
Appeal Decision

Site visit made on 27 July 2020

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 07 August 2020

Appeal Ref: APP/Z1775/W/20/3249652

Land to rear of 76 Vernon Road, Portsmouth PO3 5DS

- 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 Chris Harris against the decision of Portsmouth City Council.
 - The application Ref 19/00510/FUL, dated 22 March 2019, was refused by notice dated 2 January 2020.
 - The development proposed is described as '*demolition of existing outbuildings and the erection of 10 garages with storage*'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the address that was given on the decision notice and which was repeated on the appeal form as this appears to more accurately locate the appeal site compared with that given on the planning application form.
3. The description of development in the banner heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, it refers to a different description of development. It is clear from the plans and accompanying details that the proposal was amended before the Council determined the planning application and the development comprises the 'construction of seven garages and one storage building (following demolition of existing outbuildings) and the construction of a fence'. The Council dealt with the proposal on this basis and so shall I.

Main Issue

4. The main issue is the effect of the proposed development on open space and the green infrastructure network.

Reasons

5. The appeal site is located to the rear of Vernon Road and Glenthorne Road, within a primarily residential area, and comprises an area of open land approximately 507 square metres in size. There are two existing outbuildings and a shed on the site. It is mainly laid to grass with shrubs and in places is overgrown with bushes and other foliage. Access to the site is via a service road off Glenthorne Road, which provides access to existing garages at the rear of Vernon Road and Glenthorne Road.

6. The proposal is to demolish the existing outbuildings and the shed on the site and construct seven garages, one storage building, and along the northern, southern and western boundaries of the site a close boarded fence 1.8 metres in height. The grassed area and other foliage would be replaced with permeable paving.
7. Policy PCS13 of The Portsmouth Plan¹ states that the city council will work collaboratively to protect, enhance and develop the green infrastructure network in several different ways. The outcome of the policy, amongst other things, is to create a network of multifunctional green open space in Portsmouth for the enjoyment of residents and wildlife alike.
8. Policy PCS13 goes on to state, amongst other things, that green infrastructure will be protected by refusing planning permission for *'proposals which would result in a net loss of existing areas of open space, as shown on map 21, and those which would compromise the overall integrity of the green infrastructure network in the city, unless there are wider public benefits from the development which outweigh the harm'*.
9. Map 21, referred to in Policy PCS13, shows areas of *'protected open space'*. It indicates that the appeal site is not located within such an area. So, whilst the proposal would not result in the loss of a *'protected open space'*, it would nonetheless result in a net loss of open green space by virtue of the proposed development, which would include the construction of seven garages and one storage building.
10. The supporting text to Policy PCS13 states that the green infrastructure network is particularly important in Portsmouth given the limited amount of existing and potential green spaces. It goes on to state that green and open spaces can bring a number of economic, social and environmental benefits including opportunities for social cohesion and biodiversity and the promotion of healthy living. Moreover, greening the built environment will provide a network of multifunctional green and open spaces. The National Planning Policy Framework (the Framework) defines² green infrastructure as *'a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities'*.
11. The appellant contends that the site is an area of waste backland. However, whilst modest in size, it is, nevertheless, an area of open green space with grass, shrubs and other foliage. Furthermore, I have not been presented with any compelling evidence to indicate that the site does not provide a wealth of environmental benefits, such as a habitat and movement corridor for a variety of animals and plant species.
12. Aside from any environmental benefits, the supporting text to Policy PCS13 explains that, given the pressure on Portsmouth's green infrastructure network from increasing population numbers to climate change and the need for new development sites, the Council's priority will be to focus resources on protecting, enhancing and linking together the existing network of urban green spaces. I acknowledge the appellant's point that an existing area of open green space would be retained to the south of the appeal site. However, its

¹ The Portsmouth Plan – Portsmouth's Core Strategy (adopted January 2012).

² In Annex 2: Glossary

existence would not in itself represent a reason for the loss of open green space at the appeal site. Whilst the appeal site is not '*protected open space*', and even though it is modest in size, it nonetheless forms part of the urban green infrastructure network of the city. Therefore, taking into account the Council's priority to protect the existing network, the proposal would, by virtue of a net loss of existing open space, compromise the overall integrity of the green infrastructure network.

13. The appellant points out that there are 23 other garages in the immediate surrounding area and the proposed garages, which would be used by members of his family and others in the surrounding area, would help alleviate the chronic parking situation within Portsmouth. I acknowledge that the proposal would have some benefit in this regard. However, the proposal is for only 7 garages that would largely benefit the appellant's family and a limited number of other people in the surrounding area rather than the wider public.
14. For the reasons outlined above, I conclude that the proposal would not protect the green infrastructure network in the city insofar as it would represent a loss of open green space. In doing so the development would compromise the overall integrity of the green infrastructure network in the city. No wider public benefits from the proposed development outweigh the harm. Consequently, in this regard, the proposal would be contrary to Policy PCS13 of The Portsmouth Plan and the social and environmental objectives of the Framework.

Other Matters

15. The appellant contends that the proposal represents an opportunity to open the area up, prevent the use of the site as storage land and would be a deterrent to anti-social activity which he says is a problem on the site. I have taken these factors into account, however they do not outweigh the harm that I have found in respect of the main issue.
16. The appellant refers to other development proposals where he says open green space has been built on. However, I am not aware of the full circumstances of these other cases and in any event, I have determined the appeal proposal on its individual planning merits based on the evidence before me.
17. None of the other matters raised alter or outweigh my overall conclusion on the main issue.

Conclusion

18. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Andrew Bremford

INSPECTOR