



Appeal Decision

Site visit made on 20 February 2024

by C Carpenter BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 March 2024

Appeal Ref: APP/W1715/D/23/3331503

7 Scotland Close, Fair Oak, Eastleigh, Hampshire SO50 7BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs A & H Mason against the decision of Eastleigh Borough Council.
 - The application Ref is H/23/94991.
 - The development proposed is described as: "Remove the existing rear extension. Construct a new single and two storey rear extension forming a kitchen/dining/living room on the ground floor and new master bedroom suite on the first floor. Internal alterations. Remove the existing porch and replace with a new open oak framed porch."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was determined by the Council based on revised plans that did not include the proposed new porch. However, there is nothing before me to suggest an amended description of development was agreed between the parties. The description of development above is therefore taken from the original application form.
3. The appellants have suggested a revision to the design of the appeal proposal to reduce the width of the two-storey element of the extension. This would have a material effect on the design of the proposed development. The 'Procedural Guide: Planning appeals – England' states the appeal process should not be used to evolve a scheme. Therefore, I have based my decision on the proposal as set out in the application that was before the Council and upon which notification took place.
4. The National Planning Policy Framework (the Framework) was updated in December 2023, during the course of this appeal. However, insofar as the contents are relevant to this appeal, the Framework has not changed. Therefore, I am satisfied no party would be disadvantaged by not having the opportunity to comment on the revised Framework.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the host dwelling and surrounding area.

Reasons

6. Scotland Close is a residential development of semi-detached houses and bungalows arranged around a cul-de-sac. There is a high degree of symmetry in the layout of the Close, which is reinforced by the under-stated matching designs of the semi-detached dwellings. This balanced and consistent design makes a positive contribution to the character of the area. No 7 is one half of a semi-detached pair of two-storey houses. The plot is on a prominent corner at the entrance to Scotland Close, with views of the side and rear of the property from Mortimers Lane and the adjacent grass verge and footpath.
7. The proposed rear extension would be wider and deeper than the host dwelling and the two-storey element would extend beyond the side of the house, with windows and roof visible from the front of the plot. The bulk and scale of the extension would therefore be out of proportion and would dominate the host dwelling, notwithstanding its lower height relative to the main house and its set-back from the site boundary.
8. The length and height of the extension would be conspicuous above the boundary fence when seen from Mortimers Lane and the footpath. The awkward junction of the extension's gable end with the hipped roof of the existing building would also be clearly visible from the street, accentuated by the proposed use of contrasting materials.
9. These detrimental effects on the appearance of No 7 would undermine the balance of the semi-detached pair, which would in turn erode the strong symmetry that is integral to the character of Scotland Close. The contemporary appearance of the extension would emphasise its prominence, at odds with the cohesive and restrained style that characterises the rest of the Close. The prominence of the plot would considerably magnify the incongruity of the proposal. Whether or not contemporary design is appropriate in some circumstances, in the context of the appeal site it would not relate effectively with the building features and materials prominent in Scotland Close, so would conflict with the Council's Character Area Appraisal for the area.
10. I accept there would be little detriment to the openness of the public spaces within the cul-de-sac. However, this is only one feature of the distinctive character and appearance of Scotland Close and other aspects would be diminished for the reasons set out above.
11. The side extension at No 54 opposite is more modest in scale and appearance than the scheme before me and there is considerable tree cover along the public verge to mitigate its impact on the street scene. In the case of the appeal site, the small number of trees on the verge would do little to conceal the large extension. Whilst additional planting within the site would somewhat soften the proposal's visual impact and could be secured by condition were the appeal to be allowed, this would not be sufficient to mitigate the harm I have identified given the prominence of the site and the bulk and mass proposed.
12. I recognise aspects of the proposal, such as materials, were amended during the course of the application in response to comments from the Council. I acknowledge the intention to use high quality and durable materials and I note the design rationale in stepping the two-storey extension beyond the side of the house and proposing to build up to the party wall boundary. Nevertheless, I have considered the proposal before me on its individual planning merits and

these considerations do not overcome the harm I have found. While the appellants are willing to consider some further changes to materials, which could be agreed via condition were the appeal to be allowed, this would not overcome the dominant scale of the development.

13. My attention has been drawn to several other decisions taken by the Council where it concluded the proposed extension would not have a harmful effect on character and appearance. Although I do not dispute these are substantial extensions, other than 54 Scotland Close referred to above the sites are in different parts of Eastleigh or in a different local planning authority area altogether. Therefore, they do not form part of the immediate context and character area that are important considerations here. These other decisions do not lead me to a different conclusion on the main issue in this appeal.
14. For the above reasons, I conclude the proposal would have a harmful effect on the character and appearance of the host dwelling and surrounding area. This is contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), which requires new development to take full and proper account of the context of the site including the character and appearance of the neighbourhood. It is also contrary to the Quality Places Supplementary Planning Document, which requires rear extensions to be in scale and balance with the whole of the house and two-storey extensions to corner properties to take into account the visual impact upon related roads. It is also contrary to the Framework, which seeks good design and development that is sympathetic to local character, taking account of local design guidance.

Other Matters

15. I acknowledge the appellants' desire to provide additional accommodation that better suits the needs of their family. However, the harm identified would be permanent and is not outweighed by the appellants' particular circumstances.
16. The appellants have referred to their permitted development rights as a potential fall-back position. I have no substantive evidence to indicate a significant probability that such a scheme would be constructed should this appeal be dismissed. This consideration therefore has minimal weight in my decision.
17. The Council has raised no concern with the proposed area of remaining external amenity space, waste storage arrangements, parking, the quality of internal accommodation or the proposal's effect on trees. On the evidence before me, I see no reason to disagree with these conclusions. However, an absence of harm in these regards is a neutral factor. Security and level access are required by other regulatory regimes, so are also neutral factors.
18. A preliminary bat roost survey and associated biodiversity measures would be requirements for planning permission to be granted, so the appellants' willingness to provide them does not weigh in favour of the proposal.
19. An absence of objection from neighbours or the Parish Council does not in itself render the scheme acceptable and does not alter my conclusion on the main issue.

Conclusion

20. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal should be dismissed.

C Carpenter

INSPECTOR