Appeal Decision

Site visit made on 20 July 2010

by R J Marshall LLB Dip TP MRTPI

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

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Decision date: 26 July 2010

Appeal Ref: APP/X1735/D/10/2129946
26, Mengham Avenue, Hayling Island, Hampshire, PO11 9JB

- 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 Gary West against the decision of Havant Borough Council.
- The application Ref 09/74240/000, dated 21 December 2009, was refused by notice dated 4 March 2010.
- The development proposed is described as "1) Side and rear double storey extension 2) rear single storey extension".

Decision

1. I dismiss the appeal.

Main issue

2. The main issues in this appeal are the effect of the proposed development on: **first**, the character and appearance of the surrounding area; and **second**, the living conditions of the occupier of No. 27 Webb Lane with special reference to visual impact and loss of light.

Reasons

Character and appearance

3. The appeal property is an attractive semi-detached dwelling with ground floor accommodation and rooms in the roof. It fronts onto Mengham Avenue, a suburban road. The adjoining house, No. 27 Webb Lane, backs onto Mengham Avenue. The pleasant character and appearance of the area in the vicinity of the appeal site is derived in no small part from the reasonably spacious gaps at first floor level and above between dwellings.

4. A wide single storey flat roofed garage to one side of No. 26 ensures that such a gap is maintained between the appeal property and the adjoining 2-storey house, No. 27 Webb Lane. It is proposed to replace this structure with a side extension of the same height and design as the main part of the appellant's dwelling. The side wall of this extension would lie close to the flank wall of the neighbouring house. By occupying the gap between the 2 properties at first floor level the proposed development would detract from their reasonably spacious setting and harm the character and appearance of the surrounding area. This would be so notwithstanding the extent to which the proposed extension would be set back from the highway.

5. I appreciate that the proposed extension is attractive in its own right and would replace a less appealing structure. It would provide a rather more balanced appearance seen together with the attached dwelling which has been extended in a similar way. However, such advantages would not outweigh the harm I have found. Moreover, the location of the attached dwelling means that it has been extended without the same impact on openness.

6. I conclude that the proposed development would detract from the character and appearance of the surrounding area. As such it would be contrary to Policy D1 of the Havant Borough District Wide Local Plan 1996-2011 in so far that it seeks to create an attractive environment that respects local character.

Living conditions

7. The rear garden of No. 27 Webb Lane contains a large patio. The proposed extension would come well forward of the rear elevation of No. 27 and be clearly seen from the patio. Given its length, height and proximity to the boundary it would appear unduly intrusive and overbearing seen from this area. I find that that this, in itself, would be harmful. Whether or not there would also be unsatisfactory loss of light has not been proven on the limited evidence given.

8. I conclude that the proposed development would detract from the living conditions of the occupier of No. 27 Webb Lane with special reference to visual impact. As such it would conflict with Local Plan Policy D1 in so far that it seeks to prevent harm to the amenities of the occupiers of neighbouring properties.

Conclusion

9. For the reasons given above I conclude that the appeal should be dismissed. In arriving at this view I accept that the existing bungalow provides limited accommodation and I can understand the appellant's wish to extend. However, such considerations do not outweigh the harm I have found.

R J Marshall

INSPECTOR