



Appeal Decision

Site visit made on 18 December 2024

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 January 2025

Appeal Ref: APP/Z1775/D/24/3355865

24 Sussex Road, Southsea, PO5 3EX

- 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 & Mrs Chafer against the decision of Portsmouth City Council.
 - The application Ref is 24/00671/HOU.
 - The development proposed is the construction of two-storey workshop ancillary to 24 Sussex Road (following demolition of garage 22-22a Sussex Road) with changes to boundary treatments.
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Decision

1. The appeal is dismissed.

Costs

2. An application for costs has been made by the Appellants against the Council. This application is the subject of a separate decision.

Main Issue

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

Reasons

Character and appearance

4. The appeal property is a 19th Century two storey altered brick-built modest non-residential structure. It has timber doors abutting the highway and is of a simple and functional utilitarian design with an attractive asymmetric roof. Whilst set forward of any immediate building line it is visually low-key amid the range in period and size of other local buildings, a number of which display grandeur of scale and architecture. The structure would appear to have been ancillary in purpose. It has its own street numbering and is presently storage serving No 24 Sussex Road. The area is of established residential character and extremely pleasing appearance. The appeal proposal is as described above.
 5. The site lies within the Owens Southsea, Conservation Area No.2. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard
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to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Policy PCS23 of the Portsmouth Plan 2012 (PP) is also relevant; it is concerned with design and conservation. Amongst other matters it calls for new development to be of excellent architectural quality, respond to local character, relate well to the City's geography and history, and protect the historic townscape.

6. To my mind the existing building makes a marked positive contribution to both the character and the appearance of the area. It offers some insight into the historic use and built form hierarchy of this neighbourhood and, in its own right, is of a pleasing polite design and sits restrained and extremely comfortably amid its abutting buildings and the wider streetscene as a whole. In my assessment, whilst acknowledging that this neighbourhood has changed over time, my starting point for a planning decision here would lean to an assumption for retention of this particular building. In passing I would comment that I do not have evidence on the degree of work needing to be undertaken for what could be considered a purposeful function by the Appellants.
7. Demolition of this structure should certainly only be considered if a replacement building were to be deemed to reach or exceed a comparable benchmark in character and appearance terms. Regrettably the replacement building embodied in the appeal proposal would not pass this test. I appreciate that footprint continues and the elevational treatment takes some cues from the existing structure. Nevertheless, I find that the new building by reason of its shape, roof form including a geometric contrast, additional windows including a horizontal insertion, external finishes and fittings would remove some sense of history; fail to continue the ancillary theme; appear more domestic in form; sit awkwardly in the street; and become a focus rather than part of the backdrop of the fabric of this area. I might add that I have no inherent prejudice against the concept of modern buildings being inserted into Conservation Areas, depending on the merits of the case. I am dealing specifically with the scheme before me and I do not find this modern design to be compelling.
8. Given the above concerns I conclude that the proposal would run contrary to the aims of S72(1) of the Act and would not accord with PP Policy PCS23. The appeal scheme would fail to preserve or enhance the character or appearance of a Conservation Area and would not meet the applicable design and conservation requirements within PP Policy PCS23.

Other matters

9. I do understand the Appellants' wish to create the planned functional and efficient spaces and I appreciate that there has been dialogue with Council Officers and amendment during the formulation of the proposal. I can see that considerable thought has been given to certain design elements and materials and I recognise there are very often practical and economic difficulties with creating satisfactory new space from old. I acknowledge that in this instance, as part of the democratic and assessment process, Council Members did not run with their Officers' recommendation. I have reviewed other examples of modern schemes drawn to my attention but found none to be directly

comparable in terms of design or immediate or wider context and, in any event, I must assess this case on its own merits.

10. I have carefully considered all the points raised by the Appellants but these matters do not outweigh the concerns which I have in relation to the main issue identified above.
11. I confirm that policies in the National Planning Policy Framework (the Framework) have been considered. Key objectives of the Framework are to protect and enhance the qualities of the built environment as well as to safeguard heritage assets; the development plan policy which I cite mirrors this. The Framework underlines that great weight should be given to a heritage asset's conservation. The appeal proposal would lead to less than substantial harm to the significance of the designated heritage asset however what public benefits there would be would not outweigh this harm. Furthermore, there are no other benefits, including to the Appellants, which to my mind would be of a scale to outweigh the harm to the Conservation Area which I have identified.

Overall conclusion

12. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on the character and appearance of the locality. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR