



Appeal Decision

Site visit made on 13 August 2024

by S Harrington MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2024

Appeal Ref: APP/A1720/W/23/3329766

30 Cams Hill, Fareham, Hampshire PO16 8RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Robson, Porter Robson against the decision of Fareham Borough Council.
 - The application Ref is P/23/0222/FP.
 - The development proposed is demolition of detached garage and construction of detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Fareham Local Plan 2037 (April 2023) (LP) was adopted after the determination of the application by the Council. The LP replaces the Fareham Local Development Framework Core Strategy 2011 and the Fareham Local Plan Part 2: Development Sites and Policies 2015. This appeal must be determined in accordance with the development plan in place at the time and, as such, the policies quoted on the decision notice relating to the replaced plans are no longer relevant. I have therefore assessed the proposal against the relevant policies from the LP.

Main Issue

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

Reasons

4. The appeal site is part of a garden associated with 30 Cams Hill. I am informed by the Council that this property, whilst not a designated heritage asset, is locally listed. The surrounding area is predominantly residential and features dwellings of varying appearance. The surrounding pattern of development to the east features a staggered building line, although this becomes more uniform to the west of the site. Nevertheless, large mature gardens, the set back of dwellings from the highway, as well as notable separation distances between some dwellings provide for a spacious and verdant character.
5. The appeal site, as well as some nearby dwellings, features a small garage building to the side of the host dwelling and within the gap between properties. However, due to its small scale and clearly ancillary nature, the garage does not reduce the spacious character created partly by the separation of dwellings,

or the importance of the gaps to the pleasant character and appearance of the street scene.

6. The Fareham Borough Design Guidance Supplementary Planning Document (Excluding Welborne) adopted December 2015 (SPD) provides guidance on new dwellings in existing streets. Whilst acknowledging gaps between existing houses can sometimes make appropriate plots for new homes, the SPD states that this will depend on the size and width of the plot and how it compares to others in the street. Furthermore, the SPD outlines that care should be taken to ensure the space left between houses reflects the spaciousness and character of the area.
7. Although it is put to me that the proposed siting of the dwelling within the plot would result in only oblique views from the highway, I observed that the proposal and its relationship with the surrounding built form would be clearly visible through the access from both Cams Hill and the A27 (the highways), despite proposed landscaping.
8. The proposed dwelling would be sited to the side but rear of the host dwelling and would be aligned with the neighbouring adjacent dwelling, 20 St. Catherines Way. Plot widths vary in the wider area, notably at the Dell which features narrow plot widths. However, the appeal site is noticeably narrower than that of those dwellings in the immediate vicinity.
9. I acknowledge that given the length of the appeal site, the built form to plot ratio is comparable to some other plots in the area and development density is part of the consideration in assessing the effect of the proposal on character and appearance.
10. Nonetheless, whilst the siting of the proposal to the rear of the host dwelling would help to retain some feeling of spaciousness, its close proximity to 20 St. Catherines Way, combined with the proposal being viewed in conjunction with the host dwelling from the highways, would result in a dwelling separation uncharacteristic of the immediate area. The proposal would therefore appear as a cramped development within a constrained narrow plot, thereby harmfully diminishing the spaciousness and character of the area.
11. In terms of the host dwelling being a non-designated heritage asset, the National Planning Policy Framework requires that a balanced judgement is made when assessing the proposal, having regard to the scale of any harm or loss and the significance of the heritage asset. I observed the significance of 30 Cams Hill arises, in part, from its age, architectural detailing and historic association with the now demolished Downend House.
12. In this regard, I find the design and external materials of the proposed dwelling has been carefully considered to sympathetically reflect the architectural details of the host dwelling and would result in a neutral impact on the significance of the host dwelling.
13. Nevertheless, in conclusion, the proposal would cause harm to the character and appearance of the area and would be contrary to LP Policy D1. This Policy seeks, amongst other things, to ensure that development will be of high quality and appropriately respond to the positive elements of local character. The proposal would also conflict with guidance within the SPD in relation to realising good design in new dwellings within existing streets.

Other Matters

14. The proposal is within 5.6km of the Solent and Southampton Water Special Protection Areas and Ramsar Site (SPA). The Council's reasons for refusal also relate to the lack of appropriate mitigation and potential adverse effects upon the SPA and resultant conflict with LP policies NE1, NE3 and NE4.
15. Potential adverse effects could arise due to increase in recreational disturbance associated with an increase in the local residential population/visitor numbers and increased levels of nitrates entering the SPA from sewage discharge and wastewater generated from the proposal.
16. Following the Council's decision, the appellant has committed to a financial contribution to secure mitigation against the impact of increased recreational disturbance and purchased nitrate mitigation 'credits' in relation to a managed wetland scheme. However, Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 indicates the requirement for an Appropriate Assessment is only necessary where the competent authority is minded to give consent for the proposal.
17. Given my conclusions on the main issue above, it is not necessary for me to consider this matter any further as the proposal would not take place and would not affect the SPA. Moreover, even if I were to find that suitable mitigation had been appropriately secured, a lack of harm would only be a neutral factor.
18. The proposal would provide an additional dwelling to the supply of housing within an urban settlement boundary with easy reach of services, facilities and public transport. However, due to the limited scale of the proposal, I afford this only modest weight. The proposal would also help to support the construction industry during the short term, as well as further economic and social benefits as a result of its future occupation. However, these benefits would also be limited due to the scope and scale of the development.

Conclusion

19. For the reasons given above, I find that the proposal would conflict with the development plan, read as a whole. No material considerations, individually or cumulatively, indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

S Harrington

INSPECTOR