



## Appeal Decision

Site Visit made on 9 June 2021

**by S Edwards BA MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 13 July 2021**

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**Appeal Ref: APP/D1780/W/21/3271053**  
**36 Eynham Avenue, Southampton SO19 5LB**

- 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 J Thomas against the decision of Southampton City Council.
  - The application Ref 20/00197/FUL, dated 12 February 2020, was refused by notice dated 16 September 2020.
  - The development proposed is construction of a detached one bedroom bungalow.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are:
  - the effect of the proposal on the character and appearance of the area; and
  - whether the proposal would make adequate arrangements for car parking.

### Reasons

#### *Character and appearance*

3. Located within an established residential area, the appeal site forms part of a small cul-de-sac comprising bungalows of a similar appearance, generally set within proportionately sized plots. Existing dwellings are typically set back from the road frontage, behind small brick boundary walls, and follow a fairly consistent front building line, which provides the area with a pleasant suburban feel.
4. By virtue of the constrained size and shape of the plot, but also the extensive area of hardstanding required for the provision of a parking and turning area, the proposed dwelling would be significantly set back, compared with existing properties. This, together with the layout and orientation of the bungalow, would not be consistent with neighbouring dwellings and appear at odds with the prevailing pattern of development within the cul-de-sac, which would have a detrimental effect on the character and appearance of the area.
5. The footprint of the new dwelling would appear disproportionate to the size of the plot. Furthermore, and despite its single storey scale, the appeal scheme would nevertheless appear uncharacteristically close to other dwellings, being surrounded by no 6 Keats Road, nos 36 and 38 Eynham Avenue. As a

consequence, the proposal would result in a cramped and congested form of development, which would not successfully integrate into the surrounding street scene, and adversely affect the suburban character and appearance of this residential area. Whilst the dwelling would be set at a lower level than the neighbouring bungalows, thus reducing its prominence within the street scene to some degree, its incongruous nature would remain highly visible.

6. Given the above, the appeal scheme would cause unacceptable harm to the character and appearance of the area. It would therefore conflict with Saved Policies SDP7(iii)(iv) and SDP9(i)(iv) of the City of Southampton Local Plan Review<sup>1</sup> (LP), Policies CS13 of the Local Development Framework Core Strategy Development Plan Document<sup>2</sup> (CS), sections 2.3.8, 2.3.11 and 3.7.7-8 of the Council's Residential Design Guide<sup>3</sup>, as well as paragraphs 127 and 130 of the National Planning Policy Framework (the Framework). Amongst other things, these require development proposals to respect the existing layout of buildings within the streetscape and deliver well-designed places.

#### *Car parking*

7. The appeal site lies within a cul-de-sac, which does not appear to be subject to parking restrictions. The Council has raised concerns in respect of the suitability of the proposed access, notably due to its position and because it would rely on sightlines over neighbouring land. It is also of note that the new access would be partially obstructed by a lamp post.
8. By reason of the constrained size of the parking and turning area, protracted manoeuvres would be required to enable a vehicle to enter and leave the site in a forward gear. In fact, the submitted tracking diagram illustrates the lack of sufficient tolerance to manoeuvre the vehicle around the new dwelling, leaving little scope for driver error. This raises questions regarding the usability of the proposed parking arrangements, which would be exacerbated by the changes in level across the site.
9. In practice, it is likely that future occupiers would choose to either park within the cul-de-sac (assuming that there would be space available) or reverse onto the road. As adequate visibility could not be entirely provided within land in the appellant's control, this could increase the risk of collisions, particularly with pedestrians. Whilst I appreciate that the site lies within a fairly quiet cul-de-sac where vehicles may be travelling at low speed, the proposed arrangement would nonetheless, for the reasons given above, pose an unacceptable risk to the safety of pedestrians and small children in particular.
10. I visited the site in the afternoon on a working day and, whilst my observations can only represent a snapshot of normal highway conditions, I could see that there was space for on-street parking within the area. However, by the evening, it would be reasonable to expect an increase in on-street parking over and above what I saw at the time of my site visit. The appeal site is not located within an area of high accessibility as defined by the Council's Parking Standards Supplementary Planning Document<sup>4</sup> (SPD), and there is limited

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<sup>1</sup> 2015.

<sup>2</sup> 2015.

<sup>3</sup> 2006.

<sup>4</sup> September 2011.

evidence before me to demonstrate that parking demand generated by the proposed development could be safely accommodated on-street in the locality.

11. Given the above, I conclude that the appeal scheme would fail to make adequate arrangements for car parking, which would consequently compromise highway safety in the area. It would therefore conflict with LP Saved Policies SDP1(i), SDP10(ii), SDP11(i), CS Policy CS13 and section 5.2 of the Council's Residential Design Guide, which, amongst other things, seek to protect the safety of all road users and safeguard road safety. The appeal scheme would also fail to accord with LP Policy Saved SDP5 and CS Policy CS19, which notably require development proposals to accord with the Council's parking standards, as currently set out within the SPD. By failing to provide safe and suitable access to the site, the scheme would also not accord with paragraph 108 of the Framework.
12. I find however no conflict with LP Saved Policies SDP7(v) and SDP9(v), which requires development proposals to integrate into the local community, having regard to the impact on surrounding land uses and local amenity. There would also be no conflict with CS Policy TI2, which relates to the creation of vehicular access onto classified roads, as there is no suggestion, within the submissions of the main parties, that Eynham Avenue falls within this category.

### **Other Matters**

13. The appeal site lies within proximity to the Solent Special Protection Areas<sup>5</sup> (SPAs), the New Forest Special Area of Conservation, SPA and Ramsar site. These areas are considered of international importance for supporting significant numbers of overwintering bird species. The Council and Natural England are concerned that the proposed development would have a likely significant effect on the integrity of these sensitive areas (either individually or in combination with other plans or projects), notably by reason of additional recreational pressures, unless suitable mitigation is provided. Residential development proposals are required to make a financial contribution towards mitigation measures, which are normally secured through the completion of a planning obligation.
14. As I am dismissing this appeal on other substantive grounds, this is not a matter which needs to be considered further here. However, had the development been considered acceptable in all other respects, I would have sought to explore the necessity for undertaking an Appropriate Assessment, to ensure the proposal's compliance with Habitats Regulations.

### **Conclusion**

15. The appeal proposal would make a contribution to the provision of housing in the area. However, the benefits associated with the proposal would be outweighed by the harm which I have identified. There are no considerations which indicate that the appeal should be determined, other than in accordance with the development plan. For the reasons detailed above, and having regard to all other matters raised, I conclude that the appeal is dismissed.

*S Edwards* INSPECTOR

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<sup>5</sup> Solent and Southampton Special Protection Area and Ramsar site, Solent Maritime Special Area of Conservation (SAC).