



Appeal Decision

Site visit made on 10 August 2022

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th August 2022

Appeal Ref: APP/A1720/W/22/3293478

Land to west of Anchor House, Wicor Path, Portchester, Fareham PO16 9QT

- 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 R Lundbech against the decision of Fareham Borough Council.
 - The application Ref P/20/1453/FP, dated 25 November 2020, was refused by notice dated 16 December 2021.
 - The development proposed is the erection of a detached three-bedroomed house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area, including whether it would preserve or enhance the character or appearance of the Portchester (Castle Street) Conservation Area.

Reasons

3. The appeal site comprises a parcel of grassed land, described by both parties as a paddock, adjacent to Wicor Path and cemetery. The site is bounded on the west by mature trees and landscaping with mature trees also visible to the south of the site. From that perspective, and irrespective of any development within the wider area, the site retains a semi-rural character. A range of residential properties exist to the east of the site along Wicor Path. The site is, under the adopted local plan¹, located partially within the Defined Urban Settlement Boundary and within the Portchester (Castle Street) Conservation Area (the CA).
4. Statute² places a duty on me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The significance of the CA lies, insofar as this appeal is concerned, in its character as an historic village of largely C18 houses, together with the dominant Portchester Castle and attractive coastal setting. The CA Appraisal³ makes specific reference to Wicor Path as a narrow historic path linking the conservation area with the modern suburban development to the west, and

¹ Fareham Local Plan Part 2: Development Sites and Policies (2015).

² Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

³ Portchester (Castle Street) Conservation Area Appraisal and Management Strategy.

notes the outbuildings, walls and planting along it which are important to its character.

5. The proposed development would comprise a two-storey detached dwelling finished in red brick and brown roof tiles, set within a garden plot with a driveway and parking area. The height of the property's roof ridge would be similar to neighbouring Anchor House. The building line of the dwelling would be set forward of Anchor House.
6. Whilst the proposed dwelling has been designed with sensitivity to prevailing building forms, materials and details, it would nonetheless be highly visible and introduce built form to a site that is currently undeveloped. Although positioned to the northernmost part of the site only, the semi-rural and largely undeveloped character of this part of Wicor Lane would be eroded. I concur with the Council that the existence of the grassed site, which forms a prominent feature along the path, helps form a physical and visual break between the more historic core of Portchester village and the modern suburban development to the west. The proposed development would undermine this important gap.
7. The proposed development would fail to reflect or respect the local context and key characteristics of the surrounding area, which along Wicor Path is one of verdancy and openness. It would have a harmful impact upon the character and appearance of the CA, neither preserving nor enhancing it. Whilst harmful, I consider the proposed development to give rise to 'less than substantial' harm. In line with the requirements of paragraph 202 of the National Planning Policy Framework (the Framework), this harm must be weighed against any public benefits.
8. There are clear benefits to the scheme from the perspective of contributing to housing supply within the borough, as well as the social and economic benefits this would bring during both construction (employment) and the bringing of trade to nearby services and facilities upon occupation. I also note that the site is also located in a reasonably sustainable location, near to existing services. However, as a single dwelling, these benefits would inevitably be limited and I do not consider the public benefit to outweigh the harm I have identified above.
9. Consequently, the proposed development, by reason of its location, would harm the character and appearance of the surrounding area and would fail to preserve or enhance that of the CA. It would cause less than substantial harm to the significance of the heritage asset and in the absence of any public benefits to outweigh that harm, the proposed development would be in conflict with the relevant provisions of Policy CS17 of the Fareham Borough Core Strategy (2011) and Policy DSP5 of the Fareham Local Plan Part 2: Development Sites and Policies (2015). These policies, amongst other things, seek to promote high quality of design in development which responds positively to and be respectful to the key characteristics of the area, including heritage assets and spaciousness.

Other Matters

10. The Council does not have evidence to demonstrate a 5 year housing land supply. The lack of a 5 year housing supply means that the policies which are most important for determining the proposed development are out of date in

accordance with paragraph 11.d) of the Framework. However, bullet (i) of paragraph 11.d) clarifies that permission should not be granted if the application of policies in the Framework that protect areas or assets of particular importance, including designated heritage assets, provide a clear reason for refusing the development. Therefore, the proposed development would not benefit from the presumption in favour of sustainable development in this instance.

11. Whilst I accept that the site does not form a 'backland' site I do not accept that it meets the Framework's definition of previously developed land, and there is no evidence before me to conclude that this is the case. Irrespective of this, even were I to agree that the land was previously developed, it would not weigh in favour of the application.
12. I note the planning consent granted for a new dwelling further along Wicor Lane⁴. I do not have full details of that case before me, including the condition of the site prior to development. However, its position closer to the historic core of Portchester and relationship with neighbouring sites, enclosed by established dwellings and buildings, is such that the two sites are not directly comparable. In any case, I have considered the proposed development on the evidence presented, and site observations.
13. I am aware of the previously refused planning application⁵ at the appeal site and the amendments that have been made to the design of the scheme since this time. I note that a gap of approximately 28 metres would exist between the appeal property and Anchor House. However, for the reasons set out above, I have found the proposed development to harm character and appearance and those matters carry little weight in favour of the proposed scheme. Any pre-application discussions given previously are not determinative of the proposal before me.
14. Given the above, none of these factors outweigh the harm that I have identified above in respect of character and appearance. Neither the support in the development plan, nor that in the Framework, for new housing is at the expense of ensuring that development integrates appropriately with its surroundings.

Conclusion

15. For the reasons above, I conclude that the appeal should be dismissed.

A Price

INSPECTOR

⁴ P/12/0304/FP

⁵ P/19/0705/FP