
Appeal Decision

Site visit made on 15 May 2017

by Jonathan Manning BSc (Hons) MA MRTPI

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

Decision date: 30 May 2017

Appeal Ref: APP/A1720/W/17/3169466

21 West Street, Portchester, Fareham, PO16 9XB

- 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 Crownplex Limited against the decision of Fareham Borough Council.
 - The application Ref P/15/1060/FP, dated 23 October 2015, was refused by notice dated 17 November 2016.
 - The development proposed is 5 no. 2-bed apartments & 4 no. 1-bed apartments created by constructing an additional floor to the front of the property & two additional storeys to the rear part of the property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue of the appeal is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site is located on the northern side of a pedestrian precinct and forms part of a row of ribbon development. This largely consists of two storey buildings, with shops at ground floor level and flats above. A car park lies to the north of the appeal site, with the A27 a short distance further north. The appeal site is an existing two storey property that to the rear extends beyond the other properties into the car park. I observed that the existing appeal building accommodates Superdrug and the Sue Ryder Charity Shop units at ground floor level. Above these units are two flats that front onto West Street Precinct and there is also a first floor area to the rear of the unit used for storage and staff areas for the ground floor units. There is an existing mansard roof above the flats at the front of the appeal site and the area to the rear of the appeal site has a flat roof of utilitarian appearance.
 4. The proposal would result in the provision of nine new apartments. Seven of the proposed apartments would be provided above the rear part of the appeal site within two additional floors. This would include four apartments at third storey height and three apartments at four storey height within a mansard roof. The remaining two apartments would be provided within a mansard roof at the front of the appeal site facing onto the precinct.
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5. I acknowledge this is a town centre location and that the apartments within the fourth storey would be located within a mansard roof and would be set back from the main shopping centre. However, I observed that there is, nonetheless, a very strong and prominent character of two and three storey development in the immediate proximity of the appeal site. There are also single storey dwellings to the north.
6. I consider that the rear four storey part of the appeal scheme due to its height, scale and mass would be an overly dominant and incongruous feature within the area. This would be exacerbated by its isolation from the front part of the appeal scheme and the shopping precinct. I consider that this can be seen from the scheme perspectives provided on the submitted drawings. The rear part of the appeal scheme would be screened to some degree from views to the west and east by existing vegetation and development. However, it would be highly visible from the north, including from the A27, Station Road and the residential properties to the north on The Leaway. I consider that these findings apply equally to this scheme in isolation and in combination with the development of the wider site that was granted permission in 2007 (Council Ref P/07/0042/FP¹) that remains extant, if they were to be implemented together.
7. I accept the appellant's view that the unattractive flat roof of the existing building would be removed and replaced with a mansard roof, which in terms of architectural style, would be much more in keeping with the character and appearance of the area. However, I am not of the view that this warrants the approval of a scheme that would be harmful in its own right.
8. I agree with the appellant that the additional floor to the front of the property would be in keeping with the character and appearance of the area. This would be the case even in the absence of the scheme permitted in 2007, given the presence of the existing mansard roof on the appeal site and a similar mansard roof on the opposite side of the precinct. Although, this does not affect my findings with regard to the two additional storeys proposed at the rear of the appeal site.
9. In conclusion on this matter and given my findings above, the scheme by virtue of its siting, height, scale and mass, would result in an overly dominant and incongruous form of development that would cause harm to the character and appearance of the area. The proposal therefore runs contrary to Policy CS17 'High Quality Design' of the Fareham Borough Core Strategy (2011). The Council has also referred to Policy DSP4 'Prejudice to Adjacent Land' of the Fareham Borough Local Plan Part 2: Development Sites and Policies (2015). However, I see no reason to come to the view that this proposal would prejudice the previously permitted scheme from coming forward, given that the front part of this appeal scheme can be easily integrated into the development permitted in 2007. Therefore, I find no conflict with Policy DSP4.

Other matters

10. I accept that the scheme would bring some benefits, in terms of the additional residential units and to the viability and vitality of the District centre. The appeal site is also well located in terms of local services and facilities and public transport. However, I am not of the view that these benefits individually or in combination are sufficient to outweigh the identified harm.

¹ For the 'Erection of Second Floor comprising sixteen flats over existing ground floor shops and first floor flats'.

11. I acknowledge that a significant amount of discussion took place during the determination of the planning application and the design of the rear part of the scheme was changed on several occasions. However, I must determine the appeal on its merits, which I have found to be unacceptable.
12. Interested parties have raised several other concerns. However, I am dismissing the appeal on other grounds and therefore such matters do not affect my overall conclusion. Consequently, such other matters have not had a significant bearing on my decision.

Conclusion

13. For the reasons set out above and having regard to all other matters raised, the proposal conflicts with the development plan when taken as a whole and does not represent sustainable development, as set out in the National Planning Policy Framework. There are no material considerations that outweigh the identified harm and the associated development plan conflict. The appeal is therefore dismissed.

Jonathan Manning

INSPECTOR