



Appeal Decision

Site Visit made on 17 August 2021

by Martin Small BA(Hons) BPI DipCM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th September 2021

Appeal Ref: APP/Z1775/W/21/3274601

52 Cromwell Road, Portsmouth, PO4 9PN

- 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 Fuller against the decision of Portsmouth City Council.
 - The application Ref 20/00184/HOU, dated 15 January 2020, was refused by notice dated 18 March 2021.
 - The development proposed is loft conversion with rear dormer to top flat.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. I observed during my site visit that a dormer window had been constructed in the rear main roofslope of the appeal property, although not the full dormer proposed. This is not shown on the 'as existing' drawings submitted with the application. Therefore, whilst the application form indicates that development has not commenced, it is apparent that the proposed development has been partially completed. I have thus determined this appeal on the basis that it is partially retrospective and on the basis of the submitted 'as proposed' drawings.
3. The decision note refers to Policy PCS12 of The Portsmouth Plan Portsmouth's Core Strategy (2012) (The Portsmouth Plan). However, the Council has advised that this reference is a typographical error and that the correct policy is Policy PCS23, as cited in the Planning Officer's Report¹. I have therefore determined this appeal with reference to Policy PCS23.
4. A revised National Planning Policy Framework was published on 20 July 2021. I have determined this appeal in the context of the revised Framework on which the parties were given the opportunity to comment.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the appeal property.

Reasons

6. The appeal property is one of a terrace of 2-storey and 3-storey properties on the western side of Cromwell Road. To the rear is a large 2-storey projection with a shallow pitched roof and a smaller, flat-roofed, single-storey extension. The property is divided horizontally into two flats.

¹ Appeal Questionnaire

7. The proposed dormer would sit just below the ridge and up from the eaves of the main roof. The dormer would extend across the shallower roof of the rear projection and be 1.3 m higher than the ridge of that roof. The resulting ridge line would be lower than the ridge lines of the 3-storey 44 and 46 Cromwell Road and possibly that of the property on the corner of Cromwell Road and Tokar Street.
8. Nevertheless, the proposed dormer would be bulky, occupying more than half of the existing roof space and projecting significantly above the current subservient roof of the rear projection. Furthermore, it would cut across the valley between the roofs of the main dwelling and rear projection and would result in an extensive area of flat roof at odds with the traditional pitched roof of the existing dwelling. It would therefore result in a top-heavy roof form that would dominate the host property and detract from its character and appearance.
9. The proposed dormer would not be visible from Cromwell Road to the front of the property. However, it would be visible from Tokar Street over the roof of a single-storey property and from Kassassin Street over existing garages, from where the dormer that has been constructed is clearly visible and prominent due to its white cladding. I have considered whether the dormer would be acceptable if the external finish matched the existing roofs, which could be secured by condition were planning permission to be granted, but this would not alter the bulk nor the form of the dormer and therefore would not overcome the harm I have identified.
10. I therefore conclude that the proposed development would be harmful to the character and appearance of the appeal property. Accordingly, in this respect, the development would conflict with Policy PCS23 of The Portsmouth Plan which, amongst other things, requires all new development to be well-designed and of appropriate scale and appearance. Policy PCS23 is consistent in this regard with the revised Framework, which promotes good design and developments that are visually attractive.

Other Matters

Eastney Barracks Conservation Area

11. The appeal property is within the setting of the Eastney Barracks Conservation Area (the Area). The boundary of the Area runs along Cromwell Road and it comprises the former Eastney Barracks, now converted to private dwellings, and associated land and buildings opposite the appeal property. The Framework sets out that great weight should be given to the conservation of designated heritage assets and that any harm to the significance of a designated asset requires clear and convincing justification. Harm to the significance of a heritage asset can arise from development within its setting.
12. No appraisal of the Area has been provided to me, but from my observations during my site visit, the significance of the Area derives from the historic Barracks and associated structures, including the defensive wall along Cromwell Road. The Area is characterised by the imposing former military buildings which form striking features when viewed from Cromwell Road and Eastney Esplanade.

13. The proposed dormer window would not be visible when looking along Cromwell Road. Whilst it would be seen at the periphery of vision when looking towards the Area along Tokar Street it would not significantly impinge on that view. The proposal would therefore not harm the character or the appearance of the Area nor would it affect the ability to appreciate its significance.

Other considerations

14. I note the appellant's contention that the proposal would make the existing flat into a maisonette of more usable size, but I have no evidence that the existing accommodation is substandard in terms of floorspace. I acknowledge that there are no outstanding objections to the proposal from the occupiers of neighbouring properties. However, the lack of objection is not a benefit of the proposals. Neither of these considerations therefore outweigh the harm I have identified above.

Conclusion

15. I have found above that the proposed development would conflict with the development plan taken as a whole. There are no considerations that indicate that a decision should be taken other than in accordance with the development plan in this instance.
16. For this reason, and having regard to the other matters raised, the appeal is dismissed.

Martin Small

INSPECTOR