

Appeal Decision

Site visit made on 27 November 2017

by C Jack BSc(Hons) MA MA(TP) MRTPI

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

Decision date: 1st December 2017

Appeal Ref: APP/X1735/W/17/3181302

The Wellington Public House, 73 London Road, Waterlooville PO7 7EX

- 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 M Forfar Limited against the decision of Havant Borough Council.
 - The application Ref APP/17/00442, dated 20 April 2017, was refused by notice dated 28 June 2017.
 - The development proposed is described as the demolition of the existing building and the erection of a 3 storey building comprising a retail outlet on the ground floor with associated rear service and parking, with 4 no.1 bedroom and 4 no.2 bedroom flats above.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. It is established under application Ref APP/17/00282 that prior approval is not required for the demolition of the existing pub. Since that decision was taken in March 2017, amendments to the General Permitted Development Order came into effect in May 2017 including removing permitted development rights in relation to the demolition of pubs. Transitional arrangements apply to the effect that the previously permitted demolition of this pub can be carried out until 12 April 2018.
3. On 12 July 2017 the Council served a Building Preservation Notice in respect of the former public house. The building has subsequently been considered by Historic England for listed status. It was concluded that while it makes an important contribution to the streetscape and is of clear local interest, the pub is typical for its date and has been too far altered to meet the criteria for special interest in the national context. The Building Preservation Notice was not upheld and the building is therefore not a designated listed building.
4. Revised plans were submitted to the Council shortly prior to its refusal of the application. These plans have also been provided in the appeal documents. Given that the revised plans have not been subject to public consultation, I have determined the appeal in relation to the original application plans, which the Council based its decision upon.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

6. The Wellington is a former public house situated in central Waterlooville. The building, which was described by Historic England as an unassuming mid-Victorian inn that is essentially rural in character, is vacant and partly boarded-up and has a generally rundown appearance. It fronts onto London Road, which forms a high street providing various shops and services in a wide variety of buildings, principally of two and three storeys in height. The Wellington is attached to a two storey building of traditional style with a single storey, flat-roofed front section, and is bounded immediately on the other side by Chapel Lane. Swiss Road runs past the rear of the site. Much of the site is currently covered with built form, which is varied in scale including single storey elements to the side and rear, and a varied profile of predominantly pitched roofs of traditional appearance.
7. It is proposed to demolish The Wellington and construct a three storey, flat-roofed building of modern appearance to provide a mixed-use retail and residential building with a modest servicing and car parking area at the rear. The new building would cover a moderately smaller area of the site than the existing. It would also be similar in height to the tallest part of the existing building. However, the overall scale of the three-storey building across the full width of the site would give it a substantially larger appearance from London Road, particularly in terms of its juxtaposition with the attached building, which would be dominated by the new structure.
8. In note that the adjacent building on the other side of Chapel Lane is a three storey, flat-roofed structure, which is more akin in scale to the proposal. However, in my view, this boxy adjacent building is not a positive feature in the streetscene. While the proposed design and materials would differ, and the use of Juliet balconies, render colourwork, cladding and glazing would provide a degree of relief to the proposed elevations, I am not persuaded that this would be sufficient to mitigate the overall scale and mass of the proposed building. The building would be highly visible from several roads and would not provide for an effective transition to the more modest and traditional attached buildings. I have had regard to the various examples of flat-roofed buildings in the locality, including those which are very apparent in the streetscene viewed from Swiss Road. These other structures provide little, if anything, positive to the appearance of the public realm and accordingly, I do not consider that they justify the overall scale and design proposed.
9. In light of the above, I consider that the proposal would be of excessive scale and mass, which would result in an incongruous and over-dominant appearance, out of keeping with the general scale and form of development in the area. Consequently, I conclude that the proposed development would harm the character and appearance of the area. It would therefore conflict with Policy CS16 of the adopted Havant Borough Core Strategy 2011 (the CS), which sets out criteria for high quality design including by identifying and responding positively to local character in terms of height, massing, and plot widths and depths, and contributing to the improvement of the public realm. This policy pre-dates the National Planning Policy Framework (the Framework) but I consider it to be generally consistent with the good design aims of the Framework and I have afforded it substantial weight in this appeal.

Other Matters

10. I have considered the various benefits of the scheme, including that it would provide an additional commercial unit in the town centre and additional residential units in an accessible location, where maximising opportunities for mixed use and higher density residential development are encouraged by Policy CS16 of the CS. I have afforded moderate weight in favour of the appeal to the benefits. However, this is not sufficient to outweigh the harm I have identified in relation to the character and appearance of the area. There is no significant evidence before me that the Council cannot demonstrate a five-year supply of housing land. Accordingly, paragraph 14 of the Framework is not engaged in this case. I have therefore determined the appeal in accordance with the development plan as a whole and no material considerations indicate otherwise.
11. The site lies within the 5.6km zone of influence for the Solent SPA, where new housing development, without mitigation, is likely to have a significant effect on the SPA. The Council's report sets out that payment towards the Solent Recreation Mitigation Project has been secured, in accordance with Policy DM24 of the adopted Havant Borough Local Plan (Allocations) 2014. On this basis, the development would not be likely to affect the overall integrity of the SPA.

Conclusion

12. For these reasons, and having regard to all matters raised, I conclude that the appeal should be dismissed.

Catherine Jack

INSPECTOR