
Appeal Decision

Site visit made on 17 January 2017

by John Felgate BA(Hons) MA MRTPI

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

Decision date: 17 February 2017

Appeal Ref: APP/L3815/W/16/3160035

North House, 66 North Street, Chichester, West Sussex PO19 1LR

- 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 the St Pier Group, against the decision of Chichester District Council.
 - The application Ref CC/16/01842/FUL, dated 27 May 2016, was refused by notice dated 29 July 2016.
 - The development proposed is: *demolition of existing ground floor rear extensions and erection of new ground floor rear extension, with new vehicular access; roof extension to provide 2 one-bedroom flats; and internal alterations to existing flats.*
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Decision

1. In so far as it relates to the proposed roof extension, the appeal is dismissed.
2. With regard to the remainder of the proposed scheme, the appeal is allowed and planning permission is granted for the demolition of existing ground floor rear extensions, erection of a new ground floor rear extension, and internal alterations to existing flats, at North House, 66 North Street, Chichester, West Sussex PO19 1LR, in accordance with the terms of the application, Ref CC/16/01842/FUL, dated 27 May 2016, subject to the conditions set out in the attached schedule.

Main Issue

3. Neither the Council nor any other party raises any objections to the proposed rear ground floor extension, or the related demolition and access works, or to the internal alterations to the existing flats at first and second floor levels. I see no reason to disagree on these matters.
4. The Council has formally withdrawn Refusal Reason 2, relating to the potential effects on the Chichester and Langstone Harbours Special Protection Area(SPA).
5. The sole remaining issue is therefore the effect of the proposed roof extension on the character and appearance of the building, and of the area.

Reasons for decision

6. North House lies within the Chichester Conservation Area (the CA). The CA's significance lies in the special architectural and historic interest of the town centre, as a well-preserved example of a former Roman and mediaeval cathedral city and inland port, with further expansion in the Georgian era. North Street forms part of the town's historic spine, and the majority of the

- buildings on both sides of the street are listed. These include the group comprising Nos 68-72, just to the south of the appeal site, and another group comprising Nos 27-32, on the opposite side. A short distance away, there is also the Council Chamber building, which is grade II-star.
7. North House is a large, 3-storey building, dating from the 1930s, comprising three shop units on the ground floor and six flats above. Although not listed, it is an attractive and characterful building, and its neo-Georgian styling successfully complements the original Georgian architecture that predominates throughout the town centre. Due to its width and height, its distinctive curved pediment, and its position facing down Crane Street, the building is prominent in the street scene. The draft CA Character Appraisal Review identifies it as a positive contributor to the CA. For the reasons given above, I concur with that assessment.
 8. In addition, the Council regard North House as a non-designated heritage asset. The appellants agree that it is of some interest, both architecturally and historically. Again I find no reason to disagree that the building is a heritage asset, although since the site is within the CA, it forms part of such an asset, and indeed a designated one, in any event.
 9. The proposed development would add a fourth storey, in the form of a new mansard roof, containing two new flats. Although the design has been modified from an earlier refused scheme, and the previous proposal for a ridged roof has been replaced with a flat-topped 'crown' version, the new structure would still represent a tall and bulky addition above the existing parapet. And whilst it would be set back slightly, it would nevertheless be seen clearly in angled views along North Street, and from Crane Street. Although the appellants state that the height would not exceed No 68, it seems to me that with this large addition the appeal building would appear over-assertive and over-dominant in relation to its neighbours and the street scene as a whole. This would significantly damage the CA's architectural harmony and unity, and the settings of the listed buildings in the vicinity.
 10. In addition, the new rooftop structure would compete with the existing pediment feature at North House, detracting from the building's own distinctiveness and its under-stated charm. I accept that mansard roofs are not uncommon in Georgian buildings, and indeed some examples can be found in Chichester, albeit few in number. However, for the reasons that I have explained, in the present case the development would be uncharacteristic and incongruous in relation to the appeal building and its setting.
 11. Having regard to the terminology used in the National Planning Policy Framework (NPPF), the harm caused would be "*less than substantial*", but this does not change the fact that it would still be harmful. In the present case, the harm that I have identified, to both the designated and non-designated heritage assets, would be to undermine their significance as heritage assets.
 12. In all these respects, the proposed new mansard roof extension would fail to preserve or enhance the character or appearance of the Chichester CA, or the settings of the nearby listed buildings detailed above. As such, it would not meet the aims of Policies 10 or 47 of the Chichester Local Plan¹ (CLP), which

¹ Chichester Local Plan: Key Policies 2014-29, adopted June 2015

seek to protect the city's historic character and heritage, and the special interest and settings of heritage assets.

Other Matters

13. The creation of two additional residential units, to be provided within the proposed mansard roof, would constitute a public benefit, which NPPF paragraph 134 requires to be weighed against the harm. However, there is no evidence to suggest that the district's housing needs are so great that they cannot be met without accepting harm to heritage assets. The other benefits of the development, in terms of improved accommodation for the existing retail and residential units, and the tidying-up of the rear elevation at ground floor level, do not appear to be dependent on the additional storey. The public benefits therefore do not outweigh the harm.
14. I appreciate that LP Policy 33 encourages residential development where various criteria are met. But those criteria include meeting the highest standards of design, and respecting the character of the surrounding area. For the reasons already given, the appeal scheme falls short of these criteria.
15. With regard to the SPA, I note that a payment has been made, and an undertaking entered into, towards the Solent Disturbance Mitigation Project. No details of that project are before me, but the matter is not now in dispute, and in view of my findings on the matters set out above, I have no need to consider this further. I also note that this issue, relating to the potential effects on the SPA, arises only in relation to the two proposed new residential units, and not the other elements of the development. Consequently the undertaking does not affect my decision.

Conclusions

16. I have taken account of all the other matters raised, but none outweighs the considerations set out above. For the reasons stated, I conclude that the proposed mansard roof extension would cause unacceptable harm to the character and appearance of the building and of the area. The appeal in respect of that element is therefore dismissed.
17. Since the remaining elements of the scheme (comprising the rear ground floor works and internal alterations) are not objected to, and are capable of being carried out separately from the roof extension, it follows that planning permission should be granted for these. I also note that although permission for works of a similar nature has been granted by the Council, the details shown in the appeal scheme are not identical. In the circumstances, I have issued a split decision, allowing these parts of the development only.
18. In granting permission for these latter items, I have imposed a condition regarding compliance with the approved plans, in the interests of certainty and proper planning, and another in respect of materials and finishes, to ensure a satisfactory appearance. However, the Council's suggested condition restricting the use of the ground floor is unnecessary, since material changes of use are already subject to planning control.

John Felgate

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development shall be carried out in accordance with the approved plans, Nos 13-99/30 and 13-99/31/A (but excluding the proposed 3rd floor and roof extension shown on those plans, for which permission is hereby refused).
- 3) No new above-ground development shall be commenced until details of all external facing materials and finishes, including those of all external doors, windows or roller shutters, have been submitted to the local planning authority and approved in writing. The development shall be carried out in accordance with these approved details.