



Appeal Decision

Site visit made on 5 September 2023

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2023

Appeal Ref: APP/Y9507/D/23/3318821

15 Linnet Close, Petersfield, Hampshire GU31 4RF

- 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 Ms E. Rogers against the decision of South Downs National Park Authority.
 - The application Ref SDNP/22/05275/HOUS, dated 10 November 2022, was refused by notice dated 5 January 2023.
 - The development proposed is described as the retrospective construction of dormer to rear roof slope and 2No. 'Velux' style roof lights to front roof slope.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Ms E. Rogers against South Downs National Park. This application is the subject of a separate Decision.

Procedural Matters

3. The proposed development is retrospective and from my observations on site, the plans represent that which has been built. Although at the time of my visit I noted the hanging tiles had not been attached to the dormer.
4. The National Planning Policy Framework (the Framework) was updated on 5 September 2023. However, the sections pertinent to this appeal have not materially altered, therefore the revised version is referenced in this decision.

Main Issue

5. It is noted the proposed development has 2 distinct elements, the 2 roof lights within the front roof pitch and the dormer to the rear. The Authority do not contest the roof lights and no objections have been raised concerning this element.
6. Therefore, the main issue is the effect of the rear dormer on the character and appearance of the host dwelling and its vicinity.

Reasons

7. Linnet Close is part of a larger suburban residential area. The properties are mainly two-storey and either semi-detached or in short terraces. They have simple pitched roofs, which complement the functional vernacular of the area. The linear lines the roofs create are only broken up by occasional hipped gables and low projecting features, such as roof lights, solar panels, and short flues.

There are no obvious examples of dormers within rear roof slopes within the immediate area of the appeal site.

8. The host dwelling is at the end of a short terrace. It has a two-storey rear facing projection that which has a simple gabled roof which has a significantly lower ridge to that of the main roof. Due to the curve and layout of Linnet Close the front and side elevations of the host dwelling are clearly visible from the road. The rear elevations of the first floor and roof are visible from Harrier Way, which runs along the rear boundary of the host dwelling and forms the outer road of the estate.
9. The rear dormer which forms the proposal extends up to the ridge of the host dwelling and is nearly full width. It has a flat roof and is clearly visible from both Linnet Close and for some way along Harrier Way.
10. Due to its highly visible location, the overly complicated roof form created by the large size and box shape of the dormer intersecting the existing rear projection, means it has a dominating effect on the host dwelling. It is an overwhelming feature which makes the host dwelling top-heavy and creates an awkward relationship with the simple linear roof form of the rest of the short terrace it is part of.
11. When viewed from the side the dormer's rearward projection visually reduces the gap between the host dwelling and adjacent house which constricts views between the two properties. This encloses this part of the road and further emphasises the overly dominant nature of the dormer within the immediate street scene. The lack of other similar development within the residential estate further exacerbates the incongruity of that proposed.
12. The appellant considers that because Linnet Close is not within an Area of Special Housing Character that local character need not be protected. Also, that due to the location of the appeal site within the settlement boundary, as defined by the local plan and Policy BEP6 of the Petersfield Neighbourhood Plan (NP), the presumption in favour of development should take precedence. However, there is nothing before me which limits the consideration of good design to designated areas only, and the Framework specifically considers good design a key aspect of sustainable development.
13. It is acknowledged that permission was granted for 2 rear facing dormers at the appeal site under application reference SDNP/21/05209/HOUS. These are visually and physically smaller and would have pitched roofs. Consequently, they are less dominant and more in keeping with the existing roof shape of the host dwelling. I am not, therefore, satisfied that the scheme before me would be less harmful than that approved, so as a fallback position it does not provide weight to the argument for the retention of the dormer.
14. The appellant has also drawn my attention to other dormers given permission at 125 Sussex Road (SDNP/18/06598/HOUS) and 12 The Causeway (SDNP/17/04128/HOUS) and by appeal at 53 Portsmouth Road. However, I am satisfied that the properties are some distance from the appeal site, and their form and the areas they are in are substantially different to that of the proposal and its locality, so are not directly comparable. But as a general point, each decision turned on its own evidence, as has my decision.

15. The proposed rear dormer would therefore harm the character and appearance of the host dwelling and the immediate area. It would fail to comply with LP Policies SD05 and SD31, and NP Policy BEP1 insofar as they seek high quality design that makes a positive contribution and respects the established character of an area. It also fails to take account of the guidance set out in the Design Guide Supplementary Planning Document.

Other Matters

16. National Parks are designated for the purposes of a) conserving and enhancing natural beauty, wildlife and cultural heritage, and b) promoting opportunities for the understanding and enjoyment of their special qualities by the public. Section 11A(2) of the National Parks and Access to the Countryside Act 1949 places a duty upon me to have regard to these purposes in this decision. The Authority did not object to the appeal scheme in this regard and I agree that due to the siting of the proposed development within a contained residential curtilage in an existing settlement, the purposes and special qualities of the National Park would not be adversely affected.
17. I am mindful of the appellant's circumstances and that the proposed development would provide suitable accommodation to address their needs. However, it is not sufficiently clear to me that the appeal proposal is the only way of achieving the additional space required, and the evidence before me suggests the extant permission would also achieve similarly suitable accommodation.
18. That the Authority's decision was made under delegated powers and not taken to the Planning Committee is a matter to be taken up with the Authority. Nevertheless, it does not alter the planning merits of the case before me.

Conclusion

19. The appeal scheme conflicts with the development plan for the reasons given above. There are no sufficiently weighted material considerations, including the approach in the Framework, which would indicate a decision otherwise. The appeal should, therefore, be dismissed.

RJ Redford

INSPECTOR