



Appeal Decision

Site visit made on 5 June 2023

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2023

Appeal Ref: APP/M1710/W/22/3304406

111 Victoria Road, Alton GU34 2DD

- 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 Anthony Dougherty against the decision of East Hampshire District Council.
 - The application Ref 26852/021, dated 14 December 2021, was refused by notice dated 1 March 2022.
 - The development proposed is the creation of 2 number 1 bedroom apartments in a new mansard roof, extension to provide stairwell and alterations to external treatments.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a) the effect of the proposal on the character and appearance of the area;
 - b) the effect on the living conditions of the occupiers of existing flats within 111 Victoria Road and nearby dwellings;
 - c) whether the scheme makes appropriate provision for car parking; and
 - d) the effect on protected species.

Reasons

Character and appearance

3. No 111 Victoria Road was originally a single, family dwelling but it has since been extended and converted into four flats. The property lies at the edge of Alton town centre, within a residential neighbourhood characterised by two-storey housing. Despite its subdivision, the building has the appearance of a dwelling, and its design is reflective of other dwellings at this end of Victoria Road, a number of which present similar steeply pitched gables to the road.
4. The proposal is to construct a new mansard roof and extensions comprising an infill section at the front and a side addition to accommodate a spiral staircase. The alterations would significantly increase the scale and bulk of the building and they would result in the loss of the pitched roof and distinctive forward projecting gables. The property would take on the guise of a three-storey block of flats, the additional height and mass of which would be out of keeping with surrounding family housing. Mansards are not characteristic features of Victoria

Road, or the wider locality, and the introduction of a building with a large section of flat roof with a pitch around the edges would be visually incongruous, including in views from within the Alton Conservation Area.

5. I conclude that the proposal would be materially harmful to the character and appearance of the area. There would be conflict with Policies CP29 and CP30 of the East Hampshire District Local Plan: Joint Core Strategy (2014) (JCS), Policy HE8 of the East Hampshire District Local Plan: Second Review (2006) and Policy DE2 of the Alton Neighbourhood Plan (2015) (ANP). These policies are consistent with the National Planning Policy Framework (the Framework) in seeking to ensure that developments are sympathetic to local character and history, including the surrounding built environment.

Living conditions

6. The existing residents of No 111 do not enjoy significant amounts of amenity space. There are relatively secluded areas suitable for sitting out in front of the ground floor flats, behind the roadside hedge, but the land to the rear of the building is mostly hard surfaced for parking. The proposed stairwell extension would displace the bins, currently stored at the side of the property, into a new bin store at the front of the building. Not only would this reduce the already limited external amenity space, but it would be directly in front of the bedroom window for Flat 4. This would adversely affect outlook and create the potential for noise and disturbance, in addition to odour nuisance.
7. It is unclear whether the intention is for the floorspace from the infill extension to be incorporated into the existing flats. However, the plans indicate that the extension would interfere with natural light and ventilation for a first-floor bedroom and a bathroom and internal hallway at ground floor. The stairwell extension would also restrict daylight, sunlight and outlook to a ground floor kitchen and affect light within a first-floor bathroom. The significance of the impacts would depend upon the nature of the room, habitable rooms being the most important, but cumulatively the impacts would be unacceptable.
8. The views from the new dormer windows would be similar views to those already available from first floor windows. As such, I do not consider that the scheme would lead to any additional loss of privacy. There is no substantive evidence to demonstrate that use of the stairwell would lead to noise within the building.
9. For the reasons outlined, I find that the scheme would have a materially harmful impact on the living conditions of the occupiers of the existing flats. There would be conflict with Policy CP27 of the JCS and paragraph 130(f) of the Framework, insofar as these seek to promote health and well-being, and a high standard of amenity for existing and future users. There would also be conflict with the stipulation within Policy HO2 of the ANP that the provision of off-street refuse storage must not be to the detriment of the provision of an appropriate level of private amenity space for either existing or future residents.

Car parking

10. Policy CP31 of the JCS requires development proposals to provide adequate, convenient and secure vehicle parking in accordance with adopted standards. Those standards are contained in the Council's Vehicle Parking Standards Supplementary Planning Document (2018) which sets out a minimum

requirement of 1 space per dwelling for 1-bed properties. Policy TR5 of the ANP includes the same parking requirement with the further expectation of one visitor space per two dwellings. The justification for the policy notes that evidence from recent Alton developments where the former maximum standards were applied is that they have led to excessive parking on street and often on verges or around junctions, creating a poor visual environment and difficulties for drivers.

11. The scheme makes no provision for on-site car parking to meet the needs of future occupiers of the new second floor apartments. The appellant contends that there is sufficient on-street parking to cater for the development and has supplied the results of a parking stress survey. This shows a high level of kerbside parking on Victoria Road and St Lawrence Road. Although there are lower levels of stress on Chauntsingers Road, parking in this street would not be convenient as residents would need to walk some distance to reach these spaces. The parking bays shown on Normandy Street are subject to a 30-minute limit and are therefore unsuitable as long stay residents parking.
12. Accordingly, I conclude that the proposal conflicts with JCS Policy CP31 and ANP Policy TR5 in respect of parking requirements. The evidence before me fails to persuade me that there are grounds to deviate from the adopted standards.

Protected species

13. The County ecologist advises that the existing building may offer suitable habitat for protected species such as roosting bats and nesting birds. The appellant does not contest this but argues that protected species surveys could be secured by planning condition. However, this approach does not comply with guidance set out within ODPM Circular 06/2005¹. Paragraph 99 of this circular explains that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances.
14. No such circumstances have been demonstrated in this case and therefore it is a reasonable expectation that the surveys be carried out prior to any grant of permission. That the Council did not formally request the surveys is not a valid reason for the failure to provide the information during the application or with the appeal. The lack of survey information brings the proposal into conflict with Policy CP21 of the JCS insofar as it seeks to protect and, where appropriate, strengthen populations of protected species.

Planning Balance and Conclusion

15. The proposal would deliver a pair of smaller homes within the Settlement Policy Boundary of a designated Market Town with access to a range of facilities and services and good public transport. However, these benefits are outweighed by the identified harm in respect of character and appearance, living conditions, parking provision and protected species. The proposal would conflict with the development plan taken as a whole and there are no material considerations to indicate a decision otherwise than in accordance with the development plan.

¹ *Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system*

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

Robert Parker

INSPECTOR