

Appeal Decision

Site visit made on 23 November 2021

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9TH December 2021

Appeal Ref: APP/Z1775/D/21/3280934
17 Craneswater Park, Southsea PO4 0NX

- 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 Paul Rex against the decision of Portsmouth City Council.
 - The application Ref 20/01452/HOU, dated 7 December 2020, was refused by notice dated 2 June 2021.
 - The development proposed is for proposed extension and conversion of existing dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant's name on the planning application form was given simply as "Rex" however their agent has confirmed that the name should be Mr Paul Rex which was the case in the determination of the previous appeal by my colleague (Ref. APP/Z1775/D/21/3274096). I have therefore used his full name in the banner heading above.
3. In addition to the above appeal decision, I have also had regard to the other planning history appertaining to this site including, that of appeal reference APP/Z1775/W/20/3248568.
4. I have determined the appeal on this basis.

Main Issue

5. The main issue is the effect of the appeal proposal upon the occupants of the neighbouring first floor flat at 19 Craneswater Park, with specific reference to outlook.

Reasons

6. 17 Craneswater Park is a one and a half storey chalet bungalow located in close proximity and at 90° to the rear elevation of 19 Craneswater Park, which has been converted into flats. I understand that the flat on the first floor includes windows on the facing elevation serving 2no bedrooms.
7. In addition to the 2no appeals that have been recently dismissed on this site, I am also aware that there is other planning history which includes permitted

front and rear extensions granted by planning permissions 20/00553/FUL and 20/00552/FUL respectively. Neither of these permissions proposed works to the western side of the subject dwelling i.e. adjacent to no19. I note the reference to the appeal at 74 Madan Road, Westerham as well, however ultimately each case must be assessed on its own merits.

8. The proposal before me seeks an increase to the overall height of the host dwelling. Whilst the first floor element of the western extension would constitute a reduction on that previously dismissed, I consider that any increase in scale on this side of the appeal dwelling would have a detrimental impact upon the outlook from the first floor flat at no19 which is already significantly curtailed by the presence of the existing appeal building. As was found by my colleague in the determination of the last appeal, whilst bedrooms are primarily used for sleeping purposes they are nonetheless a habitable room which could be used for other purposes such as work, study or hobbies.
9. I acknowledge that the appellant seeks to provide more usable first floor accommodation within his dwelling, however whilst I note that no objection to the design of the dwelling per se has been raised by the Council, ultimately I consider that it is a case of form following function. It may also be that the footprint of the subject dwelling can now be considered more proportionate to its extended plot, however that cannot be assessed in isolation from all other material considerations.
10. The flank wall on the western side of the appeal dwelling would be increased by approximately 1m and 0.4m to its eaves and ridgeline respectively. Combined with the 'squaring off' of the existing catslide roof to the front elevation over the garage, the proposal would add significant bulk to the western elevation thereby further curtailing the outlook from the first floor flat at no.19 than the existing situation.
11. I note the appellant's references to the National Planning Policy Framework (the 'Framework') and in particular its paragraph 130.f) (formerly Framework paragraph 126) which requires planning decisions to ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. This is supported by Policy PCS23 of the Portsmouth Plan (2012) which, amongst other things, requires new development to be well designed and seeks protection of amenity and the provision of a good standard of living environment for neighbouring and local occupiers of developments. I consider that the proposal is contrary to this policy context and overall, by virtue of its height, depth and proximity, the proposed development would have a harmful effect upon the outlook from the east facing bedroom windows of the first floor flat of 19 Craneswater Park.

Other Matters

12. The appeal site falls within the Craneswater and Eastern Parade Conservation Area. No objections have been raised by the Council with regard to the development's impacts upon the designated heritage asset and I have been given no substantive reason to come to a different conclusion on this matter. Therefore I conclude that the proposal would preserve the character and

appearance of the Conservation Area notwithstanding my findings with regard to living conditions.

Conclusion

13. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR