



Appeal Decision

Site visit made on 23 September 2019

by Tim Crouch DipUD MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Friday, 25 October 2019

Appeal Ref: APP/D1780/W/18/3204850

52 Chatsworth Road, Southampton, Hants SO19 7NJ

- 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 G Warnes against the decision of Southampton City Council.
 - The application Ref 17/01956/FUL, dated 3 November 2017, was refused by notice dated 21 December 2017.
 - The development proposed is demolition of garage, minor alterations to the existing house and the erection of a new 3 bedroom detached dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. As part of the appeal the appellant has provided amended plans which include revised elevations and proposed materials. The Council has commented on these revisions and I have detailed representations from neighbours on the proposal. I therefore do not consider any interests prejudiced by accepting these plans and I have considered them as part of the appeal.

Main Issues

3. The main issues are the effect of the proposal on;
 - The living conditions of neighbouring occupiers,
 - The character and appearance of the area,
 - On-street car parking, and,
 - The Solent Coastline Special Protection Area.

Reasons

Living conditions of neighbouring occupiers

4. The proposal would introduce a new 3 bedroom detached dwelling replacing a single storey garage to the side of the existing dwelling on site. The proposal would be two storey, formed of a main building with a narrower rear projection staggered in from the southern boundary. Both the main building and rear projection elements would be set beyond the rear elevations of the neighbouring properties.
5. The neighbouring property to the south, No 50 Chatsworth Road, has its front door orientated to this shared boundary as well as a conservatory and a ground

floor window serving living accommodation. The proposal, given its two storey height close to the boundary, combined with the extent of the main building to the rear, would significantly reduce the daylight available at this boundary. This relationship will also create an enclosing and tunnelling relationship, close to the front door of No 50 and the outlook of its living accommodation. This would have a significant overbearing impact on occupiers of No 50. Although this is to the north of No 50, so may not interfere with direct sunlight, it will have an adverse impact on daylight received to the ground floor window despite the use of white render to brighten the boundary. I recognise that there is an existing fence on the boundary at approximately 1.5 metres high which could increase to 2 metres without permission. However, the proposal would be apparent above this both within the room and when accessing the property, with the scale of the building apparent and dominant.

6. I recognise that the appellant has considered this relationship, with a slight set back from the boundary and materials, design and position of windows considered to reduce the effect of the proposal. However, the height combined with the depth of the main building would result in an unacceptable overbearing impact and loss of light as proposed.
7. The existing building, No 52 Chatsworth Road, lies to the north of the proposal and is proposed to be altered, including with south side windows replaced into the rear elevation. The appeal plans reference an extant permission for a rear single storey extension which I saw on my site visit had been completed. This reorientation and glazed rear would ensure an acceptable outlook and level of light from the ground floor windows. However, the rear facing bedroom window would have a limited outlook, with an enclosing and tunnelling effect created by the proposed two storey rear projection of the proposal, given the proximity to the boundary and its length. This would not retain acceptable living conditions for occupiers of the dwelling.
8. Therefore, the proposal would cause harm to the living conditions of neighbouring occupiers at Nos 50 and 52. Consequently the proposal would be contrary to Policy SDP1(i) of the City of Southampton Local Plan Review (2015) (LPR), section 2 of the Southampton City Council Residential Design Guide Supplementary Planning Document (2006) (SPD) and the National Planning Policy Framework (2019) (the Framework). Taken cumulatively, and amongst other objectives, these require development to not unacceptably affect the health and amenity of citizens, ensure that access to natural light and outlook is maintained for neighbours and that it results in a high standard of amenity for all users.

Character and appearance

9. Chatsworth Road comprises mainly detached and semi-detached two storey properties, some with side garages and side vehicular or pedestrian accesses. There is a strong established character of two storey built frontage, traditional architecture and tile and brick appearance creating a sense of place, with this varying plot width creating some range of gaps between buildings. However, the gaps are rarely extensive with most of the dwellings set close together producing a tighter grain of frontage. The appeal site is a detached garage to the side of an existing property, a larger and more generous gap between dwellings than common within the frontage.

10. Whilst the proposal would result in a narrower dwelling plot than those adjacent, and would have slimmer built proportions than neighbouring properties, the design, appearance and scale draws from the surrounding development. The infilling of the gap more tightly as proposed would retain the visual rhythm of detached dwellings in this vicinity and would not appear significantly out of keeping with the surrounding development, including immediately to the north which already appears to have been infilled in a similar manner.
11. I therefore do not consider that the proposal would harm the character and appearance of the area. Consequently, it would not be contrary to policies SDP7(iv) or SDP9(i) of the LPR, Policy CS13 of the Southampton Core Strategy (2015), section 3 of the SPD or the Framework. Taken cumulatively and amongst other objectives, these require development to respect the scale, density and proportion of existing buildings and the surroundings, integrate with its surroundings, complement the pattern of development in the rest of the street and respond to local character.

On-street car parking

12. The proposal would require 4 car parking spaces which are shown on the proposed plans. These are set in a row across the frontage which, whilst resulting in car dominated frontage, would be comparable to the existing situation. The Council has identified that the middle two spaces would be 'sandwiched' and have a lack of pedestrian visibility, and therefore contend that this would be unacceptable, leading to additional on-street parking, the capacity of which it considers is already pressured.
13. Given the high level of parking on the streets and within the frontages, with limited turning on plots, vehicle manoeuvring is not an uncommon feature of the street, which is also a no-through road. There are also some boundary features between plots that reduce visibility to a similar level from existing single and double accesses. I therefore do not consider this relationship to be significantly different or materially more harmful to highway safety than other relationships within the street. I therefore do not consider that it will necessarily require on street parking to meet the parking standard.
14. I do however consider that the proposed spaces as aligned will not allow adequate access to the front doors of the existing and proposed properties when all spaces are in use. However, the exact alignment and separation could be subject to a condition should the development have otherwise been considered acceptable.
15. Therefore I do not consider the proposal contrary to Policy SDP1(i) of the LPR, Policy CS19 of the CS or and the Southampton City Council Parking Standards Supplementary Planning Document (2011) which, taken cumulatively, set out the standards and seek to ensure that development does not unacceptably affect the health and safety of the city and its citizens.

Solent Coastline

16. The proposal is set within the catchment of the Solent and Southampton Water SPA and Solent Maritime Special Area of Conservation (SAC). The Council has identified that the proposal has potential to have an adverse effect on these European Designation Sites. The appellant has made a contribution to the

Solent Disturbance Mitigation Project in line with the Council's mitigation strategy and has completed a legal agreement to seek to overcome this issue.

17. However, given my findings on the first main issue I have not considered this matter further, including whether an appropriate assessment is required or the necessity of a legal agreement.
18. However, with or without an obligation or other mechanism to secure the mitigation, my overall conclusion on the acceptability of the development would remain unchanged.

Other matters

19. I recognise that the proposal would contribute to housing supply and local economic needs by providing work for builders. However, these would be a minor benefit given the scale of the proposal and does not outweigh the harm that I have identified.

Conclusion

20. The proposal would harm the living conditions of neighbouring occupiers. Whilst I have found that it would not harm the character and appearance of the area or local highway amenity, this harm would be significant and long lasting and therefore is overriding in this case.
21. For the reasons given above, I conclude that the appeal is dismissed.

Tim Crouch

INSPECTOR