The Planning Inspectorate

Appeal Decision

Site visit made on 15 June 2020

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 June 2020

Appeal Ref: APP/X1735/W/19/3243125
175 London Road, Waterlooville PO7 7RJ

- 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 A Blackburn against the decision of Havant Borough Council.
- The application Ref APP/19/00922, dated 12 September 2019, was refused by notice dated 15 November 2019.
- The development proposed is described as "*Following demolition of the existing single storey building the construction of Two 3 bedroom properties, One 2 bedroom bungalow and One 1 bedroom bungalow with the retention of the existing detached property with associated new access road, soft and hard landscaping and parking*".

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address and the description of proposed development from the planning application form although I note these are expressed differently on other documents. Other documents include reference to 177 London Road, the existing detached property that is to be retained and that is included within the red line planning application site boundary. For clarity, my considerations have included 177 London Road.

Main Issues

3. The main issues raised in this case are the effect of the proposed development upon: -

   a) The character and appearance of the area; and

   b) The Solent Special Protection Areas (the SPAs) and internationally designated ecological sites.

Reasons

Character and appearance

4. The appeal site is located within a predominantly residential area, although a retail premises abuts the site and there is a church opposite. The appeal site is located adjacent to the existing residential development within both London Road and Rowlands Avenue. The residential properties along both these streets are mainly two-storey semi-detached dwellings that follow a common

frontage building line and are set within their own plots with long rear gardens. This creates a distinctiveness to the residential character of the area within the vicinity of the appeal site. The rear gardens also provide a spacious quality to the character and appearance of the environment behind the road frontage dwellings that is free from in-depth residential development.

5. The proposal seeks to erect a pair of semi-detached two-storey dwellings along the road frontage of the site. These dwellings would reflect the front building line and general size and appearance of dwellings along London Road and Rowlands Avenue. However, the proposal would introduce residential development behind this pair of semi-detached dwellings and 177 London Road. This in-depth development would be out of keeping with the existing prevailing pattern of the existing residential development within the locality. Furthermore, in-depth residential development would not reflect the spaciousness of the environment at the rear of dwellings that contributes to the distinctive character and appearance of the area.

6. In addition to the above, the plot and rear garden sizes relating to both the proposed pair of semi-detached dwellings and 177 London Road would be significantly smaller than those of the properties within the vicinity of the appeal site. This can also be said for the gardens relating to the two proposed dwellings to the rear of the site. The roadway through the site would create a substantial amount of hard surfaced area within the development. These are uncharacteristic and would not reflect the form of existing residential development in the area. Furthermore, in-depth dwellings within the appeal site would create a development of cramped appearance when compared to that of the existing residential development in the area.

7. Taken collectively, the proposal would not respond positively to the existing development within the surrounding area and it would not visually integrate with the prevailing pattern of residential development and its spacious character to the rear of the road frontage dwellings. For this reason, the proposal development would be harmful to the distinct character and visual appearance of the area. This harm would be readily apparent in the outlook of neighbouring occupiers and in public views from London Road along the proposed access.

8. I acknowledge that the appeal site is not within a conservation area and there are no listed buildings close by. I do not doubt that the appellant would seek to achieve a high standard of dwelling design utilising quality materials within the scheme. The removal of the existing building and a non-conforming use would benefit the residential living conditions of existing neighbouring occupiers. Whilst these are merits of the scheme, they do not overcome my above concerns relating to the proposed development's impact upon the character and visual appearance of the area or justify the proposed development.

9. I have been directed to a development at 78/80 Silvester Road granted planning permission in 2017 where two bungalows have been erected behind road frontage dwellings. That site is some distance from the appeal site, and I observed that the road frontage development in that area has a less regular pattern with some properties positioned deeper into their plots than others. I also saw that the cul-de-sac of Orchard Grove punctuates the land between Silvester Road and Rimington Road. As a result, the land to the rear of

properties fronting Silvester Road does not host the same spaciousness that characterises the environment to the rear of properties along London Road and Rowlands Avenue. I also observed that the development that has taken place to the rear of 78/80 Silvester Road is extremely cramped and is not necessarily an example of residential development that should be replicated elsewhere. I, therefore, do not consider that development offers support for the proposal before me.

10. With regard to 50 Silvester Road, I have been provided with the Council's decision notice that granted planning permission for a detached bungalow with associated car park, revised drive and landscaping following removal of an existing outbuilding and conservatory. The grain of the existing development in that area is of a more intensive form to that within the vicinity of this appeal site. In addition, there is less spaciousness to the rear of properties and between road frontage developments than is the case in the proposal that is before me. I do not consider that example is directly comparable to the proposal that is before me. The proposal before me, therefore, can and should be considered on its own merits.

11. For the above reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would, therefore, conflict with Policy CS16 of the Havant Borough Core Strategy Local Development Framework 2011, the Havant Borough Design Guide Supplementary Planning Document (SPD) 2011 and the National Planning Policy Framework (the Framework). The policy, SPD and the Framework seek, amongst other matters, development to respond to, draw inspiration from and respect local context and to apply characteristics of the local area into the design.

SPAs and internationally designated ecological sites

12. The proposal would be within 5.6km of the Solent SPAs. The Council has identified a likely significant impact upon the SPAs as a result of increased recreational disturbance arising from residential development and related population growth. The Council has advised that it has received money and a Unilateral Undertaking that would mitigate the impact of the development as a financial contribution has been made to the Solent Recreation Mitigation Scheme. On this basis the Council advises that it withdraws refusal reason 2.

13. In addition, the Council also highlights uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the water quality of designated sites within the Solent, those being the Chichester and Langstone Harbours SPA, Solent and Dorset Coast SPA and Solent Maritime Special Area of Conservation. The appellant is willing to accept a planning condition to deal with this matter.

14. Notwithstanding the above, given that I am dismissing this appeal for other reasons it has not been necessary for me to consider these matters in any further detail or to undertake an appropriate assessment to assess the development's effect upon the integrity of the protected habitats.

Other Matters

15. The appeal site would represent a sustainable location as it would have good accessibility to public transport providing connectivity to nearby centres and

Portsmouth further afield. Car parking and cycle storage at the site would accord with Council standards and an electric vehicle charging point could be incorporated into the scheme. I saw that many of the residential properties along London Road host frontage parking similar to that proposed for the frontage dwellings within the proposed scheme. I acknowledge that the dwellings to the rear, being single storey, would not harm the living conditions of neighbouring existing occupiers. I also note the appellant's commitment to ensuring the design of the dwellings would provide suitable accessibility for all persons and the dwellings would be dual aspect with good levels of natural light and ventilation for future occupiers. The gardens could include tree and shrub planting that could host bio-diversity. In addition, the proposal would contribute four dwellings to the Borough's housing supply that could potentially be built out quickly.

16. I accept that these are all merits of the proposed scheme. Nevertheless, I have found that the proposal would be harmful to the character and appearance of the area. The adverse impacts would significantly and demonstrably outweigh the benefits of the scheme when considered against the development plan polices and the Framework when read as a whole. Consequently, the presumption in favour of sustainable development does not apply in this case.

17. A number of interested parties have raised other concerns about the proposal but in view of my conclusions on the first main issue there is no need for me to address these in the current decision.

Conclusion

18. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies
INSPECTOR