



Appeal Decision

Site visit made on 13 August 2019

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2019

Appeal Ref: APP/X1735/D/19/3230346

Spindrift, Ferry Road, Hayling Island PO11 0DG

- 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 and Mrs Bruce Battersby against the decision of Havant Borough Council.
 - The application Ref APP/19/00129, dated 28 January 2019, was refused by notice dated 4 April 2019.
 - The development proposed is first floor rear, side and front extension with internal alterations.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Impact on the character and appearance of the area; and
 - Impact on the living conditions of the occupiers of Sinah House, in respect of outlook and light for occupiers of that property.

Reasons

Character and appearance

3. The appeal property sits in the middle of a group of five detached, two and three storey houses, located at the northwest end of Ferry Road and opposite the Ferry Boat Inn, a car park and public conveniences. The rear elevations of the dwellings face onto Langstone Harbour. To the northwest of the houses, at the end of Ferry Road, is the Langstone Harbour Board building and associated yard. To the southeast, are single storey residential properties at The Kench.
4. The five houses form a close-knit group fronting onto Ferry Road. They are clearly distinct from the more uniformly designed, single storey properties arranged around The Kench. However, there is no specific design style, roof form, material, building footprint or height within the group. The five houses include a mix of contemporary and traditional architecture, with flat, pitched, hipped and mansard roofs, and render, brick, timber cladding and stone facing walls. Although some front elevations are partially obscured by boundary walls and gates, the houses are readily apparent from the Ferry Road street scene

and in views from the public car park opposite the site. Space around the buildings is visually apparent, particularly at upper floor level.

5. The appeal property has a contemporary design with rendered walls and a large, single storey, predominantly flat roofed, element. This wraps around a two storey mono-pitched section which is located on the west side of the building, and has first floor front and rear balconies. The frontage is given over to car parking, accessed from Ferry Road, and is enclosed by an approximately 2 m high front gate and fencing. Notwithstanding this, the upper-most part of the ground floor, and the first floor, are visible in views from the street, the ground floor being sited at a higher ground level than the front forecourt.
6. The appeal scheme would result in a full two storey building, with a gull wing style roof and eaves rising up to about 7 m at both sides, which would extend across the whole width of the front part of the building, to within around one metre of both side boundaries. The two storey element would extend for depth of about 16 m, within one metre of the west side boundary, and for around 11.5 m within one metre of the east side boundary. There would be no set-backs in the front and west side walls of the extension. Consequently, the proposal would substantially erode the extent of undeveloped space at first floor level around the building and would appear unduly cramped in relation to the side boundaries, when viewed from the street.
7. I have had regard to the siting and design of the other four houses within the group of five, including the dwelling currently under construction at Tamarisk. Although respectful of the front building line of the neighbouring properties, the appeal proposal would, nonetheless, not relate well to, and would appear visually dominant in relation to, both side adjacent properties. The Deck House, to the west, has a hipped roof with a significantly lower eaves height than that of the appeal proposal, together with a partially set back front elevation, lower ground level than the appeal property, and a flat-roofed single storey element at the front. Sinah House, to the east, has an L-shaped footprint where the 'gap' is at the front, adjacent to the appeal property. Both these properties sit comfortably within the street scene without appearing overly prominent or congested.
8. The appeal proposal, in contrast, would appear visually over-dominant and cramped in comparison to both its neighbours as a result of the proposed building width, eaves height and proximity to both side boundaries. The proposal would also be at odds with the two houses at either end of the group, the newly constructed property at Tamarisk and Windsong. The two storey widths of these properties are significantly narrower than that of the front part of the appeal proposal and side driveways also provide space around these buildings.
9. In light of the above, despite the use of sympathetic materials and a roof form in keeping with the main building, the appeal proposal would be out of keeping with the spatial characteristics of the housing group within which it sits, reducing the existing space around the building to an unacceptable level, and appearing incongruous within the housing group, to the detriment of the visual amenities of the street scene.
10. For the above reasons, the proposed development would materially harm the character and appearance of the area, contrary to the aims of Policy CS16 of the Havant Borough Core Strategy (2011) and the Havant Borough Council

Borough Design Guide Supplementary Planning Document (2011) which seek to ensure that new development is designed to a high standard, including respecting local context and producing a positive relationship between buildings, street and spaces. For similar reasons, the proposal would also be contrary to Policies of the Framework which seek to secure high quality design as set out in Chapter 12.

Living conditions

11. I have had regard to the comments from both parties regarding the planning history of the appeal site and Sinah House, including the appeal decisions with respect to the former, and the extant planning permission with respect to the latter. Although the appeal property is now a two storey building, the two storey element is sited at the west side of the property and at a distance of around 6 m to 7 m from the side wall of Sinah House, and the two first floor west side elevation port hole windows in that property. These windows are sited adjacent to the appeal property boundary and currently serve a bedroom.
12. Although there are also windows in the front and rear walls of the room, including a projecting rear elevation bay window with glazing in the west side, the port hole windows, nonetheless, comprise an important part of the room design. They are clear glazed and of a sufficient size and height above floor level to provide a meaningful outlook, including a significant amount of visible areas of sky, and provision of light into the room. This, together with their focal position either side of the fireplace, means that they are a key feature of the room.
13. The existing two storey element of the appeal property is sited sufficiently distant from the port hole windows so as not to overwhelm their outlook, nor significantly reduce the amount of light entering the room via these windows. The appeal scheme, in contrast, would result in the outlook from these windows being dominated by the proposed two storey east side wall of the proposal, which would be sited within around one metre of the boundary with Sinah House, and directly opposite the port hole windows. The resulting impact on the outlook from these feature windows and reduction in the amount of natural light entering the bedroom, would be materially harmful.
14. For the above reasons I therefore conclude that the proposed development would materially harm the living conditions of the occupiers of Sinah House with respect to outlook and light. As such the proposal scheme would not accord with Policy CS16 of the Havant Borough Core Strategy (2011) and the Havant Borough Council Borough Design Guide Supplementary Planning Document (2011) in so far as they aim to ensure the new development does not cause unacceptable harm to the amenity of neighbours.

Conclusion

15. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

S Leonard

INSPECTOR

