



Appeal Decision

Site visit made on 9 March 2023

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2023

Appeal Ref: APP/W1715/D/22/3313585

27 Nichol Road, Chandler's Ford, SO53 5AY

- 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 & Mrs Robson against the decision of Eastleigh Borough Council.
 - The application Ref. H/22/93684, dated 23 August 2022, was refused by notice dated 13 October 2022.
 - The development proposed is two storey and first floor front extensions, first floor rear extension and single storey rear extension, elevational alterations.
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Decision

1. The appeal is allowed and planning permission is granted for two storey and first floor front extensions, first floor rear extension and single storey rear extension, elevational alterations at 27 Nichol Road, Chandler's Ford, SO53 5AY in accordance with the terms of the application, Ref. H/22/93684, dated 23 August 2022, and the plans submitted with it and subject to the conditions listed below.
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those on the existing building or otherwise be in accordance with those in the Application Form.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 01_Rev G; 02_Rev A.

Main Issues

2. The main issues are the effect of the proposed development on: (a) the character and appearance of the host property and surrounding area; and (b) the living conditions of neighbouring occupiers.

Reasons

Character and appearance

3. Policy DM1 of the Eastleigh Borough Local Plan (2016 - 2036) (April 2022) (Local Plan) seeks, amongst other requirements, to ensure that new development: does not have an unacceptable impact on the character and appearance of urban areas; that it makes efficient use of the site; that it takes

into account local context; that it is compatible with and integrates well with adjacent development in terms of its scale, layout, design and siting; and does not result in the loss of or damage to mature landscape and trees. A similar approach is set out in paragraph 130 of the National Planning Policy Framework (July 2021) (Framework), but this paragraph also states that being sympathetic to local character should not prevent or discourage appropriate innovation or change. Similarly, paragraph 134 b) of the Framework states that significant weight should be given to innovative designs that help raise the standard of design more generally in an area provided the proposal fits in with the overall form and layout of their surroundings.

4. The Council have referred to its Quality Places Supplementary Planning Document (November 2011) (Quality Places SPD). Whilst this deals primarily with new residential developments, it does contain a section on extensions, wherein it states that alterations to existing roofs should be carefully considered where a street exhibits a uniform roof design or there is a need to achieve symmetry and that even modest front extensions can impact on the streetscene. Reference has also been made to the Chandler's Ford & Hiltingbury Character Areas Supplementary Planning Document (January 2005) (Character Area SPD), where paragraph 9 sets out the objectives for the area when considering new development, including extensions, and should be read in conjunction with the objectives set out in section 2 that specifically apply to the area that includes Nichol Road and thus the appeal site.
5. Whilst both SPD's are adopted, they predate both the Framework and National Design Guide (NDG) (January 2021). The latter reinforces the Framework, for example, at paragraph 44 by emphasising that well designed places do not need to copy their surroundings and that it is appropriate for new development to include innovation and change to reflect how we live today. As such, whilst both SPD's remain material considerations the weight they can be accorded in the decision making process is reduced.
6. The appeal proposal involves the refurbishment and extension of a detached chalet style property located within a large plot on Nichol Road. The road largely comprises a mixture of similar detached properties ranging from single storey bungalows to two storey properties that vary in terms of their style, scale, massing, form, roof profiles, layout and materials. There is no uniform character or design, albeit common themes include the fact that most properties are set back from the road, occupy large plots and contain mature landscaping and trees. A further characteristic is the large number of properties that have been extended and remodelled, with large gabled roof extensions on the frontage a commonly used design feature.
7. Within the above context, the Council's Delegated Report contends that the proposed flat roofed first floor rear extension does not sit comfortably on the host property. I do not agree. The extent of proposed flat roof is small, it would be constructed from a similar pallet of materials and tucked away at the rear of the host where it would not be visible from public vantage points or the streetscene. As such, this element of the proposal would be acceptable.
8. In relation to the proposed two storey and first floor front extensions, these essentially form three two storey gables, with the northern most gable formed through adding a first floor to the existing single storey extension that projects forward of the main front wall to the host. A new two storey gable to the south

would be set back from this and the final new two storey gable set back further, giving a tiered effect. Whilst this would result in an increase in the bulk of the frontage to the host property it would not be significant or harmful to the host or the streetscene. The height of the main ridge would not be increased and the main roof structure would remain largely intact. The gaps that exist between the host property and its neighbours would remain as would the building line formed by the existing single storey front extension.

9. Gabled extensions and dormers are often used to secure new accommodation at roof level or on the frontage to existing properties, and there are various examples within the road of where this has been done successfully as part of the remodelling of those properties. In view of this and given the varied character of the road, this aspect of the proposal would not appear incompatible or out of keeping with the host property or the streetscene. In my view, the proposed gables, combined with the proposed pallet of materials and window detailing, would result in a development that sits reasonably comfortably on the appeal site and secures a high quality of design.
10. I accept that there would be a material change to the scale and design of the host property when viewed from the road, but, even so, all the proposed changes would refresh and modernise the appearance of the front elevation, whose current design is not of any quality or merit. The result would be a more modern design representing an improvement on existing and a design that integrates well and fits in well with the character and appearance of the appeal site and surrounding area. As I observed on site, the proposal would also relate well to its immediate neighbours. Again, it is not uncommon to find bungalows or chalet bungalows sitting comfortably next to two storey properties and, as in this case, adding interest and variety to the streetscene.
11. I am also satisfied that the proposal would accord with the majority of the objectives set out in the Character Area SPD in that: it would maximise the use of urban land; it would remain a detached property within a large plot; it would improve the character and appearance of the built environment; the overall ridge height and separation from adjoining properties would remain as existing; it would fit in well with the streetscene and the existing building line would be respected; the existing spacious front and rear gardens would be retained as would existing mature landscaping, hedging and trees all of which make a positive contribution to local distinctiveness.
12. Whilst there would be some conflict with the advice in the Quality Places SPD, in relation to the scale of front extensions, as I have found this predates the Framework and NDG. As it is also guidance, the SPD should be applied with some flexibility taking into account the individual circumstances of the case and the need to make effective use of land within sustainable locations.
13. Accordingly, I find that the appeal proposal would be compliant with policy DM1 of the Local Plan and paragraphs 130 and 134 of the Framework, and would not materially conflict with the aims and objectives of the Quality Places SPD or the Character Area SPD.

Neighbours living conditions

14. The Council contend that the proposed first floor and single storey rear extensions would lead to a loss of light and outlook to the neighbouring property, 25 Nichol Road (No.25). In relation to the new first floor extension,

as this would be set into the roof, is small scale, includes a flat roof and would be set back from the common boundary, I am satisfied that it would not have any impact on the light and outlook of the neighbouring occupiers at No.25.

15. The new ground floor extension would be designed as a continuation of the existing ground floor rear extension to the host property. It would be sited between the existing extension and common boundary with No.25. Even so, it would have a mono pitch roof, similar to the existing extension, that would rise up to the existing main roof and there would remain a gap between the side of this new extension and the common boundary with No.25. The gap that exists between the common boundary and the side window to No.25, which I understand serves a bedroom, would also remain as would the existing timber fence on this boundary.
16. As I observed on site, the top part of the side window to No.25 is visible above the existing boundary fence. In view of this and for the reasons set out above I am satisfied that the proposal would not have a significant impact on the light and outlook from No.25. I accept that there would be some impact, but given the siting and design of the proposed extension, the presence of existing boundary fencing and the fact that the new extension would be sited due north, this impact would not be significant nor sufficient in itself to justify the refusal of planning permission.
17. I note that the decision notice alleges that the impact on the neighbouring property would be in terms of the *"loss of light or outlook"* and I have assumed this should have said *"and"*. Even so, that is not a finding I concur with. Also, the Delegated Report states that whilst there may not be a daylight issue, in that it passes to daylight test, *"there could still be an impact on the sunlight received."* Again, for the reasons set out above that is not a finding I concur with and there is no substantive evidence before me to support that statement.
18. Accordingly, I find that the appeal proposal would not lead to any significant harm to the living conditions of the neighbouring occupiers of No.25 and would, therefore, be compliant in this respect with policy DM1 of the Local Plan, the Quality Places and Character Area SPD's and paragraph 130 f) of the Framework. These seek, amongst other requirements, to ensure that new development does not unacceptably impact on residential amenities.

Conditions

19. I have considered the Council's suggested conditions against the advice in the Framework and the Planning Practice Guidance chapter on the use of planning conditions. A condition requiring compliance with the submitted plans is necessary and reasonable to secure a high-quality development. In relation to materials, this condition is also necessary and I have worded it to require the materials to match existing or otherwise be as shown on the Application Form.

Conclusion

20. For the reasons given above and having taken all the matters raised into account, I conclude that the appeal should be allowed.

G Roberts

INSPECTOR