



Appeal Decision

Site visit made on 5 October 2020

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 October 2020

Appeal Ref: APP/Z1775/W/20/3252683

127 St Marys Road, Portsmouth PO1 5AJ

- 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 P Turvey against the decision of Portsmouth City Council.
 - The application Ref 20/00038/FUL, dated 13 January 2020, was refused by notice dated 5 March 2020.
 - The development proposed is part conversion part new build to form additional 1 bedroom flat with revised cycle, refuse stores and parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application form gave the address as '127 Fratton Road, Portsmouth PO1 5AJ'. From the appeal form, the Council's decision notice and other submitted documents, it is apparent that the address should be 127 St Marys Road and that this was a typographical error on the application form. I have reflected this in the banner heading above and proceeded on that basis.
3. Planning permission¹ was granted in September 2017 for the change of use of public house (Class A4) to six dwellings (Class C3) with external alterations which included amongst other things an infill roof extension. The scheme was not built in accordance with the approved plans. The appeal therefore relates to an application for the building works to the roof in association with the creation of an additional one bedroom flat that have already been implemented. I have proceeded to consider the scheme on this basis.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host property.

Reasons

5. Number 127 (No 127) is a former public house occupying a prominent position on the corner of St Marys Road and Fourth Street. The original building was mostly two-storey and L-shaped with a varied roofscape comprising a combination of dual pitched, hipped and catslide roofs. The northern wing of the building was mostly two-storey with a hipped roof to the Fourth Street

¹ Council Ref: 17/00865/FUL and 19/00362/MMA

- elevation. The pitched roof on the rear elevation extended over a modest rear single-storey extension to form a catslide roof over half its width.
6. The permitted scheme altered the northern wing of the building to form a consistent eaves height to its north, east and west elevations. The rear wall of the extension extended vertically from a retained section of the catslide roof to eaves height. The permitted roof to the northern wing had sloping sides and a section of flat roof. It followed the same angle as the catslide roof and retained much of the original roofshape and pitch on the Fourth Street elevation. The appeal proposal altered the pitch of the permitted roof extension to a steeper angle across each of its pitched sides and extended the width of the flat roof.
 7. The proposed development no longer retains the original roofslopes nor does it align with the angle of the original catslide roof. The steep pitch of the proposed development rises up almost vertically creating a significant width of flat roof. This makes the proposed extension appear as a bulky, top heavy and disproportionate addition above this northern wing. The size and shape of the proposed development does not relate to the proportions and angles of the principal southern wing of the building making the northern wing appear overly large in comparison. It appears out of character with the sloping roofscape of the host property. This results in a discordant and incongruous addition to the host property. This is prominent in views along Fourth Street, dominating the rear elevation.
 8. Due to its corner position, the appeal property is prominent being widely visible from both Fourth Street and in relatively long distant views along St Marys Road. Whilst it is not unusual for a corner property to be more prominent than surrounding development and taking into account the wide range of architectural styles and designs in the locality, this does not justify the addition of a harmful roof extension to the host property.
 9. An image of the original public house dating back to 1920 shows a gable ended element to the Fourth Street. However, this is not a similar design to the appeal scheme and does not provide justification for the design of the proposed development before me.
 10. Furthermore, whilst the proposed development utilises airspace for new homes as supported by the National Planning Policy Framework (the Framework), this requires any such development to be well designed and compliant with any local design policies.
 11. I conclude that the proposed development significantly harms the character and appearance of the host property. It therefore conflicts with Policy PCS23 of the Portsmouth Plan Portsmouth's Core Strategy 2012 which requires excellent architectural quality and well designed development of an appropriate scale to its context. It also conflicts with the guidance in the Framework which seeks high quality buildings, good design and development that is visually attractive

Other Matter

12. The appeal site lies within 5.6 kilometres of the Solent Coast European Sites. These are protected as European Sites of Nature Conservation Importance and are subject to statutory protection under the Conservation of Habitats and Species Regulations 2017. Regulation 63 prevents the competent authority from granting permission unless the proposal would not adversely affect the

integrity of the European site. I am the competent authority for the purposes of this appeal.

13. The Council has undertaken an appropriate assessment (AA) of the proposed development. This concluded that additional residential development would, in combination with other plans and projects have a significant effect on these protected sites through additional recreational pressures and nutrient output. In these circumstances, the Council considers that appropriate mitigation would be required. The appellant has accepted the need to provide a financial contribution towards the Solent Recreation Mitigation Strategy and the Interim Nutrient-Neutral Mitigation Strategy for New Dwellings 2019 and has submitted a Unilateral Undertaking to secure this during the course of the appeal.
14. Irrespective of this, as the competent authority, I am required to carry out an AA of the effect of the proposed development. However, as I have found that the scheme is unacceptable for other reasons, I do not need to pursue this matter further.

Planning Balance

15. The Government is seeking to significantly boost the supply of housing. The Council currently has a 4.7 year housing land supply and accepts that it is not able to demonstrate a 5-year supply of deliverable housing sites.
16. A single residential unit would make a minimal contribution to the supply of housing. However, I have found that the proposal significantly harms the character and appearance of the host property. This environmental harm is a matter which carries significant weight in the balance.
17. This leads me to conclude that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits. The presumption in favour of sustainable development therefore does not apply in this case.

Conclusion

18. I have found the proposal would be contrary to the development plan. There are no other considerations that outweigh that conflict and for this reason, I conclude the appeal should be dismissed.

Rachael Pipkin

INSPECTOR