
Appeal Decision

Site visit made on 12 January 2021

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2021

Appeal Ref: APP/L1765/W/20/3259941

24 Langton Close, Winchester SO22 6RJ

- 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 and Mrs Lawson against the decision of Winchester City Council.
 - The application Ref 20/00578/FUL, dated 15 March 2020, was refused by notice dated 20 August 2020.
 - The development proposed is new dwelling to end of existing terrace.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. The appeal site lies in a visually prominent position on the corner of Langton Close and Stockbridge Road within a predominantly residential area on the edge of Winchester City Centre. The property comprises an end-of-terrace, three-storey, flat-roofed house which fronts onto the cul-de-sac of Langton Close. Vehicular access is from the Close and serves driveway parking, which is flanked by grass.
4. No.24 is characteristic of the open-plan, mid-to-late 20th Century, terraced housing and flats development of Langton Close. The Council has raised no objection to the design of the new dwelling per se. I agree that it would be in keeping with that of the terrace to which it would be attached.
5. However, whilst no.24 comprises an integral part of Langton Close, the position of the appeal site is such that it also has a strong visual relationship with the Stockbridge Road townscape. The side wall of no.24 currently aligns with the front elevation of the flats on the opposite side of the Close, and the two-storey residential property to the rear of the appeal site. Although these properties are sited in an elevated position in relation to Stockbridge Road, their set-back position behind a soft landscaped buffer enables the buildings to sit comfortably within the Stockbridge Road townscape.
6. The proposed new building would result in a harmful erosion of the existing soft landscaped buffer separating no.24 with Stockbridge Road, bringing built

- development adjacent to the entrance of Langton Close significantly nearer to the Stockbridge Road frontage. This would disrupt the established pattern of positioning of built development in relation to this part of Stockbridge Road, and the existing symmetry of building line across the entrance to the Close.
7. The result would be an incongruous form of development within the context of the immediate built environment, which is visually prominent within the public realm due to its position near the Close entrance and fronting onto the busy Stockbridge Road, which is one of the main access roads into the city centre.
 8. The projection of the new dwelling beyond the building line established by the properties to both sides fronting Stockbridge Road, would be very apparent in views from Stockbridge Road, due to the combined width, depth and three storey height of the new building, together with its elevated position in relation to the highway, and position close to the top of the banked grassed highway verge.
 9. The height and visual prominence of the building would be compounded in views from the southeast, as Stockbridge Road rises in a northwesterly direction. The new building would also appear visually over-dominant in relation to the two-storey residential properties to the rear of the site, which are of a modest domestic scale and sited at a lower ground level than the appeal site. This would be particularly apparent in relation to the property which abuts the rear of the appeal site, which would be set further back from the street than the new building. The result would be an unduly visually prominent form of built development that would not sit comfortably within the Stockbridge Road street scene, to the detriment of the visual amenities of this part of the road.
 10. I am not persuaded that the harm I have identified could be adequately mitigated by the repositioning of the boundary hedge and introduction of two additional trees. The evidence before me, does not satisfactorily demonstrate that such planting would be capable of screening the proposal in wider views from the public realm. Moreover, I found on my site inspection that the site is clearly visible within the townscape of Stockbridge Road, from the entrance to Langton Close and when approaching the site from the southeast and northwest along Stockbridge Road. In this respect, I note that the existing roadside trees and soft landscaping within the site vicinity do not provide landscaped screening of the appeal site, particularly during this time of the year when the trees are not in full leaf.
 11. Whilst the distance between the side of the new dwelling and the back of the public pavement may not differ markedly from that of other properties further southeast along Stockbridge Road, I do not find this to be a comparable situation. These properties comprise a markedly different form of development of two storey houses directly fronting the road and set back behind enclosed front gardens and at a lower ground level than the appeal site, with no highway verge in front of them.
 12. The appellants have drawn my attention to a number of corner plot developments within Winchester City Council area, where new housing has been approved forward of a building line, including where landscaping has been used as a means of mitigating any harmful impacts. On the basis, of the information before me, I find that none of these are directly comparable with the appeal scheme in respect of their detailed design, juxtaposition with

neighbouring properties and relationship with the street scene. In any case, I must determine this appeal on the basis of the particular circumstances of the appeal site and on the merits of the scheme before me.

13. For the above reasons, I therefore conclude that the proposal would materially harm the character and appearance of the area. As such, the development would be contrary to Policy DM16 of the *Winchester District Local Plan Part 2 Development Management and Site Allocations* (2017) and guidance HQB2, HQB3 and HQB4 of the *High Quality Places Supplementary Planning Document* (2015). This policy and guidance, amongst other things, seeks to ensure that new development responds positively to the character of the area in terms of its design, scale, massing, and layout and that corner buildings are designed to address all aspects facing the street.
14. For similar reasons, the proposal would also be contrary to chapter 12 of the *National Planning Policy Framework 2019* (the Framework) which seeks to ensure high quality design.

Other Matters

15. When judged against some of the core planning principles of the Framework, the appeal proposal would perform well in that it would be in an urban area where access to facilities is likely to be greatest. Also, there would be a small social benefit in providing an additional housing unit, and economic benefits as a result of the construction and occupation of the new house. However, these benefits would not overcome the harm to the character and appearance of the area.
16. Notwithstanding that the Framework encourages the effective use of land, and requires the Council to approach decisions in a positive and creative way, these matters are not unqualified, and would not address, or outweigh the aforementioned harm I have identified in respect of the main issue.
17. I have noted the letters of support from neighbours and the lack of objections from the Council's consultees. However, this does not affect my above conclusions in respect of the main issue.
18. Whilst the Council has raised no objection to the proposal having regard to living conditions, parking and highway safety, trees, biodiversity and drainage, and the proposal incorporates elements of sustainable design, these are all requirements of the development plan in any case, and do not outweigh my conclusions on the main issue.
19. The appellants have referred to the Council's procedures during the determination of the planning application, including a difference of recommendation between the case officer and her line manager, and the administration process in respect of drawings Ref 121/101A and 121-104, and the officer presentation to the planning committee. These are not matters for consideration as part of this appeal. I have determined the appeal on the merits of the proposal before me, including consideration of the aforementioned drawings and proposed additional tree planting, and in so doing I have undertaken a site inspection.
20. The appellants have drawn my attention to positive pre-application advice received from the Council. I note that this was in respect of a different proposal for a side extension. Notwithstanding this, I am not bound by the advice given

by the Council prior to the submission of the planning application and it does not alter or outweigh my conclusion on the main issue.

Conclusion

21. For the above reasons, I conclude that the appeal should be dismissed.

S Leonard

INSPECTOR