The Planning Inspectorate

Appeal Decision

Site visit made on 31 May 2011

by B C Scott BA(Hons) Urban & Regional Planning MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7 June 2011

Appeal Ref: APP/X1735/D/11/2150826
31 Lone Valley, Widley, Waterlooville, Hampshire, PO7 5EB.

- 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 & Mrs K Goble against the decision of Havant Borough Council.
- The application Ref: APP/10/00756 dated 14 October 2010, was refused by notice dated 11 March 2011.
- The development proposed is first floor extensions and replacement of conservatory with garden room.

Preliminary Matters

1. The appeal application follows an earlier one that was withdrawn (APP/10/00209).

Decision

2. I dismiss the appeal.

Main issues

3. I consider the two main issues in this case to be the effect of the proposed development on; firstly, the character and appearance of the area; and secondly, the living conditions of the adjoining occupiers, with particular reference to privacy and outlook.

Reasons

Character and appearance

4. The appeal site is on an outside corner of a suburban estate road that supports generic inter-war styles of dwellings. The appeal property comprises a detached, chalet type bungalow set back close to others of similar standing. The proposed development would increase the scale and mass of the bungalow with a re-modelling of its form, involving the introduction of cat slide dormer windows on three sides. Policy CS16 of the Havant Borough Core Strategy 2011 (CS) requires high quality design in terms of such things as plot size, heights, massing and window proportions.

5. The appeal bungalow has a common pitched roof with gable ends within which is first floor accommodation. The proposed development would effectively

replicate the scale and mass of the existing roof with another set transversely to it over the existing attached garage area on one side. The whole would be enlarged further with a replacement roof over the conservatory area on the opposite side. Due to the added height and mass of the proposed development, the scale of the resultant building would be considerable and at odds with the plot size, given the close juxtaposition between the adjoining dwellings involved.

6. Moreover, the proposed development would incorporate sizeable cat slide dormers in the new roof and part of the existing roof; a number of roof lights also would be introduced. Window sizes and proportions would vary throughout the resultant building with little or no consistency. Accordingly, I am in no doubt that the proposed development would harmfully change the relatively limited scale and simplicity of the existing dwelling with not only an over large, but also a complex and awkward discordant design.

7. Thus, I conclude on the first issue that the proposed development would be harmful to the character and appearance of the area, in conflict with the requirements of Policy CS16 of the Development Plan.

Living conditions

8. The conservatory side of the appeal bungalow faces obliquely towards a neighbour's rear amenity area (no.33) and the garage side of the appeal bungalow is alongside the flank of an adjoining dwelling (no.29). The proposed development would introduce first floor windows in both directions (principally towards no.33) and a gable end wall above the existing garage (closely opposite no.29). CS Policy CS16 requires development not to cause unacceptable harm to the amenity of neighbours through such things as privacy and outlook.

9. Most of any potential overlooking towards no.33 would be shielded and limited by the neighbour's substantial garage that sits on the common boundary. Owing to the orientation and the function of the windows involved, any such limited overlooking resulting from the proposed development is unlikely to give rise to any privacy problems. Potential overlooking towards no.29 would be from a small secondary window to a proposed bedroom that would be directly opposite a roof light serving a bedroom in the adjoining dwelling. Given that a requirement for obscure glazing of the proposed window could be imposed, no overlooking would result.

10. A large window serves the dining room to the adjoining dwelling (no.29) and faces the appeal site largely above the appeal garage roof and the top of the fence on the common boundary. The proposed development would introduce a facing gable wall above the garage in close proximity.

11. From my examination of the neighbour's dining room I came to the view that there is a restricted but adequate outlook at present, but that natural lighting is good. The proposed development would partially obscure the neighbour's outlook from the window in question and reduce the amount of visible sky and thereby the amount of daylight.

12. I came to the conclusion that some degree of overshadowing is bound to be experienced by the adjoining occupiers because of the smaller sky component

that would be available. However, given the falling line and height of the gable wall proposed, no significant loss of light would be involved. Nevertheless, the overshadowing would be experienced in conjunction with an interference with the view out of the window. I find that the two features would act together to produce an overbearing result, harmful to the outlook of the adjoining occupiers.

13. I conclude on the second issue that the proposed development would unacceptably affect the living conditions of the adjoining occupiers, in conflict with the requirements of Policy CS16 of the Development Plan

14. I have considered all other matters raised, including (in the words of Policy CS16) the changing needs of the users and the encouragement for higher densities, but none alters my conclusions on the main issues, which lead me to dismiss the appeal. To my mind, such matters are not necessarily pre-eminent in the thrust of the policy, which after all refers to high quality design in terms of both appearance and function.

B C Scott

INSPECTOR