



Appeal Decision

Site visit made on 17 July 2024

by H Faulkner BSc (Hons) MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 August 2024

Appeal Ref: APP/C1760/W/23/3331463

23 Firgrove Road, North Baddesley, Hants SO52 9JH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr David Ruis against the decision of Test Valley Borough Council.
 - The application Ref is 23/02027/FULLS.
 - The development proposed is the demolition of dwelling and erection of replacement dwelling with bin store, cycle rack, fences and gates and associated works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - The character and appearance of the area; and
 - The living conditions of future occupiers with particular regard to the size of the proposed dwelling and overshadowing of the garden.

Reasons

Character and appearance

3. Firgrove Road is a residential street of mixed architectural character with bungalows, detached and semi-detached houses. Features such as dormer windows are common in the area however the style and mix of materials varies. On Firgrove Road properties generally follow a fairly clear building line although openness of junctions varies. The road is reasonably wide close to the appeal site with verges separating the frontages of properties from the pavement.
4. The appeal site is a corner plot currently occupied by a small bungalow. Fences and hedges to the front and side of the site have been removed.
5. The proposed house would be much larger than the existing bungalow with a significant increase in both footprint and height. The house would present as a bungalow with four dormer windows in the front elevation. The style of the proposed house has features consistent with other properties in the area. However, the coverage of the plot would be much greater than other properties of a similar size.

6. Due to the corner location of the site the plot coverage would be visible from both Firgrove Road and Merry Gardens with the mass of the building appearing more visible than other houses of a similar scale. The building would appear cramped within the plot in a way which is not characteristic of corner plots in the area.
7. The projection of the building past the main elevation of 8 Merry Gardens erodes the spacious nature of the corner plot and accentuates the scale of the building to an extent that would have a harmful impact on the character of the area.
8. Policy E1 of the Test Valley Borough Revised Local Plan (TVBRLP) requires development to be high quality in terms of design and local distinctiveness. The proposal does not meet these policy aims as it does not integrate, respect or complement the character of the area in terms of its layout and scale.
9. The size and scale of the building and its cramped siting would harm the character and appearance of the surrounding area and would be contrary to Policies COM2 and E1 of the TVBRLP.

Living conditions

10. The rear garden of the new dwelling would be in the same position as the existing garden to the bungalow. There would be a reduction in the size of the usable garden, mainly to the sides rather than the rear. The impact of 8 Merry Gardens on the appeal property would be unaltered. There would be some change to light levels in the garden due to the scale of the proposed house but adequate usable garden space would remain to both the side and rear. The situation would not be so substantially different from the current arrangement that it would harm the living conditions of the future occupiers.
11. Policy LHW4 which protects residential amenity allows for development which does not reduce the levels of daylight and sunlight reaching new and existing properties or private open space to below acceptable levels. For the reasons given above no conflict is found with this policy.
12. The proposals are therefore found to provide acceptable living conditions in respect of the size and overshadowing to the garden and therefore conforms with Policies COM2 and LHW4 of the TVBRLP.

Conclusion

13. Even though I have found no harm in respect of living conditions, the proposal would nonetheless have an unacceptable effect on the character and appearance of the area. The proposed development would conflict with the development plan, when read as a whole and there are no other material considerations, including the provisions of the Framework, that outweigh this finding. Therefore, for the reasons given the appeal should be dismissed.

H Faulkner

INSPECTOR