The Planning Inspectorate

Appeal Decision

Site visit made on 17 October 2014

by R J Maile BSc FRICS

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

Decision date: 22 October 2014

Appeal Ref: APP/W1715/D/14/2224777
6 Stirling Crescent, Hedge End, Southampton, Hampshire, SO30 2SB.

- 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 Christopher Miller against the decision of Eastleigh Borough Council.
- The application, ref: F/14/74220, was refused by notice dated 11 June 2014.
- The development proposed is ground floor side extension (utility); first floor side extension; loft conversion.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed two storey extension upon the amenity of existing and future occupiers of 4 Stirling Crescent.

Reasons

3. The appeal property is a detached house with attached garage, being located within a residential estate erected during the 1980's. The houses on either side of no. 6 have been the subject of similar extensions to that now before me.

4. The scheme has been designed to a high standard and in principle I can see no objection to an extension at ground floor level or the proposals for a loft conversion. These will accord with the established character and appearance of the host building and that of the surrounding area.

5. 4 Stirling Crescent is sited to the south of no. 6, such that I am satisfied there will be no loss of sunlight to its rear-facing dining room window. However, no detailed evidence has been adduced to demonstrate that the 45° daylight rule can be achieved. In the absence of such information I cannot be satisfied that this habitable room will not suffer an unacceptable loss of natural light having regard to the proximity of the two storey extension to its rear-facing window.

6. The grounds of appeal suggest that the design could be "tweaked" to overcome this issue. Of necessity, however, my decision relates to a consideration of the detailed drawings currently before me.

7. I therefore find on the main issue that development as proposed will have an adverse effect upon the residential amenity of existing and future occupiers of 4 Stirling Crescent by reason of the potential for loss of daylight. As such, the scheme would be contrary to "saved" Policy 59.BE (i) of the Local Plan[1] and to the Council's adopted Supplementary Planning Document entitled *'Quality Places.'*

Conclusion

8. For the reasons given above, I conclude that the appeal should be dismissed.

R. J. Maile

INSPECTOR

[1] The Eastleigh Borough Local Plan Review 2001-2011 (May 2006)