Appdecno

Appeal Decision

Site visit made on 14 June 2010

by John Woolcock BNatRes(Hons) MURP DipLaw MPIA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

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Decision date: 23 June 2010

Appeal Ref: APP/X1735/D/10/2128955
Greenways, 19 Castle Avenue, Havant, Hants PO9 2RY

- 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 Dr Alastair Wilcockson against the decision of Havant Borough Council.
- The application No:10/70226/004, dated 3 February 2010, was refused by notice dated 8 April 2010.
- The development proposed is the erection of a detached 2 No. carport and single garage building.

Decision

1. I dismiss the appeal.

Main issues

2. I consider the main issues in this appeal to be the effects of the proposed development on:

   (a) The character and appearance of the area.

   (b) The living conditions of adjoining occupiers with particular reference to visual impact.

Reasons

Character and appearance

3. The appeal site lies within a mature residential street comprising detached houses of various ages, designs and materials. Plot sizes and the depth of front gardens vary, but properties generally have substantial gardens, which are a feature of what is an attractive street scene. The dwelling on the appeal property is set well back from the road behind a large front garden.

4. The proposed carport and garage building would be a substantial structure 9.6 m long, 6 m wide and 4 m high, with a part hipped roof. It would be sited well forward of the front elevation of the large house on the appeal site, and would be set back 1.5 m from the side boundary with the adjoining dwelling at 21 Castle Avenue. This boundary is marked by several trees and other vegetation. Such a large outbuilding in this prominent location would appear out of keeping with the pattern of development along Castle Avenue. I have had regard to the modern dwellings located further to the south along Castle Avenue, which have large garages as flat roofed front projections. However,

these are seen as an integral part of the house and the garages do not dominate the front garden in the way that I consider the appeal proposal would. Such a large outbuilding in this front garden setting would harm the street scene.

5. Removal of a tree and other vegetation along this side boundary to construct the proposed carport and garage would not unduly affect the townscape. These trees do not make a significant contribution to the amenity of the area and are not the subject of a preservation order. I do not consider that the proposal would be at odds with Policy L6 of the Havant Borough District-Wide Local Plan, adopted 2005, (LP) concerning the conservation and protection of natural features.

6. Nevertheless, on the first main issue, I consider that the proposed development would harm the character and appearance of the area. I find that the proposal would conflict with LP Policy D1, which permits development provided that it would, amongst other things, create an attractive environment which respects and enhances local character.

Living conditions

7. The proposed carport and garage building would be set forward of the front elevation of the adjoining dwelling at 21 Castle Avenue. This house has ground floor side and front windows to a living room that would provide the occupiers with views, albeit at an angle and across their side driveway, to the proposed carport and garage. Given the height and bulk of the proposed building, along with its siting forward of the front of the dwelling at No.21, I consider that it would dominate the outlook from the neighbouring property. This would have a significant detrimental effect on the adjoining occupiers' enjoyment of their front living room.

8. On the second main issue, I consider that the proposed development would have an unacceptable adverse effect on the living conditions of the occupiers of 21 Castle Avenue by reason of its visual impact. The scheme would be contrary to LP Policy D1 by reason of its affect on the amenities of neighbours.

Other matters

9. I have taken into account all the other matters raised in the evidence, including observations about an alternative siting to the south and within the rear garden of the appeal site. I make no comment on this and have determined the appeal on its own merits. Neither these, nor any of the other matters raised, are sufficient to outweigh my conclusions on the main issues, which have led to my decision on this appeal.

10. A condition requiring landscaping or boundary treatment would not overcome the harm I have identified. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

John Woolcock
Inspector