
Appeal Decision

Site visit made on 27 June 2025

by **O Tresise MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 August 2025

Appeal Ref: APP/Y9507/D/25/3365510

4 Butser Walk, Petersfield, Hampshire GU31 4NS

- 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 Mrs Katherine Pepper against the decision of South Downs National Park Authority.
 - The application Ref is SDNP/23/03761/HOUS.
 - The proposed development is the construction of a new rear elevation and front elevation in place of the existing, change of existing white UPVC and other windows to dark brown/grey wood/metal/composite frames. (Amended plans received 13.02.2024, proposed side elevations received 28.08.2024).
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a new rear elevation and front elevation in place of the existing, change of existing white UPVC and other windows to dark brown / grey wood / metal / composite frames (Amended plans received 13.02.2024, proposed side elevations received 28.08.2024), in accordance with the terms of the application,

Ref. SDNP/23/03761/HOUS, subject to the following conditions:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Block Plan, Drawing no. 2304-PL-010 P03, 2304-PL-014 P02, 2304-PL15 P03, 2304-PL-016 P03, and 2304-PL-017 P02.
- 3) The external materials of the extensions hereby permitted shall match those stated in the application form.
- 4) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Applications for costs

2. An application for costs was made by Mrs Katherine Pepper against the South Downs National Park Authority. This application is the subject of a separate decision.

Preliminary Matters

3. In the banner heading above I have taken the description of development from that used on the appeal form and decision notice rather than the application form, as the description of development has been agreed by both main parties.
4. Revised plans were submitted to the Authority prior to its decision and the Authority has listed the drawing titles, reference numbers and revision numbers on its decision. I therefore have determined the appeal on these revised plans. I am satisfied that no party is prejudiced by my doing so.

Main Issue

5. The main issue is the effect of the proposed development on the living conditions of the occupiers of 3 and 5 Butser Walk, with particular reference to daylight / sunlight, and privacy.

Reasons

6. The appeal site comprises a two-storey mid-terraced dwelling. No 3, the neighbouring property, lies immediately to the north of the appeal site, with a garage block positioned beyond it. No 5 lies to the south of the appeal site. A footpath runs along the southern side boundary of no 5 and the eastern boundary of the appeal site and no 3.
7. The proposed rear extension is a flat-roofed structure and single storey in height. It would be longer and taller than the existing conservatory. Whilst it would not be closer to northern boundary of the appeal site, it would be sited closer to the shared boundary of no. 5 than the existing conservatory.
8. With regard to daylight or sunlight, the proposed extension would reduce the amount of natural light received by the living rooms of these neighbouring properties. I also appreciate that the proposed extension may result in a degree of overshadowing to the neighbouring properties, particularly during winter months. However, the effect would not be so significant as to cause undue harm, as the proposed extension would only be single storey in height and not significantly larger than the existing conservatory.
9. I have had particular regard to any likely impact on the occupants to the north, which the Authority identified as the property to be most impacted, but see no adequate evidence to suggest why the change would be so impactful that it would warrant a refusal. I am also mindful of the size of rear extensions which would be permissible under permitted development rights.
10. In terms of privacy, a high-level window and a large window are proposed on the north elevation and the south elevation respectively. At my site visit I observed that solid timber fences were in place along both side boundaries which the Authority described as being 1.8m in height. Although the existing boundary fences are less than the height of the proposed extension, their height would be above sight-level of most people and would obscure the majority of the views from the proposed side windows into neighbouring property. Therefore, I am satisfied that an acceptable level of privacy would be maintained for the occupiers of both neighbouring properties.

11. The Authority responded to concerns that the proposed flat roof could be used in the future as a recreational space or roof terrace which could affect the privacy of neighbouring occupants. The Authority indicated that a planning condition would prohibit this use and suggest that the appellant would be accepting of such a condition. I agree that such a condition would be necessary and appropriate.
12. Overall, I conclude on the main issue that, the appeal development would not have a materially harmful effect on the living conditions of the occupiers of no 3 and no 5 with particular regard to daylight/sunlight and privacy. Therefore, it would comply with Policies SD5(k) and SD31 of South Downs Local Plan Adopted 2 July 2019 (2014-33) (SDLP). It would also comply with paragraph 135 of the National Planning Policy Framework which seeks to create places with a high standard of amenity for existing and future users.

Other Matters

13. The appeal site is within the South Downs National Park (SDNP). Section 11A of the National Parks and Access to the Countryside Act 1949 (as amended) (the NPAC Act) requires me to seek to further the purposes specified in section 5(1) of the NPAC Act and if it appears that there is a conflict between those purposes, must attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park. Paragraph 189 of the National Planning Policy Framework states that great weight should be given to conserving and enhancing the landscape and scenic beauty of a National Park.
14. The proposed rear extension and front porch would be larger than the existing structures, and the proposed rear extension would have a more contemporary appearance. The appeal proposal would also include a replacement of the existing white UPVC windows with dark brown / grey wood / metal / composite frames. These elements would not be substantial in scale and the proposed materials are not uncommon building materials in a residential area.
15. Furthermore, the proposed extensions are in a relatively discreet location that would not cause harm to the landscape character of the area. I also note the Authority raised no objection to these elements. Consequently, I conclude that the proposal would conserve the natural beauty, wildlife and cultural heritage of the National Park. In this regard, it would comply with Policy SD5 and SD31 of the SDLP, which requires proposal to integrate with the landscape and should be sympathetic to the setting in terms of height, massing, roof form and materials.

Conditions

In addition to the standard time period for the commencement of development, it is necessary in the interests of certainty to list the approved plans. I have also imposed a condition requiring the external materials of the proposed development to match the details stated on the application form, as this provides certainty. I have also imposed a condition prohibiting the roof of the proposed development from being used as amenity space in order to protect the privacy and living conditions of the occupiers of the neighbouring properties.

Conclusion

16. For the reasons given above, and taking into account all relevant matters raised, I conclude that the appeal should be allowed.

O Tresise

INSPECTOR