

Appeal statement

Appeal against refusal of planning permission

Location: 4 East Pallant, Havant, PO9 1EA

Proposal: First floor rear extension.

Appellant: Mr Jason Bradwell

LPA Reference: APP/19/00741

1.0 Appeal site and surroundings

1.1 Comprises a pair of semi-detached two-storey three bedroom houses constructed about twelve years ago. The appeal site is located on the north side of East Pallant opposite a large public car park. East Pallant is a narrow winding road that links North Street to Beechwood Road.

1.2 The surrounding area is very much mixed in character. There are mainly twentieth century buildings in the form of low rise dwellings although the public car park mentioned above dominates the south side of East Pallant.

2.0 Appeal proposal

2.1 The planning application that has led to this appeal was validated by the local planning authority on 1 August 2019.

2.2 On 31 October 2019 planning permission was refused by the local planning authority for the following reason:

The proposal by reason of its height, mass, bulk, design and siting would result in an overbearing impact in relation to the neighbouring property at 2 East Pallant. In addition the proposal would result in loss of light and outlook

to the occupiers of this property. The proposal therefore conflicts with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework.

3.0 Planning history

3.1 In 2005 planning permission (LPA Ref: 05/65703/005) was granted to demolish an existing building on the appeal site and construct a pair of semi-detached three bedroom houses. These are the houses that currently exist on the appeal site.

3.2 On 14 July 2016 planning permission was granted on appeal by the Planning Inspectorate to create separate car parking spaces for both Nos. 2 and 4 East Pallant, following the removal of part of the front boundary wall and including a new wall to divide the two dwellings at the front facing curtilage.

4.0 Reason for appeal

4.1 The appellant considers the reason for refusal to be unreasonable on the basis that the impact on the neighbouring dwelling's (No.2) amenity would be minimal.

5.0 Heritage assets

5.1 The appeal site is located within the St Faith's Conservation Area which is a designated heritage asset as defined in the *National Planning Policy Framework* (NPPF). A conservation area appraisal was approved in July 2007. The appeal site is located within the character area known as Beechworth Road/Fairfield Road. There does not appear to be very much reference to East Pallant in the appraisal.

6.0 Significance of heritage assets

6.1 The significance of a heritage asset is the sum of its architectural, historic, artistic or archaeological interest. The English Heritage (now Historic England) document, *Conservation Principles, Policies and Guidance*, identifies four

types of heritage value that an asset may hold: aesthetic, communal, historic and evidential. The conservation area includes all of these values, however, the appeal property does not, it is considered, have any particular significance in terms of this conservation area.

7.0 Impact on heritage assets

7.1 There would be very little impact on the heritage asset that is the St Faith's Conservation Area. Overall it is not considered that the conservation area would be harmed as a result of the appeal proposal and in accordance with Section 72 of the *Planning (Listed Buildings and Conservation Areas) Act* the character and appearance would be preserved. This position in respect of the design of the appeal proposal has been agreed by the LPA and in particular the LPA's Conservation Officer raised no objection when the planning application was under consideration (see planning officer's delegated report).

8.0 Impact on neighbours' amenity

8.1 The main issue in respect of this appeal is the perceived impact of the proposal on the amenities currently enjoyed by the neighbour, at No.2. Due to the separation distance between the appeal property and the neighbouring property to the west it is not considered there would be any negative impact. This position has been agreed by the LPA.

8.2 The reason for refusal references Policy CS16 in the Council's Adopted Core Strategy. The relevant section is Paragraph 1(e). This seeks to safeguard residential amenity in respect of privacy, outlook and overshadowing. Further reference is made to the Borough Design Guide SPD and in particular the guidance on Page 47 that refers to the 45 degree overshadowing zone.

8.3 The appeal proposal would not have any effect in terms of privacy. In respect of overshadowing it is not considered that the existing situation would be worsened to any meaningful effect. As can be seen in the photographs in Appendix A the single-storey part of No.2 includes three windows and a set of

double doors. The two nearest windows to the appeal proposal extension are already overshadowed by the single-storey rear extension forming part of the appeal property. Very little afternoon sun enters these windows at present and the appeal proposal would not materially affect this situation. Similarly the outlook from these windows would not, it is considered, be worsened in any significant way compared to the existing situation.

8.4 It should be noted that the roundel window in the rear part of No.2 is not to a habitable room but the loft space.

8.5 In terms of the impact on the enjoyment of the neighbour's (No.2) rear garden this would be minimal. The garden is a reasonable size and the appeal proposal extension modest in its dimensions. As such the vast majority of the neighbour's garden would be unaffected by the appeal proposal.

8.6 Overall it should be noted that the appeal proposal maintains the same footprint as the existing dwelling and only a small area additional brickwork would be constructed on the boundary to No.2. Every effort has been made to minimise the impact on No.2 by keeping the increased height and projection to the minimum to allow the additional bedroom to be formed.

9.0 Conclusions

9.1 No harm, substantial or otherwise, would be caused to the designated heritage asset that is the St Faith's Conservation Area.

9.2 The character and appearance of the conservation area would be preserved, as agreed by the LPA.

9.3 The impact on the neighbours' amenity would be minimal and not sufficient to warrant refusal of planning permission.

9.4 The Inspector appointed to determine this appeal is respectfully requested to grant permission for the appeal proposal.

Appendix A

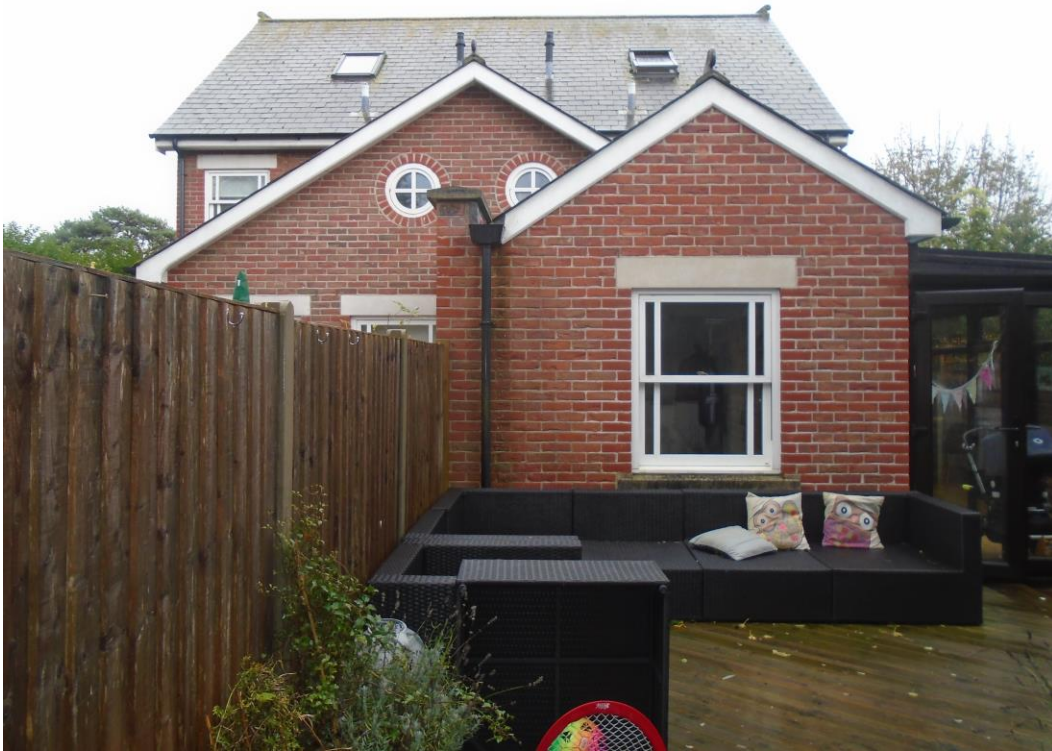


Figure 1. Appeal property on right.



Figure 2. No.2 and rear garden.



Figure 3. No.2 showing 3 windows and double doors.



Figure 4. No.2 on left.