

# Appeal Decision

Site visit made on 18 January 2022

**by Mr C J Tivey BSc (Hons) BPI MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 1<sup>st</sup> February 2022**

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**Appeal Ref: APP/J1725/D/21/3282049**

**20 Atkinson Close, Gosport PO12 2BZ**

- 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 Antony Quinn against the decision of Gosport Borough Council.
  - The application Ref 21/00294/FULL, dated 25 May 2021, was refused by notice dated 22 July 2021.
  - The development proposed is for a loft conversion with rear dormer.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. At the time of my site visit the shell of the proposed rear dormer extension was substantially complete, albeit it was covered in breathable membrane and no fenestration or cladding had been installed. Notwithstanding the fact that the planning application was retrospective in nature the term “retrospective” does not describe the nature of the development itself and therefore I have removed this from the description of proposed works within the banner heading above. I have determined the appeal on this basis.

## Main Issue

3. The main issue is the effect of the appeal proposal on the character and appearance of the host dwelling and whether the proposal would preserve or enhance the character or appearance of the Anglesey Conservation Area.

## Reasons

4. The appeal site relates to a relatively modern detached two storey house situated within a residential estate of the same era; it backs on to a private parking court which serves dwellings fronting Anglesey Arms Road.
5. I note that a number of dwellings within the immediate locality have dormer windows, although these tend to be of a similar design and scale to those pursuant to Ref. 21/00452/FULL which were approved on the appeal site after the planning application, the subject of this appeal, was refused.
6. The Council’s Local Development Framework Design Guidance: Supplementary Planning Document February 2014 (SPD) stipulates that changes to the shape

of a roof need to be carefully considered and that, amongst other things, a dormer window should not dominate the roof, but should complement the existing features of the house in terms of proportion, size, position and detailing.

7. I note references to the General Permitted Development Order, however bearing in mind that the site is located within a Conservation Area it is not a determining factor in this appeal. At 6.28m wide and 2.59m high the dormer gives the host dwelling a top-heavy appearance which pays little regard to architecture within the vicinity, notwithstanding that the Conservation Area was designated some time before no20 was built; and the examples of other dormer windows cited by the appellant. On that latter point, I have been provided very little detail as to the planning history of these, but ultimately each case must be assessed on its own merits.
8. I have sympathy with the appellant's personal situation and whilst I in no means wish to impose further stress upon himself and his family's lives, as with the majority of box dormer extensions, their form follows their function and from an aesthetic point of view the proposal detracts from the character and appearance of the host property by virtue of its overall scale, bulk and design. On this basis I consider that the proposal would fail to preserve the character and appearance of the Conservation Area and would lead to less than substantial harm to a Designated Heritage Asset. No public benefits have been advanced to outweigh this harm, notwithstanding the fact that I note that the Council raise no objection to the proposal in respect of living conditions and other material considerations.
9. I acknowledge that a formal complaint has been made to the Local Government and Social Care Ombudsman, however the manner in which the planning application was determined does not affect my conclusion on the proposal that is before me. Further, the very fact that the proposed cladding materials would match the existing roof does fall in favour of the proposal, but ultimately it does not outweigh the harm that I have found.
10. Therefore in conclusion, in addition to clear conflict with the SPD and the National Planning Policy Framework, I also find that the proposal fails to comply with Policies LP10 and LP12 of the Gosport Borough Local Plan 2011 – 2029 which together stipulate that planning permission will be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area; and should be well-designed to respect the Borough's distinctive built environment including its heritage assets .

*C J Tivey*

INSPECTOR