



Appeal Decision

Site visit made on 8 September 2020

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 16 September 2020

Appeal Ref: APP/D1780/W/20/3254859
20 St Anne's Road, Southampton SO19 9FF

- 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 Thomas of Boulevard Property Holdings Ltd against the decision of Southampton City Council.
 - The application Ref 20/00018/FUL, dated 3 January 2020, was refused by notice dated 9 March 2020.
 - The development proposed is reorganisation and infill extension of the existing building to provide 12 no. one-bedroom flats (net gain of two flats), including bin store, cycle store and demolition of part of the existing building.
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Decision

1. The appeal is dismissed.

Main Issues

2. The effect of the proposal on;
 - a) the character and appearance of the host building and the St Anne's Road Conservation Area, and
 - b) the living conditions of the occupiers of No. 18 and No. 22 St Anne's Road, with particular regard to privacy.

Reasons

Character and appearance

3. The St Anne's Road Conservation Area (CA) is made up of a small number of large detached mid to late Victorian villas fronting the east side of St Anne's Road. The villas, and in particular their original architectural form and detailing, make up the defining characteristics of the CA. Most are largely screened behind mature trees, hedges and understorey planting alongside the road.
4. The principal square four room block of the appeal building retains much of its original form and detailing and therefore contributes to the significance of the CA. Although set down with low slung hipped roofs and matching materials, the proposed extensions would occupy a large footprint and represent a significant addition to the existing building. The side elevation when viewed from the entrance drive would appear particularly drawn out across the length of the plot, and the rear portion, which would span across two rear wings, would represent an overdevelopment of the building. In combination the extensions would overwhelm the original scale and form of the building.

5. I appreciate that the extensions at the rear are largely screened from the road owing to the position of the existing building and vegetation. However, the rear areas of the plot would be shared between 12 residential units and thus would be more public than a typical private rear garden. Furthermore, by overwhelming the scale of the original building the proposal would cause harm to the defining characteristic of the CA.
6. Most buildings in the CA have been extended to some degree. An extract from a conservation area appraisal suggests that there is no uniformity of style between the buildings. As such, each building should be treated with an appropriate level of individuality, and there are no existing extensions or alterations at the appeal site that could justify extensions of the scale proposed.
7. The statutory duty set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The proposed extensions would have a negative effect on the significance of the CA, resulting in harm. In terms of the National Planning Policy Framework the harm would be less than substantial, however permission should only be allowed if clear public benefits outweigh against this harm. The proposal would deliver two additional units of living accommodation. The delivery of housing is a public benefit, however there is no evidence before me to suggest that the contribution of two additional residential units to local housing supply would be of sufficient weight to outweigh against the harm identified.
8. In summary, the proposal would harm the character and appearance of the host building which would fail to preserve or enhance the character or appearance of the CA, contrary to Saved Policies SDP1, SDP7, SDP9 and HE1 of the City of Southampton Local Plan Review 2015 (Local Plan) and Policies CS13 and CS14 of the Local Development Framework Core Strategy Development Plan Document 2015. Together these policies seek to ensure that development proposals are of a high quality of design that preserve or enhance the character and appearance of a conservation area.

Living conditions

9. Two new windows would face out from the side of the building at first floor level towards No. 22 St Anne's Road (No. 22), to the north of the appeal site. These new openings would face towards the rear extensions of No. 22 with an intervening driveway and vegetation. Private areas of garden serving No. 22 appeared to be towards the northern boundary of the plot, away from the appeal site. I am satisfied that any additional overlooking from occupiers of the proposed extension towards this neighbouring property would not be harmful.
10. The proposed extensions would bring the building closer to No. 18 St Anne's Road (No. 18), to the south of the appeal site. Two windows in the proposed side extension serving Flat 8 and two new windows in the existing building serving Flat 5 would face out towards this neighbouring property. All four windows would be much closer to the neighbour than the two windows on the side of the existing rear wing at this level. Owing to the relative angles of the appeal building and No. 18 the buildings are closer towards the rear, to the extent that the new openings along the side elevation, particularly those serving Flat 8, would be angled to face towards the most private area of garden

immediately to the rear of No. 18. I could see no evidence at my visit that the neighbour's principal amenity space is situated further to the east as suggested by the appellant.

11. There is some intervening vegetation along the shared boundary that would provide a degree of screening, however I am not satisfied that this could be relied upon as plants are overrun with ivy and some of the small trees here appear to be dead. Therefore, the boundary did not appear sufficient to prevent the future occupiers of Flats 5 and 8 from looking down over the neighbouring garden at a distance where such overlooking would cause an unacceptable level of harm to the living conditions of neighbouring occupiers.
12. In summary, although the proposal would not harm the living conditions of the occupiers of No. 22, it would harm the living conditions of the occupiers of No. 18, contrary to Policy SDP1 and H2 of the Local Plan, which together seek to ensure that development proposals do not unacceptably affect the amenity of the occupiers of adjoining land.

Other Matters

13. The appeal site is within the vicinity of the Solent and Southampton Special Protection Area and Ramsar site, the Solent Maritime Special Area of Conservation and the New Forest Special Area of Conservation, Special Protection Area and Ramsar site. The addition of a residential unit would be likely to have a significant effect on the internationally important interests and features of these areas, in combination with other plans and projects. However, as I am dismissing the appeal the likely significant effect will not occur and this matter does not therefore need to be considered further.

Conclusion

14. For the reasons above, the appeal should be dismissed.

Andrew Tucker

INSPECTOR