
Appeal Decision

Site visit made on 25 April 2017

by H Porter BA(Hons) PGDip IHBC

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

Decision date: 03 May 2017

Appeal Ref: APP/W1715/W/17/3167777

Land to rear 70/72 Stoke Common Road, Bishopstoke, Eastleigh SO50 6DU

- 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 Derek Miller against the decision of Eastleigh Borough Council.
 - The application Ref F/16/79415, dated 17 October 2016, was refused by notice dated 30 December 2016.
 - The development proposed is 'new dwelling/garage on land to rear of 70/72 Stoke Common Rd, vehicle access via Jockey Lane'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site forms part of the rear gardens associated with Numbers 70 and 72 Stoke Common Road (No 70 and 72) and is bounded by Jockey Lane, which runs alongside No 72. The setting is broadly suburban; that said, the generous overall plot layout gives views to mature trees and undeveloped green space, which contributes to a verdant and spacious local character. Whilst building ages and architectural styles vary, Stoke Common Road houses, on the same side as the appeal site, have a broadly consistent building line and occupy generous, linear garden plots. Jockey Lane exhibits a greater degree of informality, with a built frontage along just one side consisting of two-storey houses on the lower portion and bungalows with a generous set-back at the upper end. There is a sense of openness and greenery in views up Jockey Lane, which is in part contributed to by the undeveloped garden plots of the appeal site.
 4. The absence of any reference to Jockey Lane within the Bishopstoke Character Appraisal does not preclude the contribution the appeal site makes to the area's character and appearance. The appeal proposal would introduce a two-storey, chalet-style dwelling with attached garage on the rearmost portion of the No 70 and 72 gardens. Introducing built form on the east side of Jockey Lane, the proposed dwelling would be unrelated to the frontage on the west side of the street and would interrupt the continuation of gardens associated
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with the Stoke Common Road houses. The gardens of No 70 and 72 would be substantially truncated, reduced by approximately half their length. Although the proposal would provide a garden and off-street parking, the outdoor space would be atypical of the established pattern of relatively generous garden plots. In this context, the ratio of building footprint to overall plot size would be notably smaller than prevails locally. Consequently, the appeal scheme would undermine the plot rhythm and sense of spaciousness to the detriment of the area's established character.

5. The Council raise no objection to the detailed design per se and I would agree that in other locations, the scale and design may be fitting. However, at two storeys and with a ridge higher than that of No. 70, given the rising local topography and in the context of the diminutive, single-storey bungalows opposite, the proposal would appear overly prominent and dominate views up Jokey Lane. By replacing the existing views into and across the undeveloped gardens with built form at the scale proposed, the erosion of the sense of openness and greenery that characterises the locality would be compounded.
6. While aspects of the appeal proposal may meet some of the key design principles within the Quality Places Supplementary Planning Document, November 2011 (the SPD), as well as Saved Policy 59.BE of the Eastleigh Borough local Plan Review (2001-2011) Adopted May 2006 (the Local Plan), fundamentally the development would fail to retain or enhance the established character of area. The development therefore conflicts with Saved Policy 59.BE of the Local Plan, as well as with the overall objectives of the SPD insofar as they requires development takes account of the context of the site including the character and appearance of the locality. The proposal would also fail to 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 conflict with the core principles and policies within the Framework, which seek high quality design and development that takes account of the character of different areas.

Planning balance

7. The proposal would have the social and economic benefits of addressing the current under-supply of housing land, which would support the local economy. Though the personal circumstances of the appellants' may change, the provision of a small dwelling would contribute to the mix of market housing available in the area. The provision of an additional dwelling inside an existing settlement would also support the range of services and facilities; and proximity to such services and public transport reduce reliance on private car.
8. A lack of objection from the occupiers of neighbouring properties and the willingness of the appellants to accept a landscape or condition restricting occupancy are neutral factors of the scheme, which do not weigh in its favour. Nor does a lack of conflict in terms of residential parking or environmental sustainability. I have no substantive evidence to indicate any particular issue with crime or future development proposals associated with the allotment gardens. While I note that the appellant considers the appeal site to be an 'unsurveilled gap', I cannot agree that any modest benefit in terms of natural surveillance outweighs the harm to the character and appearance of the area.

9. On the other hand, while the location may be suitable, the development would result in harm to the character and appearance of the area that would significantly and demonstrably outweigh these benefits. The environmental dimension of sustainable development would therefore not be achieved and the proposal would not represent sustainable development as defined in the National Planning Policy Framework (the Framework).

Other matters

10. I have been referred to several other developments in the vicinity of the appeal site, including 60 new dwellings within view of the appeal site and a two-bedroom bungalow permitted relatively recently in the rear garden of Number 79 Stoke Park Road. While the plot size at 79 Stoke Park Road may be broadly comparable to the appeal site, this development exists on the corner of two residential streets and, being a bungalow, appears of a diminutive scale in comparison to nearby development. I cannot be sure that the circumstances that applied to the other cases mentioned are directly parallel to those before me, including the use of national or development plan policy. However those that I saw on Jockey Lane, Stoke Park Road and Edward Avenue did not appear to represent a direct parallel to the appeal proposal in respect of topography, frontage and context. In any case, I do not consider that previous permissions should justify erosion of the character of the street scene that would arise from the appeal proposal and have determined the appeal on its own merits.

Conclusion

11. For the reasons given above, and in consideration of all matters raised, I conclude that the appeal should be dismissed.

H Porter

INSPECTOR