Grounds of the Appeal on behalf of Mr Swanborough & Miss Walker

Town and Country Planning Act 1990
Householder Appeal by Mr Swanborough & Miss Walker against the decision of Eastleigh Borough Hampshire District Council to refuse the grant of planning permission for the erection of a two storey side and single storey rear extension at 74 Devon Drive, Chandlers Ford, Eastleigh SO53 3GH

Eastleigh Borough Council Ref: F/17/80443

1 Introduction

1.1 This supporting statement is made pursuant to Section 78 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 and is made on behalf of the appellant Mr Swanborough and Miss Walker against the decision of Eastleigh Boroough Council Local Planning Authority (LPA) to refuse planning permission for application F/17/80443 in relation to the provision of two storey side and single storey rear extension at 74 Devon Drive, Chandlers Ford, Eastleigh, SO53 3GH.

2. The appeal site and surrounding area

2.1 The appeal site is located within the urban edge and within an existing residential area. The area consists of two storey, interwar/immediately post-war Council housing laid out in semi-detached pairs interlinked by single storey side extensions or rows of terraced houses. Properties are set to address the road and its curving crescent where on straighter sections of road properties have a linier siting and regular set backs and on long sweeping corners properties are set on a skew and are stepped in their siting.

2.2 Many properties have been extended with various forms of single and two storey extensions. Boundary treatments are inconsistent and various front gardens have been converted to off-road parking. The immediate neighbour to the appeal site has a very overgrown front garden area.

2.2 The appeal property is a semi-detached two storey property with a single storey side element that is set on a long sweeping corner of Devon drive so is set on the skew and is stepped in its siting and in relation to its neighbours.

3. The proposed development

3.1 The proposed scheme comprises of a one and two storey side extension which will see the building footprint squared off. The extension is set flush front and rear with the host property on the ground floor. The first floor element has a generous 1.5m set back from the front elevation creating subservience. To further reinforce this subservience the ridge is also set below the dwellings main ridge.

3.2 The extension will be constructed using similar bricks and roof tiles to the host property so will assimilate well as an extension and to surrounding properties.

3.3 The generous garden and parking area, capable of accommodating at least 3 vehicles will remain.

4 Reason for Refusal

4.1 The LPA has sited the following reason for refusal:

> *(1) The proposed two-storey extension would introduce a feature of unwelcome prominence, eroding the current attractive spacing between buildings and would appear at odds with the prevailing character and*

appearance of the immediate area, to the detriment of the character and visual amenity of Devon Drive and by vurtue of its mass, scale, design, and siting would represent overdevelopment. The proposal is therefore considered to be contrary to saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011)

5 Grounds of appeal

5.1 The LPA accepts the principle of development and acknowledges that it will not have a detrimental impact upon the amenities of neighbouring properties. It has however refused the application on the basis of its mass, scale, design and siting. The formal decision notice details the relevant policy as being 59.BE and although it is not more specific it is assumed that the refusal is based on criteria (i) of this policy which states:

> *Development proposals which are in accordance with the other policies in this plan will be permitted provided they meet all the following criteria:*
>
> *i. they take full and proper account of the context of the site including the character and appearance of the locality or neighbourhood and are appropriate in mass, scale, materials, layout, density, design and siting, both in themselves and in relation to adjoining buildings, spaces and views, natural features and trees worthy of retention;*

5.2 Contrary to the determining officers view, it is felt that the proposed two storey extension is sympathetic to the existing property in that its it is less than half the width of the host property, is set back by 1.5m from the host properties principle elevation at first floor level and the ridge to the extension is set below that on the host property. These elements combine and create a modest extension that is subservient to and allows the original dwelling to be the main focus.

5.3 The extension is designed to assimilate to the host with materials intended to match and windows, doors, facias and soffits appearing consistent in appearance to the main host property.

5.4 It is acknowledged that the resultant dwelling (with extension) will span the entire width of the plot however given the skewed angle of the property in relation to the road and the stepping of the properties on the north side of the road it is considered that this will not be apparent within the street scene.

5.5 When approaching the site from the east, due to the stepping in of the first floor, you will not see the extension until you are immediately outside and even then the extension will be partially screened by the neighbours overgrown front garden and boundary foliage.

5.6 When approaching from the west you will have a clearer view of the extension however your view is currently of a gable end and this will not change with the extension which has a similar, albeit stepped, gable end. When approaching the site from the west, due to the stepping in the road, the spacing between properties is not apparent and again it is not until you are

immediately outside the site that you will appreciate the extension which will again be partially screened by the neighbours overgrown front garden and boundary foliage.

5.7 Overall it is considered that due to the siting of the property within the street on a skewed angle and with neighbouring properties stepping to address the curve of the road, the spacing between properties on the north side of the road are not apparent. The proposed extension will of course be visible but due to the stepping back of the first floor combined with the siting of the property and neighbouring garden foliage the appearance within the street scene will be extremely limited and thus cannot be justified to have a detrimental impact.

5.8 It is noted that the determining officer makes reference to development proposals and subsequent appeal decision at 99 Devon Drive. Each planning application should be considered on its own merits and this proposal was very different to that proposed on the appeal site. The 99 Devon Drives proposals were much more comprehensive including two storey side, single storey rear extension, conservatory and garden/'bike' store. It should be noted that the siting of this property and is visibility within the street is very different to that on the appeal site. This property is highly visible on the bend of Devon Drive, does not benefit from any boundary or neighbouring screening, impacts on the front and rear character of the property, and being sited directly parallel to its neighbour 1st floor extensions are much more visible and deemed harmful by the appeal inspector at that time.

5.9 Whilst one cannot disagree with the 99 Devon Drive appeal outcome, we would like to draw attention to a first floor side extension at 57 Devon Drive which benefits from full planning permission (Eastleigh Borough Council Planning Reference F/14/74419) which is visible within the street scene being at the highest point of the road and on the exit of the road curvature. This extension erodes spacing between properties, effectively creating a terracing effect yet the determining officer for this application concluded, having recognised the spacing between properties that;

> *"The extension is set back from the front elevation of the host property, with the ridge below the height of the main roof, creating a subservient structure. The extension to the rear is flush with the rear elevation of the dwelling. Whilst the first floor extension would result in an erosion of the space between this property and the adjoining plot, the staggered building line in this location limits the impact on the street scene and on balance, it is not considered sufficient to warrant a reason or refusal."*

5.10 This planning permission having now been implemented clearly demonstrates that a first floor or two storey side extension can be successfully achieved on Devon Drive without it having a detrimental impact on the street scene

6 Conclusion

6.1 It is concluded that the proposed side extensions would not have a detrimental impact on the host property or the visual appearance and character of the area. It is therefore considered to comply with the requirements of saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011).

6.2 The Planning Inspector is therefore respectfully requested to allow this appeal and grant planning permission with any necessary and reasonable conditions imposed.