



Appeal Decision

Site visit made on 25 September 2019

by S Hanson BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2019

Appeal Ref: APP/Y9507/W/19/3229502

25/27 Lavant Street, Petersfield, Hampshire GU32 3EL

- 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 Mike Stimpson (Mike Stimpson Properties) against the decision of South Downs National Park Authority.
 - The application Ref SDNP/18/04979/FUL, dated 24 September 2018, was refused by notice dated 27 November 2018.
 - The development proposed is an amendment to shopfront to No 27 (below fascia line) to improve disabled access (minor amendment to implemented approval SDNP/17/02945/FUL).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. On the 2 July 2019 South Downs National Park Authority (NPA) adopted the South Downs Local Plan (2014-2033) (SDLP). This supersedes the saved policy of the East Hampshire District Council Local Plan: Joint Core Strategy (2014) (JCS) and saved policies of the East Hampshire District Council Local Plan: Second Review (2006) (LP) as cited in the NPS's decision notice dated 27 November 2018. As these policies are no longer material considerations, I have not had regard to them in determining this appeal.
3. Nevertheless, the aims of the policies of the SDLP are consistent with those contained in the JCS and LP and the policies of the SDLP, then emerging, were considered in the NPA's determination of the application Ref SDNP/18/04979/FUL. The main parties have had the opportunity to comment on this changing policy context at appeal. I have determined this appeal against the relevant policies of the newly adopted SDLP.

Main Issues

4. The main issue is whether the proposal would preserve or enhance the character or appearance of the Petersfield Conservation Area.

Reasons

5. The site is located on the northern side of Lavant Street which is a secondary shopping area and a major connecting route between the town centre and the station. Most public ground floor frontages in Lavant Street are occupied by shops and other commercial property. The site is within the Petersfield

- Conservation Area (CA). The statutory duty within Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, which requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas, applies.
6. Shopfronts are the most prominent element of many buildings and can make a significant contribution to the character of town centres, particularly where they incorporate traditional features. The appearance of shopfronts can have a major impact on the character of CA which are designated for, amongst other things, their visual importance. Policy SD52 of the SDLP requires that shop fronts contribute to the generally traditional character of the town centre and are sympathetic with neighbouring buildings. The policy specifically addresses development proposals for new, or changes to, existing shop fronts expecting them to retain and restore significant historic features.
 7. The appeal site is positioned in the middle of three ground-floor retail units with a similar traditional shopfront design. The shop door to the appeal property is placed centrally with a recessed doorway and symmetrical detailing in the form of stallrisers and large plate glass windows. This is replicated in the shopfronts of the properties either side. The recessed doorways provide a three-dimensional quality and a distinctively historical identity, which establishes a continuous architectural pattern within the extended frontage. Together these form a visually pleasing small group within the street scene.
 8. The appeal proposal, by relocating the central recessed doorway to one side of the shop frontage would unbalance and erode the symmetry of the terrace of the group of three buildings. The proposal would disregard the basic principles of the existing form of this shop front and in doing so, would impair a key feature of interest. The repositioning of the door to the side of the shopfront would not reflect the pattern created by the existing building and its neighbours and would cause harm to the character and appearance of the CA.
 9. The Petersfield Conservation Area Character Appraisal and Management Plan (2017) (AMP) acknowledges that there are examples of poor-quality modern shopfronts in Lavant Street. However, it also notes *'the area contains a number of historic shopfronts dating from different eras, many of which remain relatively unaltered, retaining their original details. There are several groups of well-detailed, purpose-built shops dating to the late 19th or early 20th century whose frontages make a very important contribution to the special interest of the CA'*. The AMP specifies that where new shopfronts are needed, they should preserve any existing features of interest. Policy BEP4 of the Petersfield Neighbourhood Plan (PNP) takes guidance from the AMP requiring proposals for shop fronts to preserve any existing features of interest.
 10. The appellant indicates that the refigured shopfront would enable disabled access to the shop and residential accommodation. I have due regard to the Public Sector Equality Duty contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. However, whilst disabled access is a priority, from the documents submitted it is unclear how the proposals would improve the current situation for disabled visitors. I appreciate that separate access to the retail unit and first floor residential accommodation would be preferable and that there is

extant consent for alterations to the shop frontage. Nevertheless, the provision of disabled access in this circumstance is not a benefit of sufficient magnitude to outweigh the harm identified in terms of the effect of the development on the character and appearance of the CA.

11. In the context of paragraph 196 of the National Planning Policy Framework (the Framework), the harm caused to the CA would be less than substantial. However, there are no identified public benefits, including the potential for the unit to provide for disabled access, that would outweigh the less than substantial harm. This is a matter which weighs against allowing the development, noting that paragraph 193 of the Framework states that great weight should be given to the asset's conservation.
12. For the collective reasons outlined above, I conclude that the proposal would not preserve or enhance the character and appearance of the CA. Therefore, it would not accord with Policies SD12, SD15 and SD52 of the SDLP which aim to conserve and enhance the special architectural or historic interest of the historic environment. The appeal proposal would not meet the requirements of Policies BEP1, BEP2 and BEP4 of the PNP insofar as these expect proposals to make a positive contribution to the character and quality of the town's built environment and the distinctiveness of the CA having regard to, amongst other things, traditional shopfronts. I also find conflict with the conservation requirements of the Framework, which seek to secure developments which are sympathetic to local character and history.

Conclusion

13. For the reasons above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

S Hanson

INSPECTOR