The Planning Inspectorate

Appeal Decision

Site visit made on 30 September 2020

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 16 October 2020

Appeal Ref: APP/X1735/W/20/3248524
2 Charlton Crescent, Havant PO9 4PT

- 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 Azad Gulabakh against the decision of Havant Borough Council.
- The application Ref APP/19/01237, dated 16 December 2019, was refused by notice dated 14 February 2020.
- The development proposed is a loft conversion with dormer for a self-contained flat with external access via staircase.

Decision

1. The appeal is dismissed.

Main Issues

2. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the host property and the surrounding area and (b) the living conditions of the occupiers of neighbouring properties.

Reasons

Character and Appearance

3. The appeal property is a 2-storey dwelling at the end of a short terrace of 6 simply designed dwellings located within a predominantly residential area. The roofline of the terrace unaltered by significant additions to the individual dwellings. The uniform gable roofs of the property and the terrace are visible from the footway adjacent to the property's eastern boundary.

4. The proposed development includes a large extension to the property's roof to provide a studio style flat. To access the flat, it is also proposed to erect an external metal spiral staircase and balcony attached to the property's rear elevation. Although part of the external structure would be screened by the existing boundary fence and vegetation, the upper parts of the stairs and the balcony would be visible from the footway.

5. The appeal scheme would be a visually prominent form of development, especially for people walking along the footway. By reason of scale, bulk, design, siting and materials, the appeal scheme would appear an incongruous form of development which would fail to reflect the character and appearance

of the simply designed host property and would break-up the uniformly of the terrace's roofscape.

6. Although there are examples of large roof extensions to other dwellings within the surrounding area, their detailed planning circumstances have not been provided and they are accessed internally rather than via external structures. Accordingly, on this issue, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the host property and the surrounding area and, as such, it would conflict with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 (CS). Amongst other matters, this policy requires a high standard of design, including by reason of responding positively to local character close to the proposed development.

Living Conditions

7. As part of the proposed development there is the intention to erect privacy screens around the main part of the balcony to limit the outlook from both the balcony and the flat's habitable room windows. The bathroom window would be obscure glazed. However, the screening is not proposed to fully enclose the spiral staircase and landing. There would be an outlook towards the neighbouring gardens from the staircase and, to a lesser degree, balcony which would be more extensive than an equivalent view from the existing first floor openings within the property's rear elevation.

8. Further, the proposed staircase would be sited close to the ground and first floor openings of the host property affording views into habitable rooms. There would be an unacceptable loss of privacy for the occupiers of these neighbouring properties as a consequence of the appeal scheme.

9. By reason of the metal spiral staircase being sited close to habitable room windows, there would be some degree of noise and disturbance caused to the occupiers of the host property by people accessing the proposed studio flat. This matter adds to the harm which has been identified.

10. Accordingly, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of the neighbouring properties and, as such, it would conflict with LP Policy CS16 which refers to proposals not causing unacceptable harm to the amenity of neighbours. No specific conflict with CS Policy DM10 has been identified because, although noise would be generated, the appeal scheme would not be of the type of polluting developments to which the criteria of this policy apply.

Other Matters

11. The appellant has referred to the need for the type of flatted accommodation proposed. However, no specific evidence has been provided to support this claim sufficient to outweigh the unacceptable harm which has been identified.

12. The Council has referred to emerging policies in the Havant Borough Local Plan 2036. This appeal has been assessed against the relevant policy of the adopted development plan which addresses similar matters. Accordingly, for the reasons given, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR