



Appeal Decision

Site visit made on 8 April 2024

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th April 2024

Appeal Ref: APP/M1710/D/23/3334548

141 Portsmouth Road, Horndean, Waterlooville, Hampshire, PO8 9LQ

- 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 D Kattenhorn against the decision of East Hampshire District Council.
 - The application Ref 30234/006, dated 11 July 2023, was refused by notice dated 12 September 2023.
 - The development proposed is the erection of a detached outbuilding.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached outbuilding at 141 Portsmouth Road, Horndean, Waterlooville, Hampshire, PO8 9LQ in accordance with the terms of the application, Ref 30234/006, dated 11 July 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos 23028-PL-101 and 23030-PL-102.
 - 3) The development hereby permitted shall be carried out in accordance with the Tree Survey and Impact Assessment prepared by Keen Consultants, dated June 2023, and the Arboricultural Plan (2161-KC-XX-YTREE-AP01Rev0).

Procedural Matter

2. The appeal form erroneously gave the name of the appellant as '*James Potter*'. Mr Potter acted as agent for the original application and the appeal. Other appeal documents make it clear that the appeal was made by Mr D Kattenhorn. I am satisfied that the applicant and the appellant are one, and the same person.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal property is a detached dwelling set back from its frontage to Portsmouth Road. The proposal is to erect a detached, double width garage in front of the dwelling, set approximately 1m away from the boundary to Portsmouth Road, and around 1m away from the side shared boundary with No 139 to the north.
5. Portsmouth Road along this stretch is a wide and straight, three-lane carriageway (including a bus lane) that is residential in character, with a ribbon of principally low-density detached dwellings of various sizes and appearances to both sides, set behind a mix of boundary enclosures and with an abundance of mature tree cover. No 141 sits within an area covered by a group Tree Preservation Order (E.H. 76) relating to trees on land fronting Portsmouth Road standing within the curtilages of numbers 129 to 139 (odd), 143, and 147 to 153 (odd). Some dwellings and associated buildings in the vicinity are openly seen within the wider street scene, others are screened by dense frontage vegetation with dwellings secluded. I saw no uniform or regimented appearance to the pattern of built development, and in my assessment, any sense of openness or space to the area is derived from the wide proportions of the road and adjoining pavements, rather than contributions from any space within the properties' frontages.
6. The garage would occupy space within the curtilage of No 141 behind a low front boundary wall and which currently comprises an area of mixed shrub planting. It would undeniably be seen within the street scene, especially in the vista when looking north. However, from this aspect it would be set against a visually dominant backdrop of mature trees to the front of No 139 and those beyond, some of which stand forward of the boundary enclosures to the properties along this stretch on a grass verge adjacent to the footpath. In the approach from the north when looking south, it would be largely screened from view by the same trees. Furthermore, it would be set back from the carriageway by the width of the combined footpath and grass verge to this side of the road. There is no significant open aspect to the immediate locality that would be impacted by the forward position of the building. As such, rather than standing proud, as an isolated or prominent structure within the street scene, I find instead that it would be seen contained within its plot as a reasonably inconspicuous ancillary outbuilding, domestic in both scale and form, and merged into the wider context of its setting.
7. My attention has been drawn to a similar structure at No 206 on the opposite side of Portsmouth Road and which is set close to the front boundary of the property. This was granted planning permission in 2021 (Ref 55985). The Council has argued that this side of Portsmouth Road is different in character comprising smaller dwellings and planning units. Regardless, the houses are all still recessed behind fairly deep frontages. The garage at No 206 is set far forward of the dwelling and is seen as an obvious part of the street scene within reasonable proximity of the appeal site. Despite this, it is comfortable in its setting and demonstrates to me how change can be successfully assimilated into the area without necessarily creating harm.
8. The Council's '*Residential Extensions & Householder Development*' Supplementary Planning Document, July 2018, advises that it would be rarely considered acceptable to site an outbuilding in front of the existing property.

However, the circumstances of this case lead me to conclude that the proposed garage would be appropriate and sympathetic to its setting. Accordingly, I find no conflict with Policy CP29 of The East Hampshire District Local Plan: Joint Core Strategy, adopted in 2014, as far as it requires all new development to respect the character, identity, and context of the area. For the same reason I am satisfied that the proposal would comply with the National Planning Policy Framework's (the Framework) objectives for achieving well-designed and beautiful places.

Conditions

9. The Council has suggested some conditions in the event I allow the appeal. I have considered these having regard to the advice contained within the Planning Practice Guidance and the Framework. A condition specifying the relevant plans with which the scheme should accord is necessary as this provides certainty. As such, a specific condition requiring the development to be finished in accordance with the materials specified in the application is not necessary.
10. In order to safeguard the character and appearance of the area, it is necessary to impose a condition to protect existing trees near to the site in accordance with the appellant's submitted Tree Survey and Impact Assessment and the accompanying Arboricultural Plan.
11. The application was clearly made for a building incidental to the use of 141 Portsmouth Road. Use of it for any other purpose would constitute a change of use which would require a further planning permission. A specific condition controlling its use is therefore not necessary.

Conclusion

12. For the reasons given, I find that there would be no harm to the character or appearance of the area. Accordingly, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR