



Appeal Decision

Site visit made on 4 May 2021

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 June 2021

Appeal Ref: APP/Z1775/W/20/3266074

12 Blake Road, Drayton and Farlington, Portsmouth PO6 1ET

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr and Mrs J Martin against Portsmouth City Council.
 - The application Ref 20/00470/HOU, is dated 29 April 2020.
 - The development proposed is construction of front extension, following demolition of existing front porch. Construction of part two-storey, part single storey rear extension, following demolition of existing extension, including external alterations.
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Decision

1. The appeal is allowed and planning permission is granted for construction of front extension, following demolition of existing front porch. Construction of part two-storey, part single storey rear extension, following demolition of existing extension, including external alterations at 12 Blake Road, Drayton and Farlington, Portsmouth PO6 1ET, in accordance with the terms of the application, Ref 20/00470/HOU, dated 29 April 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing no. PO1 Rev H.
 - 3) The raised terrace hereby permitted shall not be used until obscure-glazed screening along both sides of the terrace is provided in accordance with details which have been submitted to and approved in writing by the local planning authority. Once implemented, the screening shall be retained thereafter.
 - 4) The external materials and fenestration to be used in the construction of the development hereby permitted shall be in accordance with the following details:
 - Matching facing brick work to the front extension;
 - Matching tiles (sandtoft new rivius interlocking roof tiles - antique slate);
 - White render to the front gable, west side elevation, and first floor rear elevation;

- Timber cladding (Firbedeck WE035 Teak) either side of the bi-fold doors on the single storey extension, and the rear and side of the two-storey extension;
- Powder coated anthracite grey fascia/ surround pilaster trim; and
- Anthracite grey fenestration.

Procedural Matters

2. I have taken the description of development from the appeal form, since it more accurately and succinctly describes the proposal than that on the application form, and has regard to changes to the appeal scheme that were made during the course of the determination of the planning application.
3. The Council did not issue a decision notice determining the proposal. Following the submission of the appeal against non-determination, the Council has confirmed that, had it fallen to the Council to make a decision, the application would have been recommended for approval. On the basis of the evidence before me, which includes drawing Ref PO1 Rev H, the Council's Committee Report, the submissions from neighbours in response to the planning application and the appeal, and my site inspection, I find no reason to disagree.

Other Matters

4. I have taken account of the third party representations in respect of the impact of the appeal scheme on the living conditions of the neighbouring occupiers at nos. 10 and 14 Blake Road, having regard to the juxtaposition of the proposed extensions and raised terrace in relation to these neighbouring properties, both as existing, and including the approved scheme for no.14.
5. Whilst the appeal scheme would change the built relationship between the appeal property and the neighbouring properties, subject to a condition to ensure appropriate screening along both sides of the rear raised terrace, I am satisfied that there would be no unduly harmful overbearing or oppressive impacts, loss of light to neighbouring windows, or materially harmful impact on neighbouring privacy as a result of the appeal scheme.
6. I am not persuaded that the Council's proposed method of screening the impacts of the raised terrace on neighbouring privacy, comprising solid 3m high boundary fencing to one side, would satisfactorily provide privacy for no.10 or avoid an over-dominant impact on no. 14. I have therefore amended the wording of the Council's proposed condition no.3 accordingly, to require obscure-glazed screening to both sides of the raised terrace.
7. I acknowledge the third party concerns about the impact of the proposal on the character and appearance of the area. The appeal scheme would result in a distinctly more contemporary property than at present, largely due to the flat-roofed design and large glazed elements of the rear part of the scheme, and the proposed choice of materials. However, this would not be materially harmful to the visual amenities of the area, having regard to factors including development which has already taken place to the rear of other properties on this side of Blake Road, the variety of materials within the locality, the more traditional design of the front part of the scheme, and the scale and massing of the additions which would be subservient to the host property.

8. I have been made aware of dismissed appeals in respect of development to the rear of no.6 Blake Road. However, I must determine the current appeal on the merits of the scheme before me, and the appeal site circumstances and how the proposal relates to built development to both sides of the current appeal site.
9. My attention has been drawn to the manner in which the Council's Planning Committee was conducted. This matter is not for determination under this appeal, which I must determine on the merits of the scheme before me and the appeal site circumstances.

Conditions

10. I have considered the Council's suggested conditions in accordance with Paragraph 55 of the National Planning Policy Framework (2019) and the National Planning Practice Guidance. In addition to the standard implementation condition (1), it is necessary to define the plans for certainty (2). To ensure a satisfactory level of privacy for the occupiers of the neighbouring residential properties, a condition is necessary to ensure that obscure-glazed screening is erected along the sides of the raised terrace (3). In the interests of protecting the character and appearance of the area, a condition is necessary to ensure appropriate external materials and fenestration details (4).

Conclusion

11. For the above reasons, I conclude that the appeal should be allowed.

S Leonard

INSPECTOR