition preventing this is therefore necessary. Unacceptable overlooking through the upper floor rear windows within the master bedrooms in either scheme would not occur due to the fairly oblique angle and despite their size.

Conclusions

19. Taking account of all other matters raised, given the absence of any harm it is determined that both of the appeals succeed. In reaching these decisions I have taken account of the representations made by the Town Council and a resident of the adjacent dwelling.

Conditions

20. A condition specifying the approved plans is necessary to provide certainty. Simply controlling details of the facing materials used would be sufficient to protect the appearance of the host dwelling. These are necessary in both cases and are in addition to the condition referred to above.

M Evans

INSPECTOR