



Appeal Decision

Site visit made on 20 August 2024

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2024

Appeal Ref: APP/D1780/D/24/3345664

99 Pinegrove Road, Southampton, SO19 2PP

- 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 Frederick Thomson against the decision of Southampton City Council.
 - The application Ref is 23/01618/FUL.
 - The development proposed is erection of two storey side and rear extensions.
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Decision

1. The appeal is allowed and planning permission is granted for erection of two storey side and rear extensions at 99 Pinegrove Road, Southampton, SO19 2PP, in accordance with the terms of the application, Ref. 23/01618/FUL, dated 12 December 2023, and subject to the conditions listed below:
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 04/Rev.D (Existing plans and elevations); 05/Rev.D (Side elevation, roof plan, block plan and section).
 - 3) The external surfaces of the development hereby permitted shall be constructed in materials to match existing or otherwise be as listed in section 10 of the application form.

Main Issues

2. The main issues are the effect of the proposed development on: (a) the character and appearance of the host property and surrounding area, and (b) the living conditions of the neighbouring occupiers of 97 Pinegrove Road.

Reasons

Character and appearance

3. The Council have referred to saved policies SDP1 (Quality of Development), SDP7 (Context) and SDP9 (Scale, Massing & Appearance) of the City of Southampton Local Plan Review (March 2015) (SLP) and policy CS13 (Fundamentals of Design) of the City of Southampton Core Strategy (March 2015) (SCS). These seek, amongst other requirements, to ensure that new development is of a high quality of design, respects its surroundings in terms of scale, massing, visual impact and built layout, results in no material harm to

the character and appearance of the area, and contributes to climate change and the use of sustainable materials and energy efficiency.

4. Whilst these policies pre-date the National Planning Policy Framework (December 2023) (Framework), a broadly similar approach is set out in paragraph 135, but it also states that being sympathetic to local character should not prevent or discourage appropriate innovation or change. This is reinforced in the National Design Guide (NDG) (2022), for example, at paragraph 44, by emphasising that well designed places do not need to copy their surroundings and that it is appropriate for new development to include innovation and change to reflect how we live today.
5. The Council have also referred to its Residential Design Guide Supplementary Planning Document (September 2006) (Design SPD). This provides general advice on new residential development including extensions. Section 2.3.2 of this guide advises that extensions should be smaller than the main part of the house and subordinate. It continues by emphasising that an extension that is too big can look oppressive, unbalance the host and break the continuity of the streetscene. Although there is no specific guidance on the design and layout of rear extensions, the guidance for side extensions emphasises the need to maintain a gap with neighbouring properties.
6. The appeal proposal involves the construction of a ground and first floor rear extension with a hipped roof. The ground floor extension would be deeper than the first floor element and the former finished off with a flat roof. The new extensions would project marginally beyond the main side wall to the host and would incorporate a flat roofed ground side extension, which appears to have been the main entrance to the house. At the time of my visit, works on the ground floor extension were progressing, on the basis, I understand, that the Appellant considers the majority of these to be permitted development.
7. The appeal site comprises a traditional two storey semi-detached property set within a spacious plot. The host benefits from a large elongated rear garden, which is similar to that of its neighbours, 97 Pinegrove Road (No.97) to the south (the other half of the semi) and 101 Pinegrove Road (No.101) to the north. The surrounding area includes similar semi-detached properties, but it notably also comprises a mixture of single storey detached bungalows, chalet bungalows, detached two storey properties and flats. These properties vary in terms of their style, scale, form (including roof form), layout and materials. As such, there is no uniform character or design. A number of these properties have been altered and extended.
8. Whilst the proposed extensions and hipped roof would result in an increase in the bulk of the host property at the rear this would not be significant nor harmful to either the host or to the streetscene. As I observed on site and as is referred to in the Appellants Grounds of Appeal (GOA), there are numerous examples of similar two storey side and rear extensions in the road that have been successfully integrated within the streetscene. There is no evidence before me to suggest that these extensions have in any way harmed the character and appearance of the area. On the contrary, they now form part of the local context and built rhythm of the road. The proposed palette of materials, with a mixture of existing materials and white rendered walls, would further assist in securing a high quality design and provide a contrast between the original host and new extension.

9. I accept that there would be a material change to the scale and design of the rear part of the host property when viewed from the road, but, even so, the main two storey extension would be set back a considerable distance from the main front elevation to the host and thus from the road. As with other similar extensions in the area, the proposal would not introduce a visually dominant or harmful feature into the streetscene. It would maintain the existing large gap with No.101 and as such, retain the sense of openness that exists and would not lead to any terracing effect. The sense of openness would be accentuated by the fact that the extension would utilise only a small part of an extensive elongated rear garden.
10. Although it is a large extension, I disagree with the Council and consider that it would appear subordinate and secure a development that fits in well with the varied character of its surroundings. As I confirmed earlier, that varied character includes similar extensions that have not resulted in any harm to the character and appearance of the area. Moreover, based on the evidence before me, some of these existing extensions appear to be of a greater depth, scale and bulk to the appeal proposal. Whilst I note that the proposed roof design also includes an apex, for the above reasons, I am satisfied that this would not result in an overly dominant feature. Overall, the proposal would not unbalance the host or break the continuity of the streetscene and would, in my view, sit comfortably on the appeal site.
11. Accordingly, I find, for the above reasons, that the appeal proposal would be compliant with saved policies SDP1, SDP7 and SDP9 of the SLP, policy CS13 of the SCS, the general advice within the Design SPD and the corresponding policies of the Framework and NDG.

Neighbours living conditions

12. The Council contend that the proposal would have an overbearing impact and undue sense of enclosure on the rear garden of the neighbouring property, No.97. In support, the Council refer to saved policy SDP1 of the SLP, which seeks to ensure that planning permission for new development does not affect the amenity of residents. Whilst policy CS13 of the SCS has also been referred to, it's unclear to me as to which part of this policy the Council alleges there is any conflict with. The policy does not appear to include any reference to protecting neighbours living conditions, but insofar as it seeks to generally promote amenity I have had regard to it.
13. Reference has also been made to section 2.2.1 of the Design SPD. This advises that extensions should ensure that access to natural light, outlook and privacy is maintained for neighbours' homes and gardens. The Design SPD continues with reference to the use of the 45° rule in determining the acceptability of new rear extensions in relation to the habitable windows of neighbouring properties. Section 2.2.18 also advises, albeit in relation to new buildings but the same principles should, in my view, apply to new extensions, that buildings on the boundary to small gardens could have an overbearing impact and dominate outlook, whereas with larger gardens this is likely to be less of a consideration.
14. I understand from the Appellants GOA that the depth of the first floor element to the new extension was reduced during the determination of the application due to concerns raised over the impact on No.97. The GOA also suggest that the proposed first floor would extend some 2.25 metres from the rear wall of the single storey part of the outrigger to No.97. As I observed on site, there

are no windows in the rear of the first floor to the outrigger of No.97. Whilst there is a ground floor rear window to the single storey extension, this is frosted and I understand does not serve a habitable room. In view of this and as the proposal would be sited north of No.97, there would be no impact on the sunlight and daylight received by that property. The proposed building relationship would also be acceptable, not least in that it would comply with the 45° rule, a common test used to assess the acceptability of such relationships.

15. As I also observed on site, the main rear door and windows to No.97 face to the side and towards its neighbour to the south, 95 Pinegrove Road (No.95) . They also face onto and provide access to a reasonable expanse of the garden that sits in between the host and the common boundary with No.95. This area serves, in my view, as the more immediate private part of the garden to No.97 and would not be affected by the proposal.
16. It was also clear on my visit that the garden to No.97, beyond the proposed extension, is very well maintained, laid to lawn, with trees and planting. These parts of the garden include areas of seating where the occupants enjoy the full benefit of the outlook and privacy provided by the well screened elongated garden. Again, the proposal would not have any overbearing impact or undue sense of enclosure on these parts of the rear garden.
17. I accept there would be some impact on the garden immediately to the rear of the single storey extension to No.97, but this area is currently overgrown and not maintained to the standard of the remaining garden. Even so, the impact on this small part of the garden would be limited and it would not be sufficient on its own to justify the refusal of planning permission. As such, the occupiers of No.97 would continue to benefit from the outlook, privacy and spaciousness that they currently enjoy from their elongated garden.
18. Accordingly, I find that the appeal proposal would not lead to any significant harm to the living conditions of the occupiers of No.97 and would, therefore, be compliant with saved policy SDP1 of the SLP, policy CS13 of the SCS, the advice within the Design SPD and paragraph 135 f) of the Framework.

Conditions

19. The Council's Questionnaire has suggested two standard conditions in relation to compliance with the approved plans and materials to match existing. I consider these conditions to be necessary and reasonable in order to secure a high quality development. However, the application form indicates that the proposed roof tiles and windows would match existing, but that the new walls would comprise white render. As I confirmed above, this palette of materials is acceptable and I have, therefore, reworded the condition accordingly.

Conclusion

20. For the reasons given above and having taken all the matters raised into account, I conclude that the appeal should be allowed.

G Roberts

INSPECTOR