Appeal Statement on behalf of appellant (Mr R Rooke)

Appeal against refusal by Eastleigh Borough Council of householder application ref: C/15/76670 :–

First floor extension above existing garage to allow for enlargement of adjoining annexe accommodation

The Shambles, 45 High Street, Botley, Southampton, SO30 2EA

Date of refusal: 03 August 2015.

Reasons for refusal:

(1) The proposed development due to its siting, design, and excessive size and scale, would appear cramped and disproportionate in nature and as an unduly visually prominent, incongruous and discordant feature within the street scene, to the detriment of its prevailing character as well as that of the Botley Conservation Area. As such the proposed development is considered to be contrary to Saved Policies 59.BE and 169.LB of the Eastleigh Borough Local Plan Review 2001-2011, Policies DM1 and DM10 of the Submitted Eastleigh Borough Local Plan 2011-2029, as well as Sections 7 and 12 of the National Planning Policy Framework.

(2) The proposal is considered to form an independent unit of accommodation, due to its physical detachment, size and free-standing, self-contained nature. In this regard the development is considered to be poorly laid out, at odds with the prevailing characteristics and pattern of residential development within the locality and this part of the Botley Conservation Area, to provide inadequate amenity space, parking and bin and cycle storage, and to be unduly harmful to residential amenity. The proposals are therefore considered to be contrary to Saved Policies 28.ES, 59.BE, 104.T and 169.LB of the Eastleigh Borough Local Plan 2001-2011, Policies DM1, DM10 and DM24 of the Submitted Eastleigh Borough Local Plan 2011-2029, as well as Paragraph 17 and Sections 7 and 12 of the National Planning Policy Framework

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The case for the appellant is set out in the Design, Access and Heritage Statement submitted with the application, along with the submitted plans.

The following additional comments are made in respect of the Council's reasons for refusal:

- The design of the roof was carefully considered to ensure that it was proportionate and in-keeping with the surrounding buildings. It is disputed that it would appear 'cramped' or 'disproportionate', or would be 'unduly visually prominent', 'incongruous' or a 'discordant feature within the street scene'.

- The building is set back within the plot (approximately 35m from the road), close to the rear boundary. It can only be glimpsed from the road. The proposed roof design would be harmonious with the surrounding development and not visually harmful as alleged.

- Matching materials will further ensure that it blends in with its surroundings (the appellant is happy to accept a condition requiring samples to be provided for approval by the LPA prior to the commencement of development – see suggested conditions below).

- In terms of its design, the proposal is perfectly acceptable and would maintain and enhance the character and appearance of the Botley Conservation Area.

- The proposal would not harm the setting of the adjacent Grade II listed church (note: this is not stated as a reason for refusal).

- The proposal will provide ancillary accommodation for the appellants grown up daughter who currently lives in the house (having moved back home). Part of the ground and first floor of the outbuilding has already been converted into ancillary accommodation for occupation by one of the appellants sons. The high price of housing in the local area has made it difficult for his children to get on the housing ladder, which is a scenario repeated in many other parts of the country, but is particularly the case in the South / South East. As his daughter already lives with them in the house she is already resident on the site, so there will be no net increase in the number of persons living at the property. Being able to accommodate her in the outbuilding would provide her with her own space, whilst remaining part of the family unit – which is the same situation that already exists, albeit with slightly better living arrangements.

- Concerns that the proposal would be tantamount to a separate dwelling are unfounded. The appellant and his family are a close family unit, who share meals and other household activities / chores. There is a high level of interaction between the main (host) dwelling and the existing ancillary accommodation within the outbuilding and this will remain the case. All that is being provided is an additional bedroom (with an useable / ergonomic floor area of approximately 20sqm)

- One of the appellant's sons works with him in the family scaffold business. His wife and daughter also help out with the administration duties connected to the business.

- The outbuilding is not physically capable of being severed or separated from the main dwelling. The two share the same access and parking area. The site is landlocked.

- Crucially, the property will remain as one planning unit. The imposition of a suitably worded condition would be a sufficient means of controlling this – see suggested conditions below.

- Finally, there is clear support for the proposal in the NPPF as the provision of additional ancillary accommodation within the outbuilding is an efficient use of land and involves a high quality design. The property is situated in a sustainable location on the edge of a village centre, close to existing shops and other facilities. It therefore comprises a highly sustainable form of development, in accordance with national planning policy core principles.

Suggested conditions:

1. No development shall commence until details, including the provision of samples, of the external facing materials have been submitted to and approved in writing by the LPA. Development shall take place in accordance with those details which have been agreed.

2. The development hereby permitted shall only be occupied as ancillary accommodation, incidental to the enjoyment of the main dwelling (No. 45 High Street, Botley). It shall not be occupied as an independent unit of accommodation, separate from the main dwelling.

3. No windows or other openings shall be inserted into the roof hereby permitted, other than those shown on the approved plan (ref: E/412/NM/004)

Neil March
Associate Planner

On behalf of Southern Planning Practice