
Appeal Decision

Site visit made on 10 November 2016

by David Murray BA (Hons) DMS MRTPI

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

Decision date: 1st December 2016

Appeal Ref: APP/D1780/W/16/3149256

20 Salerno Road, Southampton, Hants, SO16 5PJ.

- 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 Heronwood Properties against the decision of Southampton City Council.
 - The application Ref. 16/00026/FUL/16123, dated 6 January 2016 was refused by notice dated 10 March 2016.
 - The development proposed is the erection of three bungalows: 1 x 1-bedroom and 2 x 2-bedroom.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the area including on protected trees;
 - Whether the proposal would provide reasonable living conditions for the occupiers;
 - The effect of the additional buildings on the living conditions of people living adjacent to the site;
 - The effect on highway safety;
 - Whether the effects of additional population on the Solent Coast Special Protection Area (SPA) would be mitigated.

Reasons

3. The appeal site is an open area of land in a generally residential area which lies to the south side of an apartment building and to the rear of a terrace of properties to the east. The site contains a number of mature trees and other vegetation which contribute to the verdant character of the area and many of the trees are protected by a Tree Preservation Order (TPO). It is proposed to erect three detached bungalows each with a single parking space, and served from a single access point into Salerno Road.
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Effect on the character and appearance of the area

4. Most of the surrounding development is of two storey form but there is a mixture of architectural designs and the appeal site appears in the street scene as a distinct landscaped space. In principle, a single storey form of development may not be unduly out of place here but I share the Council's concerns that the scheme proposed would not fit in with the character of the area. The rear units would appear cramped and pushed back onto the rear boundary of the site while the front unit would be prominent with the back of the property turned to the street scene and would be prominent on the corner. Even with retained or new landscaping along some of the frontage with Salerno Road, I find that the proposed development would not fit in with the established pattern of development and would be materially harmful to the character and appearance of the area.
5. I am also concerned about the effect that the proposed layout would have on trees that are protected and play a significant contribution to the verdant character of the space. In assessing this impact I have taken into account the appellant's Arboricultural Development Statement (Dec. 2015) and the conclusions reached about the trees that can be retained. The proposed site plan shows the bungalows and manoeuvring space placed partly under the crown spread of some mature trees but at my site visit I concluded that these crown spreads were more extensive and spread onto the site more than depicted on the site plan. All three properties would be sited under the canopy spread of adjacent trees and the likely extent of the root systems, and I consider that the development would threaten the future well-being of the trees. Even if construction work and other changes to the land could be mitigated by specialist techniques as the appellant's Statement puts forward, the extent of tree coverage on the site, which would overhang the properties, is likely to result in pressure from the future occupiers to have trees cut back for safety reasons and to let more sunlight into their houses and gardens.
6. Overall on this issue, I find that the development proposed would be materially harmful to the character and appearance of the area and would not accord with the requirements of policies SDP7, SDP8 and SDP9 of the Council's Local Plan and Policy CS13 of the Core Strategy as the development would not integrate successfully into its surroundings. I also note the Council refers to a Residential Design Guide (2006) but I have not placed significant weight on this because it predates the policies in the development plan and the National Planning Policy Framework (2012) (the Framework).

Effect on living conditions

7. The effect on living conditions concerns those of the occupiers of the new properties and also of the people in houses around the site. Dealing with the former first, the Council highlight the proposed space around the unit 3 as an indication of the cramped nature of the development.
8. While I am satisfied that the space around units 1 and 2 would be adequate for the scale of the properties proposed, unit 3 would have very little space to the north and south of the property and that would be dominated by parking and manoeuvring space for units 2 and 3. This would be a poor residential environment.

9. In terms of the relationship with adjoining properties, the ones most affected front Abbotsfield Close and the nearest of these properties (no's 1-4) have themselves relatively small rear gardens. Notwithstanding my concerns about the effect on protected trees, the proposal to site units 1 & 2 close to the party boundary, with little room for additional landscaping screening, would result in a stark elevation facing these properties and in close proximity to them and the building bulk would have an overbearing impact on the living conditions of the people living there. The proposal therefore does not accord with SDP1 in respect of affecting people's amenity.

Effect on highway safety

10. Under this issue the Council submits that inadequate information has been put forward to assess the adequacy of the new access proposed and the availability of parking where adopted standards indicate a (maximum) requirement for 5 spaces.
11. The submitted plans appear to show four spaces on site and the appellant suggests that there is ample additional parking spaces available on-street to accommodate any shortfall. I noted the presence of on-street parking on Salerno Road outside of the site at my visit and the slight reduction from standard need not be a material barrier to development. However the proposed access would be close to the outside of a bend and the plans submitted do not show the visibility for the new access and how this can be achieved given that there is a high boundary fence adjacent to the footway along Salerno Road.
12. As the proposal stands I am not satisfied that there is adequate evidence to demonstrate that access and parking for the development can be established in an acceptable manner to ensure highway safety.

Other matters

13. The Council says that the additional population that would be accommodated by the development would place additional pressure on the Solent Coast Special Protection Area (SPA) and that there is no formal mechanism in place to secure a contribution towards mitigation of the adverse effects under the Solent Disturbance Mitigation Project. The appellant says that he is prepared to make such a contribution but that the Council indicated that it was unable to receive it as the application was refused.
14. If the other aspects of the development had been acceptable, I am satisfied that the effects on the SPA could have been mitigated by a contribution secured through a formal Obligation and there is no evidence before me to suggest that such a formal mechanism would not have accorded with the tests set out in paragraph 204 of the Framework or the provisions of the Community Infrastructure Levy Regulations.
15. The Council also expresses concern about the lack of details of refuse and recycling bin storage, but again if the other aspects of the development proposed had proved to be acceptable, I am satisfied that this aspect could be adequately accommodated on the site and could therefore be overcome through planning conditions.

Planning Balance

16. Bringing together my conclusions on the main issues, I have found that the nature and layout of the development proposed would be harmful to the character and appearance of the area due to a cramped layout and an imposing impact on the street scene. Further, even if the trees on site could reasonably be protected during building operations, subsequently there is likely to be pressure from new occupiers which would threaten the retention of trees in the longer term. The siting of two of the three units close to the boundary would also harm the living conditions of neighbours and the inadequate space around unit 3 would fail to provide a reasonable living environment. These factors also indicate that the overall form of the proposal would be cramped and an overdevelopment of the site. Finally it has not been shown that the development would have a safe access. For the reasons I have given I find that the proposal does not accord with the relevant requirements of the development plan, although aspects concerning the mitigation of the effects on the SPA and the storage of waste facilities are capable of being resolved by an Obligation or conditions.
17. These adverse effects have to be balanced with the benefits of development. The proposal would make a small contribution to the increase in the housing stock and the government seeks to encourage sustainable development and boost significantly the supply of housing. However this general benefits does not outweigh the local harm that the development would cause.
18. Overall I find that because of the conflict with the environmental and social dimensions the proposal does not constitute sustainable development when the Framework is read as a whole. There are no other considerations which outweigh the adverse effects.

Conclusions

19. For the reasons given above I conclude that the appeal should be dismissed.

David Murray

INSPECTOR