

Appeal Decision

Site visit made on 8 May 2024

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd May 2024

Appeal Ref: APP/D1780/D/24/3339226

36 Litchfield Road, Southampton, SO18 2BB

- 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 Andrew Latham against the decision of Southampton City Council.
 - The application Ref 23/01192/FUL, dated 15 September 2023, was refused by notice dated 1 December 2023.
 - The development proposed the erection of pitched roof to existing flat roof and extension of existing garage with installation of new door and replacement garage door.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The garage is in place: this does not alter the way in which I assess the case.

Main Issue

3. The main issue is the effect of the proposal on living conditions for neighbours.

Reasons

4. The appeal property is a two-storey detached dwelling on a corner plot with a modest regular shaped garden to the rear running alongside Portview Road and with vehicular access to the domestic garage off this side road. The locality is of suburban character in a relatively tight form with a variety of house types featuring. This stretch of Litchfield Road is sloping; the appeal property stands higher than the immediate neighbour No 38 Litchfield Road. The proposal is as described above.
 5. I entirely take the Appellant's point that given overall orientation, relationship to the relevant neighbouring garden (No 38 Litchfield Road), and the close position of the adjacent home to the south east, the appeal scheme would make very little difference to *sunlight* penetrating to the garden of No 38. However, my concern is one of an impact on outlook. I would deem that the building would be uncomfortably dominating and unreasonably overbearing. It would have the effect of making neighbours feel unduly hemmed-in. This stems from the proximity and height of the structure, unfortunately not helped by the relative ground levels. The situation intrudes upon the standard of amenity which these neighbours would expect to enjoy.
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6. Policy SDP1 of the City of Southampton Local Plan Review (as amended 2015) is relevant. Amongst other matters this calls for development to protect residential amenity. I conclude that the appeal proposal would conflict with this policy. It would also run contrary to the relevant objectives of the Council's Residential Design Guide Supplementary Planning Document (2006) albeit that document cannot be expected to cover every detailed eventuality.

Other matters

7. I sympathise that expense that has been incurred; it is unfortunate that the Appellant did not realise that planning permission was required. However, to be fair to all I have to determine matters as I would with a proposal which was not in situ. I appreciate that there were attempts to liaise with neighbours and perhaps mis-understandings over opinion of the scheme. I recognise the neatness of the render and the cladding work which seemingly followed discussions. I can see from images that the structure was previously of unattractive appearance, and I gather did have flat roof problems; but at least it was low-key to neighbours. Regrettably the repair, improvement, and extensions work have resulted in a building which is simply too high this close to the boundary.
8. I have carefully considered all the points raised by the Appellant but these matters, either individually or collectively, do not outweigh the concerns which I have in relation to the main issue identified above.
9. I confirm that policies in the National Planning Policy Framework have been considered; the Council's policy which I cite mirrors relevant objectives within that document.

Overall conclusion

10. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on living conditions for neighbours. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR