



Appeal Decision

Site visit made on 26 November 2024

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2024

Appeal Ref: APP/Y9507/W/24/3348556

8 Eastview Gardens, Crows Lane, Farringdon, Alton GU34 3ED

- 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 & Mrs Robert & Kim Williams against the decision of the South Downs National Park Authority.
 - The application reference is SDNP/24/00998/HOUS.
 - The development proposed is the erection of a single storey front extension and a part single, part double storey rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey front extension and a part single, part double storey rear extension at 8 Eastview Gardens, Crows Lane, Farringdon, Alton GU34 3ED in accordance with the terms of the application SDNP/24/00998/HOUS and subject to the conditions in the attached schedule.

Preliminary Matters

2. There is an extant planning permission for a single storey front extension and two storey rear extension granted under SNDP/23/00550/HOUS on 18 May 2023. This permitted scheme is similar to the single storey front extension and double storey rear extension elements proposed in the current appeal scheme. The difference between the two is the addition of a single storey rear extension to the two storey rear element.
3. On my site visit a single storey front extension was in the process of being built.

Main Issues

4. The main issues are the effect of the development on:
 - The character and appearance of the area
 - The living conditions of neighbouring occupants with respect to light and outlook

Reasons

Character and appearance

5. Policy SD31 of the South Downs National Park Local Plan 2019 (the Local Plan) has a dual purpose in avoiding the over-extension of existing dwellings, and

avoiding any adverse impact on the character and appearance of settlements and the countryside.

6. The appeal property is a semi-detached house in a row of similar properties within the village of Farringdon. Many of the neighbouring properties have been extended at the front and rear in a similar manner to that now proposed. The single storey front extension would be modest in scale. The rear extension would be largely screened from public view. Both would be designed in a manner sympathetic to the existing building in terms of their appearance and external materials. Taken individually or together, they would not have any adverse impact on the character or appearance of the village or wider countryside.
7. The proposed extensions would enlarge the existing dwelling by approximately 121%, considerably more than the 30% indicated as the maximum acceptable in Policy SD31. The rationale for this restriction is to avoid the loss of small and medium sized dwellings in the National Park. The appeal proposal fails this criterion, and it is therefore necessary to consider whether there are any circumstances that justify making an exception to the policy.
8. The Council has already granted planning permission to enlarge the existing dwelling by some 77% but did so because it would still fall to be considered as (approximately) the maximum size of a small or medium house as defined in the South Downs National Park Authority Extensions and Replacement Dwellings Technical Advice Note. The appeal proposal would exceed that maximum size, and the Council distinguishes the two schemes for that reason.
9. There is however another matter which I consider should be taken into account when considering whether to make an exception. In this case, many of the other houses in the row have already had similar extensions to that proposed, not only in terms of a double storey rear extension, but also with an additional single storey rear element being added to the rear.
10. I acknowledge that these extensions may have been built before the introduction of Policy SD31 (as with no 10) or the dwellings were extended before 2002 which is considered to be the 'existing dwelling' for the purposes of the policy (as with no 9). Nevertheless, these and other similar extensions to houses in the row do set a precedent as to what may be considered acceptable. To deny the appellant the ability of adding what is a relatively modest addition to what has already been permitted, when almost identical properties have already done the same, could be seen as inequitable.
11. Since most of the houses in the row have already been extended, allowing the appeal scheme is unlikely to give rise to any significant loss of small or medium dwellings if it were to be copied, and since the circumstances are specific to this row of houses, it should not be seen as setting a precedent that would undermine the purpose or application of the policy elsewhere in the National Park.
12. I conclude that the prevalence of other comparable extensions in the row of houses is a material consideration, and justifies an exception being made to Policy SD31 in the circumstances of this case.

Living conditions of neighbouring occupants

13. No 7 is the adjoining semi-detached house, which already has a double storey extension and attached single storey extension on its rear elevation. The proposed double storey extension of the appeal scheme would project slightly beyond the double storey extension of the neighbouring property, but not to such an extent that it would reduce light or aspect from that property's rear windows. This element is similar to that already granted planning permission under SNDP/23/00550/HOUS.
14. The single storey rear extension would extend along the boundary further than a 45 degree angle from the nearest ground floor window of no 7. However, it would only be a little higher than the existing boundary fence and would not present an unusual relationship between the properties compared to those often found in residential settings. I conclude that it would not unduly reduce light or outlook to the occupants of no 7. It would not therefore conflict with Policies SD5 or SD31 of the Local Plan, which seek to ensure that there is no unacceptable impact upon neighbouring amenity.

Conditions

15. I have imposed the conditions suggested by the Council, subject to simplification of wording, and reordering in accordance with the advice in the Planning Practice Guidance.
16. In addition to the standard time limit condition, a condition listing the approved plans is necessary in the interests of certainty. A condition requiring matching external materials is necessary in the interests of the appearance of the development.
17. The Council suggests a condition requiring submission and approval of mitigation methods for glazing because the site falls within a designated Dark Night Reserve. The proposal is accompanied by a lighting assessment, which aims to reduce unnecessary lighting and light spill. However, it is not clear from the information before me whether this is sufficient to fulfill that purpose. I have therefore imposed the suggested condition. It will be for the appellant and Council to determine if any further details are required. The condition does not need to be discharged prior to commencement, and I have changed the implementation wording accordingly.
18. A condition requiring obscured glazing to the new first floor side window is necessary in the interests of privacy. A condition requiring a bat/bird box is desirable to promote biodiversity in accordance with policies in the Local Plan.

Conclusion

19. I conclude that the appeal should be allowed.

Guy Davies

INSPECTOR

Schedule of 6 conditions

1. The development hereby permitted shall begin before the expiration of 3 years from the date of this decision.
2. The development shall be carried out in accordance with the following approved plans:
Location plan 23125-P101
Plans - Existing Block Plan 23125-P102
Plans - Existing Ground Floor Plan 23125-P103
Plans - Existing First Floor Plan 23125-P104
Plans - Existing Roof Plan 23125-P105
Plans - Existing Elevations 23125-P107
Plans - Proposed Block Plan 23125-P008
Plans - Proposed Ground Floor Plan 23125-P109
Plans - Proposed First Floor Plan 23125-P110
Plans - Proposed Roof Plan 23125-P111
Plans - Proposed Elevations 23125-P112
Plans - Proposed Elevations 23125-P113
3. All external materials used in the construction of the development hereby permitted shall match the type, texture, composition, colour, size, and profile of those used on the existing building.
4. Before any works above slab level, details of mitigation methods for the glazing in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation shall be implemented before occupation of any of the extensions hereby permitted and thereafter retained.
5. Before occupation of any of the extensions hereby permitted, the new window on the first floor southern elevation shall be fitted with obscured glazing. The window shall be non-opening below 1.7m from the finished floor level of the room in which the window is installed. The window shall be permanently retained as such thereafter.
6. Before occupation of any of the extensions hereby permitted, at least one bat unit or bird box shall be installed within the site and retained thereafter.

***** End of Conditions*****