
Appeal Decision

Site visit made on 20 April 2022

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 May 2022

Appeal Ref: APP/D1780/W/21/3281155

37 Southcliff Road, Southampton SO14 6HR

- 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 Paul Alldridge against the decision of Southampton City Council.
 - The application Ref 21/00622/FUL, dated 16 April 2021, was refused by notice dated 24 June 2021.
 - The development proposed is erection of two-storey side extension with split basement level to create 1- bedroom dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description in the heading above is taken from the appeal form and decision notice, since it more accurately describes the proposal than the description on the application form.
3. Since the refusal of the planning application, a revised version of the *National Planning Policy Framework* (the Framework) was published on 20 July 2021. I have taken the revised Framework into account where relevant to my decision.

Main Issues

4. The main issues are:
 - The impact of the proposal on the character and appearance of the area; and
 - The impact of the proposal on the living conditions of future occupiers of the proposed development, with particular reference to internal and external private living space.

Reasons

Character and appearance

5. The appeal site is located within an established residential area to the northeast of the city centre, within the defined settlement boundary. It lies on the south side of Southcliff Road, at the western end of a row of semi-detached residential properties. Land levels drop sharply at the rear of this group of properties, facilitating a lower ground floor level of accommodation which is

more apparent from the rear of the buildings than the front, where the lower ground floor is viewed as below street level.

6. The appeal site is devoid of buildings, and is mainly consists of gravelled surfacing which provides parking for the host property at No.37, which is a three-storey small HMO.
7. There are a variety of different dwelling forms within the immediate area, including terraced housing and a block of flats on the opposite side of the road. However, the appeal site lies at the end of a clearly identifiable group of semi-detached two/three storey, hipped/pitched roof period properties, which together present an overall cohesiveness of design to this part of the street.
8. There is a more spacious grain of built development on the south side of the road than that of the close-knit terraced housing which characterises the north side and some adjacent roads to the north. The pairs of semi-detached properties give way to single storey garage development to the west of the appeal site, and then to undeveloped road frontages of properties to the south in Rockstone Lane, which are bounded by brick walling.
9. The host property, and the other half of the semi-detached pair at No. 39 form an integral part of this distinct collection of properties, whose features include a high degree of design symmetry between each pair of properties, and a notable gap at upper floor level between each pair. Where built development exists to the side of a property, it generally comprises single storey development, which appears subsidiary in scale and function to the main dwelling, and maintains a significant space between the buildings, thereby retaining the identity of the properties as distinct pairs of residences.
10. The undeveloped appeal site makes a notable contribution to maintaining the space to the west side of Nos. 37 and 39, and to reinforcing the established pattern of residential development in this part of the road, which makes a positive contribution to the street scene. This space to the side of the building is particularly significant to No.37, which does not benefit from a typical rear garden, due to the angled alignment of its rear boundary, which is sited close to the rear wall of the property.
11. The appeal scheme would result in the loss of most of this undeveloped area to the side of No.37, and its replacement with a two-storey dwelling, whose footprint would align with all three site boundaries within close proximity of which it would be sited. This would result in the site being dominated by built development, which would take up almost all of the ground area. The building would extend across almost the entire width of the plot, and within close proximity of the rear boundary. This would result in an unduly cramped form of development in relation to three of the site boundaries, and to the neighbouring garage development to the west of the site. This tight arrangement of two-storey building in relation to the site boundaries would be at odds with the prevailing more spacious layout of development that characterises this part of the road.
12. The proposal would follow the existing front building line, ridge height and street-facing roof slope of existing semi-detached houses in this part of the road. However, notwithstanding this, the congested nature of the proposal would be compounded by its wider street facing elevation than that of each of the adjoining properties at Nos. 37 and 39, combined with the proximity of the

side wall to the west side boundary, which would result in an unduly visually dominant appearance within the street scene.

13. The incongruous nature of the development would also be exacerbated by design detailing which would be at odds with that which prevails on the existing semi-detached properties. In particular, this includes part flat and part hipped roof elements to the side and rear, and notable differences in window proportions and positioning on all elevations. Moreover, the proposal would unbalance the existing symmetry between Nos. 37 and 39, which is a key defining element of the properties in this section of the street.
14. The result would be a discordant, visually dominant, and cramped form of development, which would be harmful to the established rhythm of built development in this section of Southcliff Road, which makes a clearly identifiable and positive contribution to the street scene.
15. The appellant has drawn my attention to a nearby new dwelling sited at the corner of Southcliff Road and Castle Street, as an example of new development which has satisfactorily assimilated into the townscape. However, I do not find the circumstances of this development, which comprises an end-of-terrace corner development within a site context of terraced housing, to be directly comparable to the current appeal scheme and appeal site context. As such, it does not alter my findings in respect of the appeal proposal, which I must determine on the merits of scheme before me and the character of the appeal site and its immediate surroundings.
16. The rear boundary of the appeal site adjoins the Cranbury Place Conservation Area (the CPCA). Under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act), I am, as the decision maker, required to pay special attention to the effects of the appeal scheme on this designated heritage asset.
17. The part of the CPCA closest to the appeal site comprises Rockstone Lane, which is a residential road characterised by two-storey, terraced, period cottages. This street is sited at a significantly lower level than the appeal site, which lies on a ridge above the conservation area. The row of semi-detached houses, which includes 37 Southcliff Road, provide an elevated backdrop to this part of the CPCA, of rear elevations of two/three-storey properties. Having regard to the land level differences, and the intervening steeply sloping ground, the appeal proposal would not perceptibly alter this conservation area backdrop, to the extent that it would significantly alter the established townscape character of Rockstone Lane. As such, the appeal scheme would have a neutral impact on the setting and significance of the CPCA.
18. For the above reasons I conclude that the proposal would have a detrimental impact on the character and appearance of the area. As such, the appeal scheme would be contrary to Saved Policies SDP1, SDP7 and SDP9 of the *City of Southampton Local Plan Review (2015)* (the LPR) and Policy CS13 of the *Local Development Framework Core Strategy Development Plan Document (2015)* (the CSDP). These policies, amongst other aims, require new development to be of a high-quality design, respond positively and integrate with its local surroundings, not materially harm the character and appearance of an area, and respect the existing layout of buildings within the streetscape, the scale, density and proportion of existing buildings, and the surroundings in terms of visual impact.

19. For similar reasons, the proposal would also be contrary to Policies of the Framework which seek to achieve well-designed places, as set out in Chapter 12.

Living conditions

20. The Council's second reason for refusal relates to the proposed internal and external living space for future occupiers of the appeal scheme. Having regard to the former, the Council contends that the proposal would not meet the minimum gross internal floor area of 58 square metres, as set out in the Government's Technical Housing Standards nationally described floor space standards (March 2015) (the NDSS). However, the Council has not adopted the NDSS. Therefore, I consider that it can only be treated as being an informal guide for the purposes of determining this appeal.
21. Moreover, having regard to factors such as the NDSS shortfall of only 4 square metres, the open plan layout of ground floor accommodation incorporating windows on all three elevations, the ensuite bedroom/bathroom arrangement on the first floor, I find that the proposal would comprise a reasonable internal size and layout which would provide acceptable internal living conditions for the future occupiers of the proposed one-bedroomed accommodation.
22. In terms of proposed outdoor living space, the Council has drawn my attention to the adopted *Residential Design Guide* (2006) (RDG), and the minimum back garden depth/rear garden area size of 10m/50sqm for terraced dwellings contained therein. I note that this figure represents guidance, and the RDG recognises that in some areas smaller garden sizes maybe characteristic of the area, and that the RDG is concerned with ensuring that garden areas allow for practical use and reflect the size of the house.
23. In this instance, the existing property does not accord with the RDG guidance, having regard to the proximity of the building to the rear site boundary. The proposal would retain the existing small area of outdoor seating and drying facilities to the rear of No.37. However, it would result in the loss of the existing land to the side of the building, which although not currently used as formal outdoor living space, is reasonably considered to be suitable and available for such use.
24. The proposed positioning of the new dwelling close to the side and rear site boundaries means that the appeal scheme would not provide sufficient private outdoor living space for the occupants of the new dwelling. The space that would remain to the side and rear of the new dwelling would comprise an access route to the basement cycle storage in the new property and a rear lower ground floor entrance to No.37 and the outdoor amenity space to that property, as well as providing a bin storage area at the side of the building.
25. As such, there would be insufficient space to provide meaningful outdoor living space for the occupiers of the new dwelling, to accommodate the typical requirements of sitting out, outdoor dining and drying washing, that could be expected to be required in association with a dwelling of the size proposed.
26. This deficiency is not justified by the city location of the appeal site, where higher densities of built development prevail, nor by the existence of city parks and public open spaces. Neither is the harm justified/outweighed by the

proposed provision of cycle parking facilities for the new dwelling and the adjacent HMO.

27. For the above reasons, whilst I am satisfied that there would be no harm in respect of internal living space, I conclude that the proposal would not provide adequate living conditions for the future occupants in terms of outdoor private living space. The development would therefore be contrary to LPR Saved Policies SDP1 and H7, in so far as these policies seek to ensure that new development does not unacceptably affect the health, safety and amenity of the city and its citizens, and that residential development provides the highest standards of quality and design.
28. This is generally consistent with Paragraph 130 of the Framework, which seeks to ensure that developments will function well and promote a high standard of amenity, health and well-being for existing and future users.

Other Matters

SPAs

29. The site lies within the Zone of Influence of the Solent SPAs and the New Forest SPA, SAC and Ramsar site (the European Sites), where a net increase in housing development is likely to result in impacts to the integrity of these sites, requiring the inclusion of a package of avoidance/mitigation measures to address these effects.
30. This matter does not constitute a reason for refusal, and the Council's Delegated Report confirms that mitigation will be secured through a contribution in accordance with the adopted Solent Recreation Mitigation Strategy (which has already been made by the appellant) and a CIL contribution towards Suitably Accessible Green Space.
31. However, in the context of this appeal, the responsibility for assessing the effects of the proposal on the European designated sites falls to me as the competent authority. Were I minded to allow the appeal, I would need to carry out an Appropriate Assessment (AA), since the proposal would be likely to have a significant effect on the SPAs. However, as the main issues provide clear reasons for dismissing the appeal, I have not had cause to pursue undertaking an AA. As such, I do not need to consider this matter further, since any findings on this issue would not change the appeal outcome.

Planning Balance

32. The Council has confirmed that it is unable to demonstrate a five-year supply of deliverable housing sites. It considers that it has a 4.53 year supply. As such, paragraph 11 of the Framework applies, which states that relevant policies for the supply of housing should not be considered up to date where a five-year housing land supply cannot be demonstrated. Paragraph 11 states that where relevant policies are out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance, provides a clear reason for refusing the development proposed, or the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate that development should be restricted.

33. Paragraph 8 of the Framework defines the three dimensions of sustainable development as performing economic, social and environmental objectives. When judged against some of the core planning principles of the Framework, the appeal proposal would perform well, in that it would be within a designated settlement boundary, where access to facilities and public transport connections is likely to be greatest.
34. One additional dwelling would make a small contribution towards the Council's housing supply, and it could be built out relatively quickly, having regard to Paragraph 69 of the Framework. There would be economic benefits as a result of the construction of the dwelling, and economic and social benefits as a result of its future occupation. These considerations weigh in favour of the development, and I afford them moderate weight.
35. The Council has raised no objection to the appeal scheme in respect of matters including the principle of development, highway safety and parking, and the living conditions of occupiers of neighbouring properties. In terms of the planning balance, the lack of identified harm is a neutral factor that does not diminish the significant harm that would arise from the proposal in respect of the impact on the character and appearance of the area and the living conditions of future occupiers.
36. The deficit in the Council's supply of housing is not acute. Moreover, a high standard of design is also a key aspect of sustainable development. The harm I have identified to the character and appearance of the area and the living conditions of future occupiers would be significant. As a result, the social objectives of sustainable development, of fostering well-designed and beautiful places and providing a good standard of residential amenity, would not be achieved.
37. Whilst the Framework encourages the effective use of land in meeting the need for homes 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 that I have identified in respect of the main issues.
38. Therefore, when assessed against the policies in the Framework taken as a whole, the adverse impacts would significantly and demonstrably outweigh the benefits, and the proposal would not be a sustainable form of development. The conflict with the development plan is not outweighed by other considerations including the Framework.
39. I have noted that no letters of objection have been received from neighbours. However, this does not affect my above conclusions in respect of the main issues.
40. I have noted the appellant's view that a benefit of the proposal would be the improvement of an untidy site which is subject to littering, fly tipping and dog-fouling. I have no cogent evidence before me that this is a significant issue, and I did not observe evidence of such matters during my site inspection. Moreover, I consider that this is a matter that is reasonably capable of being resolved through site management. As such, it does not overcome my conclusions in respect of the main issues.

Conclusion

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

S Leonard

INSPECTOR