



Appeal Decision

Site visit made on 17 March 2022

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21ST April 2022

Appeal Ref: APP/D1780/W/21/3283202

39 Tennyson Road, Southampton SO17 2HF

- 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 Amrik Chahal against the decision of Southampton City Council.
 - The application Ref 21/00099/FUL, dated 18 January 2021, was refused by notice dated 19 March 2021.
 - The proposed development is the conversion of the existing 6 bed HMO to form self contained flats with associated cycle/bin storage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development having regard to 1) the supply of family housing in the city; 2) the provision of cycle parking facilities; 3) the residential density of the proposals; and 4) protected areas of environmental sensitivity.

Reasons

Supply of family housing

3. Policy CS16 of the Southampton City Council Core Strategy 2015 (CS) states that the Council will provide a mix of housing types and more sustainable and balanced communities. To help achieve this the policy states that, amongst other things, there should be no net loss of family homes (those with at least three bedrooms) on sites capable of accommodating a mix of residential units unless there are overriding policy considerations justifying this loss.
 4. Both the appellant and the Council have submitted appeal decisions to support their arguments, which I have read carefully. I am aware that the property is currently a house in multiple occupation (HMO), however it would be permitted development under Class L of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to convert the property into a dwellinghouse, and as such I accrue this matter limited weight.
 5. To my mind the test within policy CS16 is simple, requiring the decision-maker to determine whether a site is "capable of accommodating a mix of residential units". I am of the view that the appeal property would meet this requirement; it has the necessary attributes to accommodate a mix of residential units.
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6. The proposal would result in two x two-bedroom units and a single one-bedroom flat. Although these would meet Nationally Described Space Standards in an accessible location, they would offer reduced potential for accommodation by a family. I have not been advised of any policy considerations justifying the loss of the family home. Moreover, I have no compelling evidence before me to otherwise challenge the relative mix of market housing need in the city, or to demonstrate that the current need for smaller accommodation such as that proposed by this appeal would outweigh the need for larger family housing.
7. I therefore conclude that the proposal would be harmful to the supply of family housing within the city. This would materially conflict with policy CS16 of the CS, which seeks to protect the provision of family housing.
8. The National Planning Policy Framework (the Framework) not only supports the Government's objective of significantly boosting the supply of homes, it makes clear that the range of homes as well as the number is important in order to meet the needs of present and future generations. The Framework does not therefore resist changes to existing housing stock where this would meet a demand for another form of residential accommodation in the area, however this has not been proven in this instance.

Cycle parking

9. The appeal particulars indicate that cycle parking for the ground floor unit would be provided in the form of a storage shed in the rear garden. The location of the storage would require the occupants of the flat to wheel or carry their bicycle through the lounge to reach the back door. In my view such an arrangement would be inconvenient for future occupants of the dwelling.
10. The upper level flats would have space for cycles in cupboards accessed from the communal ground floor hallway. The Council raises concerns in respect of the size of the cupboards to accommodate a bicycle; nevertheless I am satisfied that this matter could be resolved through the imposition of a condition requiring further details to be submitted.
11. The appellant states that the property has a right of way to the rear garden from 47a Tennyson Road, and that access for cycle storage for the ground floor flat could be provided via this route. However I have not been provided with a plan showing control over this land.
12. I therefore consider that the scheme would fail to make appropriate provision for cycle parking facilities. The development would not accord with policy SDP5 of the City of Southampton Local Plan Review, policy CS19 of the CS and the Council's Parking Standards Supplementary Planning Document (2011), which together seek to secure acceptable cycle storage and to promote sustainable means of travel.

Density

13. The Council states that the density of the appeal proposal would be around 180 dwellings per hectare (dph). This figure must be considered within the context of Policy CS5 of the CS, which seeks a density of 50-100 dph in this medium accessibility area. The designation has been established having regard to matters such as the character of the neighbourhood, provision of public transport and the efficient and effective use of land.

14. I recognise that density figures should not be applied mechanistically. Whilst I entirely accept the need for flexibility, it is of note that the proposal significantly exceeds the density range set out at policy CS5. The ranges set have been clearly calculated taking account of a number of factors; the breach of density policy forms an important backdrop to considering other more specific issues in this case. This would include my concerns regarding the provision of cycle parking facilities outlined above, which is indicative of an over-intensive form of development.
15. I conclude that the proposal would result in an over-intensive development of the property, contrary to the provisions of policy CS5 of the CS.

Protected Areas

16. I understand that the full Solent Recreation Mitigation Strategy financial contribution has been paid by the appellant. As I have dismissed the appeal on other grounds, I do not need to consider this matter further.

Conclusion

17. Having regard to all matters raised and based on my reasoning above, the appeal is dismissed.

C Hall

INSPECTOR