



Appeal Decision

Site visit made on 15 June 2020

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 June 2020

Appeal Ref: APP/X1735/W/20/3246939

Rileys Convenience Store, Eastoke Corner, 22 Rails Lane, Hayling Island, Hampshire PO11 9LL

- 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 Ganesh Vijaendranh against the decision of Havant Borough Council.
 - The application ref APP/19/01005, dated 7 October 2019, was refused by notice dated 6 January 2020.
 - The development proposed is a storm porch.
-

Decision

1. The appeal is dismissed.

Main Issue

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

Procedural Matter

3. The appellant's name is spelt in different ways in the submitted documents. I have used the spelling given on the application form.

Reasons

4. Eastoke Corner forms part of Hayling Island's seafront and includes a range of leisure and retail uses primarily catering for tourists, as well as a play area, performance space and recreational facilities. Rileys Convenience Store forms part of a parade of shops and restaurants close to the seafront. The shop fronts are set back from the pavement by hard surfaced forecourts, which are used to display goods for sale and for outdoor seating and tables.
5. The appeal proposal includes the complete enclosure of the forecourt space with glazing. This would create a structure that would appear overly dominant and out of place in its surroundings. None of the other retail premises in the immediate area enclose their forecourts in such a manner, and to do so would reduce the sense of vibrancy and colour that the outdoor sale of goods or services adds to this seaside location.
6. I note that projecting canopies are a feature of several of the retail premises in Eastoke Corner, including some of the properties in the same parade as the appeal premises. These provide a degree of shade in sunny weather or shelter in inclement weather to the activities taking place on the forecourts of the retail

premises. I do not find a projecting canopy to be harmful therefore, because of the benefits it would provide to the retail use of the forecourt and the precedent set by others in the parade, but rather it is the enclosure of the space under the canopy that would be harmful to the character and appearance of the area for the reasons given above.

7. The appellant has suggested that the proposed canopy would provide a safe area for the sale of beach goods, would be accessible to disabled people and would not cause any harm to neighbouring occupiers through smell, privacy, outlook, noise or overlooking. While all of those factors may be true, they do not justify development that would detract from the appearance and function of the parade.
8. As a result the proposed development would harm the character and appearance of the area and would conflict with Policy CS16 of the Havant Borough Core Strategy 2011 and Policy DM21 of the Havant Borough Local Plan (Allocations) 2014, which promote high quality design and shopfronts that are appropriate in size, scale and design to the character of buildings and their surroundings. It would also conflict with the Havant Borough Design Guide 2011 for the same reasons.

Conclusion

9. I conclude that the appeal is dismissed.

Guy Davies

INSPECTOR