
Appeal Decision

Site visit made on 21 March 2017

by H Porter BA(Hons) PGDip IHBC

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

Decision date: 27 March 2017

Appeal Ref: APP/W1715/W/16/3164567

Christian Meeting Hall, Granada Road, Hedge End, Southampton SO30 4AL

- 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 Paul Fidler against the decision of Eastleigh Borough Council.
 - The application Ref F/16/78479, dated 28 April 2016, was refused by notice dated 22 June 2016.
 - The development proposed is 1 No 2 bed dwelling, with associated amenity space and parking, following demolition of existing hall.
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Decision

1. The appeal is allowed and planning permission is granted for 1 No 2 bed dwelling, with associated amenity space and parking, following demolition of existing hall at Christian Meeting Hall, Granada Road, Hedge End, Southampton SO30 4AL in accordance with the terms of the application, Ref F/16/78479, dated 28 April 2016, subject to the conditions set out in the Schedule to this decision.

Preliminary matters

2. The Appellant has submitted an alternative scheme, which has been the subject of a subsequent refusal from Eastleigh Borough Council (F/16/79733). As the Council have not indicated a preference for the alternative scheme, I have considered the appeal on the basis of the plans submitted in relation to the original application (F/16/78479). Owing to its current un-adopted status, the policies within the Eastleigh Borough Local Plan 2011 – 2029 revised pre-submission, February 2014 currently carry very little weight.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the area; and its effect on the living conditions of future occupiers of the proposed dwelling, with specific regard outdoor space and outlook.

Reasons

Character and appearance

4. The appeal site fronts Granada Road, a residential street of suburban character and appearance defined by detached and semi-detached late-20th century bungalows and houses. These are of relatively simple design with no prevailing architectural style. Towards the eastern end of Granada Road, in the vicinity of the appeal site, there is less consistency in plot rhythm and sizes or in the
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orientation of buildings in relation to the street. That said, a broadly consistent building line, front boundary and material palette add definition to the street scene.

5. The appeal site occupies a roughly rectangular-shaped plot between two detached dwellings at the east end of Granada Road. The existing single-storey meeting hall is of limited architectural merit, and stands out as anomalous to the otherwise residential character of Granada Road. The proposed development would introduce a two-bedroom dwelling on a slightly larger footprint than the existing building, with off-street parking to the front and a small, enclosed, garden to the side.
6. The Council do not raise any objection in relation to the detailed design of the proposed dwelling per se. Although the dimensions and shape of the appeal site are constrained by the existing properties and gardens around it, the plot size of dwellings in the vicinity is varied and I do not consider that the appeal site would appear inappropriately small in its context. Moreover, the existing plot layout presents a building tightly within one corner of the plot, with open space to the side. While the plot size and shape is unusual, the appeal proposal would not alter the existing relationship of built form to open space to any harmful extent. The front boundary hedge and neighbouring boundary treatment would also ensure that the layout of the plot would not be overly prominent when viewed from the road. I therefore consider that the appeal proposal and its site would not appear cramped or detrimental to the street scene.
7. I therefore conclude that the development would not harm the character and appearance of the area and would comply with Saved Policy 59.BE of the Eastleigh Borough local Plan Review (2001-2011) Adopted May 2006 (the Local Plan) insofar as it requires development takes account of the context of the site including the character and appearance of the locality. The proposal would also accord with submitted Policy DM1 of the Submitted Eastleigh Borough Local Plan 2011 – 2029, July 2014 (the Submitted Local Plan), to the extent that this Policy can be given weight, which seeks to ensure development does not have an unacceptable impact on the character and appearance of urban areas. The proposal would also accord with the core principles and policies within the National Planning Policy Framework, March 2012 (the Framework), which seek high quality design and development that takes account of the character of different areas.

Living conditions

8. The Eastleigh Borough Council 'Quality Places' Supplementary Planning Document, adopted November 2011 (the SPD) sets out the principles of a well-designed development, which includes a minimum provision of useable outside private space that is well-connected to interior spaces, which can be provided by back or side gardens. An absolute minimum for private amenity space is given as at least 60% of the floor space, and to allow for at least two people to sit out in comfort.
9. There is some dispute between the parties regarding the provision of outdoor space in relation to the total floor area; however, the Council accepted that a calculation based on the internal floor area would be close to the 60% requirement. The proposed development would provide a meaningful area of outdoor space of sufficient size for sitting out, adequately set back from the

road by a hedge, parking area and close-board fencing. The position of neighbouring dwellings in relation to the proposed garden would, in my judgement, ensure adequate privacy and off-set any harmful sense of enclosure. Accessed from the kitchen the proposed garden would also be well-connected to the interior spaces. Irrespective of the outdoor amenity provision in percentage terms, therefore, I consider that the outdoor space would be acceptable and that it conforms to the overall aims of the SPD.

10. While the rear and west elevations of the proposed dwelling would be relatively close to the boundary fences, the distance is consistent with the side elevations of many houses locally. Furthermore, the front parking and side garden areas, coupled with the internal layout and distance between No. 1d Granada Road would, in my view, provide a sense of openness and adequate outlook.
11. I conclude, therefore, that the proposed development would provide an acceptable standard of accommodation for future occupiers, in particular regard to outdoor space and outlook. As such, in relation to residential amenity, I find no conflict between the proposed development and Saved Policy 59.BE of the Local Plan, submitted Policy DM1, nor with the aims of the SPD. It follows that the proposal also conforms to the policies and principles within the Framework, insofar as they seek a good standard of amenity for all existing and future occupants of land and buildings.

Conclusion

12. Having had regard to all other matters raised, it is concluded that the appeal should be allowed.

Conditions

13. I have had regard to the various planning conditions that have been suggested by the Council. Conditions setting a time limit for the commencement of development and requiring development to be carried out in accordance with the approved plans are necessary for certainty. A condition relating to external materials is also necessary, to ensure the satisfactory appearance of the development, and the conditions relating to energy and water are necessary to secure the development of an environmentally sustainable development. Given the residential nature of Granada Road, it is necessary to secure the proposed parking spaces prior to the approved dwelling being occupied. The Planning Practice Guidance advises that conditions restricting the future use of permitted development rights will rarely pass the test of necessity and should only be used in exceptional circumstances¹. While the Council seeks to maintain sufficient amenity space and protect neighbouring residential amenity, I am not satisfied that the Council's suggested condition removing many householder rights is necessary, given that I have concluded the development would provide adequate outdoor space, and there would be no harm to neighbouring amenity.

H Porter

INSPECTOR

¹ Planning Practice Guidance ID 21a-017-20140306

SCHEDULE

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PL/01(Proposed New Dwelling), PL/02 (Proposed Block Plan with Roof Shown), PL/03 (Proposed Block Plan with Building Internal Layout).
- 3) No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
- 4) No development shall commence until details of how the dwelling hereby approved will achieve a Code for Sustainable Homes Level 4 requirements for energy and water, or equivalent requirements that are set out in national legislation or policy, with reference to design stage SAP data and BRE water calculator, as well as evidence that the relevant ESD requirements 2 – 8 inclusive of the Eastleigh Borough Council adopted Supplementary Planning Document 'Environmentally Sustainable Development' are to be met has been submitted to and approved in writing by the Local Planning Authority.
- 5) The dwelling hereby permitted shall not be occupied, unless agreed in writing by the Local Planning Authority, until written confirmation that the Code for Sustainable Homes Level 4 requirements set out in Condition 4 have been completed and the 'as built' stage SAP data and confirmation of the water calculation has been submitted to and approved in writing by the Local Planning Authority.
- 6) The dwelling hereby permitted shall not be occupied until space has been laid out within the site in accordance with drawing nos. PL/02 and PL/03 for at least two cars to be parked and those spaces shall thereafter be kept available at all times for the parking of vehicles.