



Appeal Decision

Site visit made on 15 October 2024

by S Leonard BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 November 2024

Appeal Ref: APP/Z1775/W/24/3346121

4 Quay Gate House, Grand Parade, Portsmouth PO1 2NF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Bray against Portsmouth City Council.
 - The application Ref is 23/01365/FUL.
 - The development proposed is the remodelling of existing top floor flat.
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Decision

1. The appeal is allowed, and planning permission is granted for the remodelling of existing top floor flat at 4 Quay Gate House, Grand Parade, Portsmouth PO1 2NF, in accordance with the terms of the application, Ref 23/01365/FUL, subject to the conditions set out in the attached schedule.

Procedural Matter

2. The Council did not issue a decision notice determining the proposal. Following the submission of the appeal against non-determination, the Council has confirmed that, had it fallen to the Council to make a decision, the application would have been recommended for approval.

Reasons

3. The Council has confirmed that it raises no objection to the appeal scheme. Based on the evidence before me, including the appeal submissions from the main parties and my site inspection, and, noting an absence of third-party comments, I find no reason to disagree.
4. In coming to this view, I have had regard to the location of the site within the Old Portsmouth Conservation Area No 4 (the OPCA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended (the Act) requires that with respect to development affecting buildings or other land in a conservation area, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
5. The OPCA contains the site of the original settlement of the city, dating back to the 12th century. Its growth was largely in association with the role of the city as a Naval base. The historic loose grid street pattern has remained. Built frontages are generally continuous, providing a sense of enclosure.
6. Whilst the predominant historic style is Georgian, there are now a wide variety of architectural forms, including modern infill buildings, terraces and flats,

largely as a result of extensive rebuilding after the bomb damage inflicted during the Second World War.

7. The appeal site forms part of Grand Parade, a three-sided city square comprising terraced residential properties facing onto an open hard-surfaced parking area. The significance of Grand Parade is described within the Council's Guidelines for Conservation for the OPCA as "the most fashionable address in Old Portsmouth during the 18th and 19th centuries". The buildings range from 3 to 5 storey in height, with the west and north sides predominantly consisting of postwar rebuild.
8. The appeal site sits within the eastern side of the Square, where historic 19th century buildings still survive. However, Quay Gate House itself and the adjacent property to the south comprise postwar brick-faced infill buildings. Both properties are 5 storeys in height with roof terraces and extensions above, and are occupied as flats.
9. The appeal property comprises the upper-most unit within Quay Gate House. The accommodation is spread over the fourth floor and within a flat-roofed addition at roof level, together with a roof terrace. The proposal would replace the existing penthouse extension with a flat-roofed structure providing a greater amount of internal living area than that of the existing, together with a front-facing outside terrace.
10. The proposal would not alter the main front façade of the building below penthouse level. This, in common with the other properties within the terrace, exhibits a strong horizontal and vertical alignment of windows and repetition of window design. This positive unifying design feature of the terrace would not be adversely affected by the appeal scheme.
11. There are a variety of roof forms and materials on residential properties within the vicinity of the appeal site, and roof additions and terraces are commonplace features within the locality, including flat-roofed additions on the appeal property and on neighbouring buildings to both sides.
12. Within this context, the appeal scheme would not appear unduly visually intrusive when viewed from the public realm. The resulting building height would be comparable to neighbouring roof heights. Moreover, its set back position from the front wall of the building and its predominantly glazed front elevation would combine to minimise the visual impact of the proposal upon the street scene and set it apart from the main building frontage as a subsidiary element.
13. As such, I am satisfied that the proposal would not harm the character or appearance of this part of the OPCA.

Other Matter

14. The appellant has referred to the Council's procedures during the period between the submission of the application and the lodging of the appeal. Whilst I have noted the appellant's frustration, this is not a matter for consideration as part of this appeal.

Conditions

15. I have considered the Council's suggested conditions in accordance with Paragraph 56 of the Framework and the National Planning Practice Guidance (PPG). In addition to the standard implementation condition, it is necessary to define the plans for certainty (1, 2). In the interests of protecting the character and appearance of the conservation area, a condition is necessary to ensure appropriate external materials and finishes (3).

Conclusion

16. Therefore, for the reasons given above, I conclude that the appeal should succeed, and planning permission be granted subject to conditions.

S Leonard

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 0000revB;
 - 1000revA;
 - 1100revB;
 - 1300revB;
 - 1500revA;
 - 23173 - Elevations;
 - 23173 – Measured Building Survey;
 - 1250revA;
 - 1200revF;
 - 1310revE; and
 - 1600revD.
- 3) The development hereby permitted shall not begin until a full and detailed schedule of all materials and finishes to be used in the construction of the external surfaces has been submitted to and approved in writing by the Local Planning Authority.

The development hereby permitted shall be carried out and thereafter maintained in accordance with the approved details.

*****End of Conditions*****