
Appeal Decision

Site visit made on 4 May 2021

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 June 2021

Appeal Ref: APP/X1735/W/20/3264502

2 - 4 Church Road, Hayling Island PO11 0NT

- 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 Mike Gates (Hayling Garage) against the decision of Havant Borough Council.
 - The application Ref APP/20/00315, dated 20 April 2020, was refused by notice dated 25 June 2020.
 - The development proposed is single storey side extension to create a work shelter.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I note that the planning application was submitted retrospectively, but that the appeal scheme proposes changes to the work shelter that has been constructed. I have dealt with the appeal accordingly.

Main Issues

3. The main issues are:
 - The effect of the appeal scheme on the living conditions of neighbouring residents, having regard to on-street parking; and
 - The effect of the appeal scheme on the character and appearance of the area.

Reasons

Living Conditions

4. The appeal site comprises a commercial garage used for vehicle sales, repairs and servicing. It is located at the junction of Church Road and Tournembury Lane, within a suburban mixed residential and commercial area. There are residential properties to the east in Tournembury Lane and to the north in Church Road. On the opposite side of Tournembury Lane is a co-operative store and associated car park, and there is an engineering works on the opposite side of Church Road. More commercial properties are located along Church Road to the south of the junction with Tournembury Lane.

5. The garage use occupies the ground floor of a two-storey building. There are two flats above, which are independently accessed by an external staircase on the side of the building. They do not benefit from on-site carparking.
6. Vehicles are displayed for sale in a forecourt area at the front of the building facing onto Church Road and partly extending around the corner with Tournerbury Lane. For the most part, the site frontage is open, and there is an extensive amount of dropped kerb which allows vehicular access across the pavement. The remainder of the frontage onto Tournerbury Lane is enclosed by a low boundary wall, incorporating a further vehicular access, which is sited close to the adjacent property at no.1.
7. A flat-roofed, single storey addition, incorporating large roller shutter doors in the front and rear elevations, has been constructed to the side of the building between the side wall and the site frontage. This is currently used as a covered workshop area.
8. The Council has confirmed that the proposal would require 4 on-site parking spaces to in order to meet the *Havant Borough Council Parking Supplementary Planning Document* (2016) (the Parking SPD) standards in respect of B2 use floorspace, and an additional 5 on-site spaces in respect of the service bay and forecourt display of cars for sale.
9. The Council considers that the former could be provided at the rear of the site, and, following my site inspection, I see no reason to disagree. The appeal scheme incorporates the latter, by replacing part of the forecourt car sales display area at the front of the building with 5 designated customer and staff parking spaces, accessed from Church Road. However, only 4 spaces could be provided in this location, having regard to the width requirements of the Parking SPD.
10. The appellant has offered to reduce further the car sales area in order to address this shortfall in staff and customer parking, confirming that, if necessary, space could be rented elsewhere off-site for the parking of cars for sale. Whilst the appellant states that a parking plan was submitted to the Council, I have not been provided with a proposed comprehensive parking plan for the site as part of the appeal documents, and the Council has confirmed that such a plan did not form part of the documents upon which it made its decision. Notwithstanding this, I consider that the identified small shortfall in on-site parking could be addressed in the manner proposed by the appellant, by rearranging the existing on-site parking.
11. I have had regard to the Council's concerns that the appeal scheme, by increasing the commercial use of the site and removing a potential parking area, could add to the impacts associated with an existing limited and congested on-site parking arrangement, resulting in increased pressure for on-street parking and indiscriminate road parking. This view is supported by an aerial photograph, dated April 2021, which shows a cramped arrangement of parked vehicles on the site. However, I am not persuaded that this provides cogent evidence of on-street parking congestion on the nearby highway.
12. I also acknowledge third party objections in respect of inadequate on-site parking within the appeal site leading to the parking of vehicles linked with the appellant's business within the street, with resulting impacts such as

indiscriminate parking on double yellow lines, parking stress, congestion, restricted access and highway danger.

13. During my site inspection, I observed that there are double-yellow lines on both sides of the western end of Tournerbury Lane close to the junction with Church Road, and that such restrictions continue for a considerable distance eastwards along the northern side of the road. Unrestricted street parking is available elsewhere in the street. Although on-street parking is limited within the vicinity of the appeal site, I noted that, in general, on-site parking is provided within the residential properties in Tournerbury Lane.
14. I did not witness any localised parking problems, parking congestion or impeded access to the highway network during my site visit, which took place on a weekday afternoon. However, I acknowledge that this was only a snapshot during the day, and there may well be more on-street parking at other times, including the evenings and weekends.
15. Whilst the evidence before me is that the on-site arrangement of vehicles on site appears to have been tight on occasions, this was not the case at the time of my site visit. As such, I have no detailed evidence of the level of the existing parking issues, and neither party has provided any parking surveys to confirm the extent of the issue.
16. For the above reasons, whilst the development does not strictly accord with the parking standards of the Parking SPD, and in the absence of compelling evidence to the contrary, I find that this small shortfall is capable of being addressed, having regard to the transport needs of the appeal site, without resulting in demonstrable harm to the living conditions of neighbouring residents, having regard to on-street parking.
17. As such, I find that the development accords with the objectives of Policies CS16 and DM14 of the *Havant Borough Core Strategy* (2011) (the Core Strategy) and the Parking SPD, in so much as they seek to ensure that new development helps create places where people want to live, work and relax, and that parking in proposed developments does not create street congestion, road safety issues or tensions within a community.
18. In coming to this view, I have also been mindful that Paragraph 109 of the *National Planning Policy Framework 2019* (the Framework) advises that "*Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*".

Character and Appearance

19. The appeal site lies in a visually prominent position at the junction of Church Road and Tournerbury Lane, and the work shelter extension would be very apparent in public views from both streets due to its size and position close to the site frontage.
20. The host property is a two-storey traditionally designed building, with brick walls under a tiled pitched roof and a single storey hipped roof front projection. Part of the ground floor is finished in white horizontal cladding, with white render to the front projection.

21. The proposal would alter the existing side extension by lowering the roof height by approximately 0.5m and changing the wall finish from dark green corrugated metal cladding, to white pvcu cladding, and the colour of the roller doors from green to white. The roof materials and the footprint of the building would remain unaltered.
22. The north side of Tournerbury Lane to the east of the appeal site is characterised by detached bungalows. These are set well back from the road, behind low front boundary walls/fences. There is a regular front building line, which roughly aligns with the side wall of the two-storey element of the appeal property. This set-back positioning of development is also reflected in the residential properties on the opposite side of the road beyond the shop car park. As such, this part of Tournerbury Lane has a pleasant, open and spacious character.
23. The appeal scheme, by extending up to the site frontage, would clearly breach the strong, established building line, and regular rhythm of development on this side of the road. It would result in an unduly cramped and visually prominent structure that would be at odds with, and undermine, the prevailing spacious nature of development on this side of the road.
24. Whilst there are elements of white cladding on the existing building, these are generally set back from the street, partially obscured by cars parked on the site, and appear as a subsidiary addition to the brick walled building. In contrast the proposed use of white cladding for the appeal scheme, combined with the large white roller shutter doors on the front and rear of the extension, would serve to draw attention to the building, particularly when viewed from within the context of Tournerbury Lane, where brick bungalows with elements of render and tile hanging prevail.
25. The proposed roof form would add a further incongruous element to the extension, with the flat, clear-sheeted design appearing at odds with the traditional pitched tiled roof of the main building and the bungalows to the east.
26. As a result, the proposal would assume an unduly bulky and incongruous appearance within this visually prominent corner location, due to its combined width, depth, proximity to the site boundary, materials and roof design. It would result in a harmfully discordant impact within the streetscene, which would be to the detriment of the visual amenities of the townscape.
27. In coming to this view, I have taken account of the existence of other commercial properties within the site locality, including the Co-op store and other commercial premises to the south of the site and industrial premises and power sub-station on the opposite side of Church Road. I have not been provided with details of the planning history of these properties. However, I find that none of these are directly comparable with the appeal scheme in respect of their detailed design and their juxtaposition with neighbouring properties. 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.
28. For the above reasons, I conclude that the proposal would cause significant harm to the character and appearance of the area. It would therefore be contrary to Core Strategy Policy CS16 and the *Havant Borough Council*

Borough Design Guide Supplementary Planning Document (2011). These policies and guidance, amongst other aims, require new developments to be designed to a high standard, respond to and respect the local context, and use the characteristics of the locality to help inform the design, including massing, existing building lines, and materials.

29. For similar reasons, the proposal would also be contrary to Policies of the Framework, which seek to secure high quality design as set out in Chapter 12.

Other Matters

30. I acknowledge the potential benefits to the appellant's business arising from the proposal, and the support given by the Framework to building a strong, competitive economy. However, this does not justify or outweigh the aforementioned harm I have identified in respect of the second main issue.
31. The appellant has drawn my attention to support for the proposal from the occupiers of an adjacent neighbouring property. Whilst I have noted this matter, it does not affect my decision in respect of this appeal, which I must determine on the merits of the proposal before me.
32. I acknowledge that the proposal represents an amended scheme from that previously refused by Council, including a reduction in roof height and a change to the external finish. However, this does not alter my findings in respect of the current proposal.

Conclusion

33. For the above reasons, whilst I have not found harm to living conditions, this does not outweigh the harm I find to the character and appearance of the area. I therefore conclude that the appeal should be dismissed.

S Leonard

INSPECTOR