Appeal Decision

Site visit made on 29 September 2010

by G M Hollington **MA, BPhil, MRTPI**

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

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Decision date:
13 October 2010

Appeal Ref: APP/X1735/D/10/2135307
12 Northney Road, Hayling Island, Hampshire, PO11 0ND

- 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 A Skinner against the decision of Havant Borough Council.
- The application Ref. 10/74364/000, dated 12 March 2010, was refused by notice dated 22 June 2010.
- The development proposed is a single-storey front extension and a two-storey side/rear extension.

Decision

1. I dismiss the appeal insofar as it relates to the two-storey side/rear extension. I allow the appeal insofar as it relates to the single-storey front extension and I grant planning permission for a single-storey front extension at 12 Northney Road, Hayling Island, Hampshire, PO11 0ND in accordance with the terms of the application, Ref. 10/74364/000, dated 12 March 2010, subject to the following conditions:

    1) The development hereby permitted shall begin not later than three years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans, so far as relevant to that part of the development hereby permitted: 1:1,250 location plan, 1:500 site plan, existing elevations, proposed elevations, existing ground floor plan, proposed ground floor plan, and section through proposed lounge.

    3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the single-storey front extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

    4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no windows or other openings shall be constructed on the west elevation of the single-storey front extension hereby permitted.

Procedural Matter

2. The local planning authority's description of the proposed development, set out above, is more meaningful than the single word used on the application form.

The side/rear extension would include a single-storey element adjacent to 11 Northney Road.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the occupiers of 12a Northney Road, with particular reference to visual impact and light.

Reasons

4. The side/rear extension would "wrap around" the rear corner of 12 Northney Road, close to the boundary with no. 12a. This neighbouring house has been extended to its rear and between this and the common boundary it has a conservatory, glazed but with an opaque roof.

5. Because of the height, bulk and proximity of the proposed two-storey extension, it would have seriously overbearing impact in the outlook from the kitchen/breakfast room and conservatory of no. 12a. It would also significantly reduce the amount of light enjoyed by users of the conservatory, which is furnished as a sitting room. These effects would be very different from those of the existing, relatively low boundary wall and garage.

6. The degree of separation would be sufficient to avoid unacceptable losses of light to other windows in the side elevation of no. 12a, and the greater height of the first floor windows in that house and their position relative to the proposed side/rear extension would avoid any material visual impact. Because of the depth of the rear wall of no. 12a in relation to this extension, there would be only limited effects on sunlight reaching the rear patio.

7. Nevertheless, I conclude that the proposed side/rear extension would result in unacceptable harm to the living conditions of the occupiers of 12a Northney Road, with particular reference to visual impact and light. It would conflict with the aims of policy D1 of the Havant Borough District Wide Local Plan 1996-2011 (adopted September 2005).

8. On the other hand, the single-storey front extension would be modest in size and many of the similar houses nearby have single-storey extensions, in a variety of designs, to the front. There is no objection to this element of the proposed development, which would accord with the aims of policy D1.

9. All the other matters raised in the written representations have also been taken into account. Although there are side/rear extensions to other similar houses nearby, circumstances vary from site to site (e.g. some may have been permitted as a pair) and each case needs to be determined on its own merits. Neither this nor any of the other matters are of such significance as to outweigh the considerations which have led to my conclusions on the main issue.

10. In respect of the proposed front extension, the need for conditions has been considered in the light of the advice in Circular 11/95: *The Use of Conditions in Planning Permissions*. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning.

11. To avoid harm to the area's character and appearance, a condition is needed in respect of materials. The extension would be near the front window of 11 Northney Road and so it is necessary to prevent the formation of openings in the nearer flank wall. For such a small development, it would not be appropriate to restrict the hours of construction, etc.

G M Hollington

INSPECTOR