



Appeal Decision

Site visit made on 15 July 2021

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 July 2021

Appeal Ref: APP/Z1775/W/21/3269708

1 St Johns Road, Portsmouth PO6 2DP

- 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 Alison Norton against Portsmouth City Council.
 - The application Ref 20/00408/HOU, is dated 19 March 2020.
 - The development proposed is 2nd storey rear extension and rear dormers.
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Decision

1. The appeal is dismissed and planning permission is refused.

Procedural Matter

2. The appeal was submitted on the basis of the failure of the Council to determine the planning application within the prescribed period. The Council's appeal statement sets out that had it been in a position to determine the application it would have been refused on grounds of harm to character and appearance.
3. Although not a reason for refusal, a neighbour has raised living conditions as a concern. I have had regard to this in my decision.
4. During the course of the appeal, a revised National Planning Policy Framework (the Framework) was published, replacing the 2019 version. The policies of the Framework that are material to this case have not fundamentally changed. I have proceeded to determine the appeal having regard to the revised Framework.

Main Issues

5. The main issues are the effect of the proposed development on:
 - the character and appearance of the existing property; and
 - the living conditions of occupants of 3 St Johns Road with regard to overshadowing.

Reasons

Character and appearance

6. Number 1 (No 1) is a detached, chalet bungalow occupying a corner plot at the junction of St Johns Road and St George's Road. Together with Numbers 3 and

5 St Johns Road (Nos 3 and 5), it forms a small group of modestly sized uniform properties, featuring dual chimneys, small front and rear facing dormer windows. No 1 has been extended either side with single-storey extensions, however, these are set back from the main elevation and appear subservient to the main house. Due to its position on the corner of St Johns Road and St George's Road, the appeal property, including its rear elevation, is clearly visible from the surrounding area.

7. The proposals would raise the eaves of both the main house and an existing single-storey side and rear extension. The roof to the main house would be extended in the form of a full width dormer, featuring a pitched roof with a flat top which would be set below the main ridge. It would link into the raised roof above the proposed side/rear extension which would project some distance rearwards with a similar ridge height to the main roof, with a partial hip to its rear elevation.
8. Together, these extensions would result in a significant enlargement of the roof. They would appear as bulky additions that would fundamentally alter the shape of the roof and would dominate the existing house. The proposed rear dormer would be a bulky and incongruous feature which would be disproportionately large when compared with the existing modest proportions of the roof. This would significantly detract from the existing property.
9. The existing single-storey extension is set some distance back from the front elevation of the house. The increase in height of this part of the building would be visible from the street, however, due to this set back, it would appear subservient to the main part of the building which would retain its distinctive character when viewed from the front.
10. I conclude that the proposed development would significantly harm the character and appearance of the existing property. It would therefore conflict with Policy PCS23 of the Portsmouth Plan 2012 which requires new development to be well designed, of excellent architectural quality and to be of an appropriate scale. It would also conflict with the Framework which seeks a high quality of design and visually attractive development.

Living conditions

11. No 1 lies to the south of No 3. It is both set back from its front elevation and at a slightly lower level due to the sloping nature of the road. A garage to No 3 provides separation between the houses' flank walls.
12. The proposed extension would extend rearwards at first floor level along the shared boundary. It would be set in from the boundary. Due to the differences in height a large proportion of the proposed extension would be screened by the existing boundary wall between these properties. The additional height on this boundary when viewed from No 3 is indicated to be around 1.4 metres. This modest increase in height in combination with the distance of the proposed extension from the closest part of No 3's living accommodation would not therefore adversely affect light to this property.
13. There could be some overshadowing of the garden and patio to No 3 due to the position of the proposed extension along its southern boundary. However, with the limited increase in height any overshadowing would not be so great as to cause material harm to the living conditions of these neighbours.

14. For this reason, I find the proposed development would not harm the living conditions of occupiers of No 3 with regards to overshadowing. It would therefore comply with Policy PCS23 of the Portsmouth Plan which requires new development to protect the amenity for neighbouring occupiers.

Other Matters

15. I acknowledge the appellant's frustrations during the processing of her planning application and the absence of a formal notice of decision. However, these are procedural matters that do not alter my assessment of the merits of the case.
16. The appellant is seeking to enlarge the accommodation so she can move in with her family and put her own house up for rent. Having to maintain two properties at the same time has caused the appellant to experience financial hardship. Whilst I am sympathetic to this position, the proposal is a personal benefit of the scheme that would not be sufficient to outweigh the harm to the character and appearance or the host dwelling that would be contrary to the development plan.

Conclusion

17. The scheme would not harm the living conditions of neighbours. However, I have found it would adversely affect the character and appearance of the existing house.
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 and planning permission be refused.

Rachael Pipkin

INSPECTOR