
Appeal Decision

Site visit made on 22 August 2014

by John D Allan BA(Hons) BTP MRTPI

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

Decision date: 16 September 2014

Appeal Ref: APP/X1735/A/14/2220759

Site adj 3 Montgomery Road, Havant, Hants PO9 2RH

- 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 McCormick against the decision of Havant Borough Council.
 - The application Ref APP/13/01037, dated 17 October 2013, was refused by notice dated 20 December 2013.
 - The development proposed is described as '*redevelopment of an existing remote garage by converting the existing garage into good quality 1 bed accommodation*'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the address that was given on the decision notice and repeated on the appeal form rather than as it appeared on the application form as this gives a more accurate description of the site's location.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area and the living conditions of any future occupiers.

Reasons

4. The appeal site is located at the end of a short stretch of no-through road within a residential area and is occupied by a single-storey, detached garage that is set back from the edge of the pavement. The building is mostly screened from view by some fairly mature and dense vegetation to the front and along the shared side boundary with the dwelling at 3 Montgomery Road as well as along its opposite side where it abuts a densely treed embankment that leads down to a public right of way known as the Hayling Billy Line Footpath (the Footpath).
5. The proposed conversion of the garage would involve a 2-storey, flat roof addition to its rear corner. This would be timber clad and together with other alterations to the front façade of the garage it would transform what is a rather

utilitarian form of building into a contemporary looking structure which would, in my opinion, make an interesting and positive contribution to the existing mixed character and form of buildings within the area, the architecture of which displays no particular rhythm in this location. In any event, the building would continue to have little visual impact of any significance beyond its own curtilage within the street scene given its recessed and largely screened setting along Montgomery Road.

6. The corner addition would be glimpsed through foliage from the lower levels of the adjoining right of way but the choice of natural finishing materials would ensure that it would not appear overly intrusive at this point where the landscaped setting of the Footpath merges with the backdrop of residential buildings beyond. For this reason I am satisfied that there would be no harm to the setting of the adjacent Conservation Area, the boundary of which runs along the side boundary of the appeal site.
7. I accept the Council's point that the creation of a small dwelling on a small plot would be generally out of context with the more typical spacious setting of the residential development that surrounds it. However, the garage already exists on a small plot and tight to its boundaries without any detriment to the visual amenities or spacious qualities of the area. Due also to its inconspicuous setting I am not persuaded that its alternative use for habitable purposes would be materially harmful to the character or appearance of the area.
8. Turning to the second main issue. Whilst there is no substantive evidence to demonstrate that there would be unacceptable levels of natural daylight within the proposed dwelling, the outlook from the internal living spaces would be severely restricted. I saw for myself that the aspect from an existing side window to the garage, which is set virtually on the boundary of the site, looks directly towards the treed embankment to the Footpath and at very close quarters. Regardless of a larger window that is proposed in this position and any legitimate pruning work that may be able to be undertaken by the site's owner, I consider that the aspect from the ground floor library/study area would be severely curtailed appearing dark and oppressive, even having regard to the front facing window at this point which would merely look along a very narrow space between the side of the existing garage and the adjoining vegetation. A similar window to the first floor would provide little outlook from this habitable sleeping area of any real value.
9. The only other windows that would provide any outlook from the living space other than skyward from rooflights would be to the front with otherwise fairly long lengths of internal walls devoid of any openings. The larger of the proposed windows to one side of the entrance door would overlook what I saw to be only a very narrow strip of vegetation but mostly the hard surface of the existing garage forecourt, the majority area of which would be required to serve as a parking space. The smaller window to the opposite side would have a similarly poor outlook but in any event is shown on the plans to serve an internal bicycle storage area. Whilst there would be sight of the surrounding screen planting, there would be an overriding sense of enclosure and constraint.
10. There is no space between the side and rear of the building and the curtilage of 3 Montgomery Road, which wraps tightly around the rear of the appeal site.

Use of the adjacent driveway to No 3 for access to its garage immediately to the rear of the appeal building would be unlikely to generate any high levels of noise or activity that would disturb the proposed living environment. However, there would be no access from the dwelling to any meaningful area of private outdoor amenity space. Whilst there are many residences that may not have access to such areas in this instance it is the combined absence of any such space, the severely restricted outlook and the oppressive presence of its surrounding context that leads me to find that, on balance, the use of this building as an independent dwelling would create an unreasonably claustrophobic and unappealing living environment.

Other Matters

11. I have noted the concerns expressed by the neighbouring occupiers at 3 Montgomery Road and carefully considered the impact of the proposal upon their living conditions. The alterations to the existing roof of the building and the 2-storey extension would be clearly visible from the adjoining property, including from within some internal living spaces where the only outlook is directed immediately towards the appeal site. However, I have found that these works would create a building of acceptable appearance and therefore, whilst the outlook from some areas within No 3 would change, the development would not be visually intrusive.
12. Given the position of the extension on the side of the building furthest away from No 3, and the single-storey scale of the main roof's ridge, despite its raised height, I am satisfied that the additional bulk of the building would not result in any significant loss of light to the neighbouring property that would affect the occupiers' enjoyment of their living space.
13. There is no substantive evidence to suggest that the loss of the currently available parking within the appeal site would impact in any way upon conditions of highway safety or residential amenity in the area.

Conclusion

14. Overall, whilst I am not persuaded that the proposed works to the building or its use would have any harmful impact upon the character or appearance of the area, I find that by creating a poor standard of amenity for future occupants of the land and building it would fail to provide the high quality of design that is required by Policy CS16 of the Havant Borough Core Strategy March 2011 and by a core planning principle of the National Planning Policy Framework. Therefore, for the reasons given, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

John D Allan

INSPECTOR