
Appeal Decision

Site visit made on 14 September 2020

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 September 2020

Appeal Ref: APP/Z1775/D/20/3256094

Vittoria, The Circle, Clarendon Road, Southsea PO5 2JN

- 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 Alan Cottrell against the decision of Portsmouth City Council.
 - The application Ref 20/00136/HOU, dated 2 February 2020, was refused by notice dated 13 May 2020.
 - The development proposed is described as 'the removal of section of front boundary low wall, including 1 pillar and top wooden fencing and the gate. (photo to be attached) about 3.49 m total. Creation of a dropped kerb'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on i) the character and appearance of the area, including the Owen's Southsea Conservation Area (No. 2); and ii) highway safety.

Reasons

Character and appearance

3. The appeal site is occupied by a semi-detached property set back from the highway within a largely residential area which forms a part of the Owen's Southsea Conservation Area No 2 (OSCA). The semi-detached pair have a strong symmetrical appearance. They have modest front gardens and the front boundary is a low brick wall with close board fencing on top and brick pillars. They are largely well-maintained examples of the dwellings originally built around The Circle.
4. The Owen's Southsea Conservation Area No 2, Guidelines for Conservation, dated July 1994 (last updated October 2006) (the Guidance) provides a useful context for assessing the significance of this designated heritage asset. The significance of the OSCA is derived in part from the walls and fences, landscaping, and layout. The strong front boundaries provide a sense of enclosure and separation between the public and private realms. Small incremental changes have cumulatively led to a gradual decline in the area's distinctive character through loss of boundary features and gardens. This increases the significance of the remaining examples.

5. On my site visit I observed that works to the front boundary have been carried out. The works have removed a gate, pillar and a section of low brick wall with fencing on top. This has resulted in the substantial loss of an attractive feature that positively contributed to the variety of boundary treatments in the townscape. Furthermore, this has opened up the frontage of the property, thus eroding the sense of enclosure and clear separation of the public and private realms. It has diminished the largely preserved symmetry of this pair of attractive brick houses. The proposal has exposed the provision of hard standing to the front of the property and the loss of the front garden. Whilst I note other accesses and areas of hardstanding in the vicinity, including Nos 1 and 4 Maple Road, none justify allowing a further gradual decline in the character and appearance of the area.
6. The proposal would potentially provide an off-street parking space that could be used by an electric vehicle. However, I have little evidence that the available on-street parking is insufficient to meet the needs of the area. Furthermore, I have no suggested means to ensure that the space would be used in connection with an electric charging point. As such, I consider the scale of any public benefit to be very limited. Paragraph 193 of the National Planning Policy Framework (the Framework) sets out that great weight should be afforded to the conservation of designated heritage assets. There are no public benefits that outweigh the less than substantial harm that would occur.
7. Therefore, in conclusion on this main issue I find that the proposal would harm the character and appearance of the area, including the OSCA. As such, the proposal would be contrary to Policy PCS23 of The Portsmouth Plan, Portsmouth's Core Strategy, Adopted 24 January 2012 (CS), Sections 12 and 16 of the Framework and the Guidance for the OSCA. These seek amongst other aims to ensure that new development is of good design and respects the character of the city including, its conservation areas, townscape and cultural heritage.

Highway safety

8. The submitted plans do not show the visibility splays from the proposed access, the dimensions of any vehicular parking or how vehicles may manoeuvre in and out of the space. Furthermore, without such technical evidence I place significant weight on the expert views of the Council's highway officer who has objected to the proposal despite the work being granted by the Council's highway contractor.
9. Given the limited width and alignment of the highway, the presence of on-street parking bays, and the 20 mph speed restriction I consider that the traffic speeds are likely to be low outside of the appeal site. However, even allowing for low speeds the proposal is likely to result in substandard visibility which would be prejudicial to highway safety, especially given the proximity to the Maple Road junction. Furthermore, based on my site observations the depth of the site appears to be limited and the use of parallel parking would likely be at least awkward. I have observed that there are other historic access points in the immediate vicinity, many of which have restricted visibility. However, these do not set a precedent for allowing additional harm to the safe operation of the highway.
10. Therefore, in conclusion on this main issue I find that the proposal would harm highway safety. As such, the proposal would be contrary to Policies PCS17 and

PCS23 of the CS and Section 9 of the Framework. These seek amongst other aims to ensure a sustainable transport network, including well designed car parking, and avoid unacceptable impacts on highway safety.

Other matters

11. The appellant has raised significant concern in relation to procedural matters, including the advice that they received prior to starting works and the apparently contradictory positions of the Council and their highway contractor. However, whilst I understand the appellant's obvious frustration, this is beyond the planning merits of the proposal.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

James Taylor

INSPECTOR