



Appeal Decision

Site visit made on 12 July 2022

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th July 2022

Appeal Ref: APP/Z1775/D/22/3297683

13 St Davids Road, Southsea, PO5 1QH

- 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 & Mrs Udin against the decision of Portsmouth City Council.
 - The application Ref. 21/01662/HOU, dated 12 November 2021, was refused by notice dated 15 March 2022.
 - The development proposed is alterations to front boundary and extension of dropped kerb (resubmission of 21/01152/HOU).
-

Decision

1. The appeal is allowed and planning permission is granted for alterations to front boundary and extension of dropped kerb (resubmission of 21/01152/HOU) at 13 St Davids Road, Southsea, PO5 1QH, in accordance with the terms of the application, Ref. 21/01662/HOU, dated 12 November 2021, and the plans submitted with it and subject to the conditions listed below.
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing boundary wall, gate piers and stone coping.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plan: 5109.21.2 Rev.A (Title: Forecourt Alterations)

Procedural Matters

2. I have adopted the description of development as set out in the Council's decision notice as this more accurately describes the proposal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and surrounding area, with particular regard to the sites location within the St Davids Road Conservation Area.

Reasons

4. The appeal site lies within the St Davids Road Conservation Area (SDRCA). Section 72(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 requires that special attention be paid to the desirability of preserving or

enhancing the character or appearance of that area. Similar advice is to be found in the National Planning Policy Framework (July 2021) (Framework) and in policy PCS23 of The Portsmouth Plan (January 2012) (TPP). An Article 4(2) Direction, concerning various alterations to the houses in this part of St Davids Road, was also confirmed in September 2009.

5. The Councils 'Conservation Area No.30 St Davids Road, Southsea – Guidelines for Conservation' (CAG), dated December 2009, states that the document is a publication intended to provide a framework for the justification of planning decisions and is additional to the policies of the local plan. The CAG states that the SDRCA largely comprises housing from the late 19th Century and was selected for protection based on the large number of surviving architectural features that elevate it above neighbouring areas.
6. Section 4 of the CAG headed 'Architectural Character', states that one of the unusual aspects of St Davids Road is the variety of houses represented in the road, which contrasts with the surrounding uniformly terraced roads. The CAG continues by stating that whilst the houses in the area do differ significantly, they are not in most cases unique other than for one factor that unites them, namely the use of Gothic motifs as a decorative theme. These decorative features are summarised in the remaining part of section 4 and include details such as brick/stone arches, towers, arched entrances, arched sash windows, decorative tiling and woodwork, light red to pale orange/brown bricks, slate roofs, cast iron rainwater goods, wooden doors, private front and rear spaces, boundary walls/gate pillars and street trees. The street trees are specifically identified as making a significant contribution to the overall character of St Davids Road.
7. All the above factors, combined, contribute to the significance of the SDRCA as a whole.
8. Section 8.0 of the CAG sets out the 'Guidelines' that will be used to restrict the replacement of original or period architectural features with modern inappropriate replacements. Part 6 deals with details and ornaments, and states that the council will encourage, amongst other details, the retention of existing boundary walls and gate pillars and that where parking is formed within the front garden that openings in the boundary wall are kept to a minimum with as much as possible of the existing enclosure retained.
9. The front garden to the appeal site is already partly used for off street parking and whilst the submitted plan shows the frontage as hardstanding, at the time of my site visit the area behind the existing boundary wall was covered in building rubble. The appeal proposal would involve increasing the existing gap (driveway) and dropped kerb to enable easier access and additional parking within the front garden. Based on my observations on site, the proposal would lead to the loss of one on street parking space. The host property retains several of its original historic features, including the decorative gate pillars on either side of the driveway and a section of original wall to the north of the driveway. Whilst part of the original wall would be removed, the northern gate pillar would be rebuilt to match existing.
10. 11 St Davids Road, to the south of the appeal site, also benefits from a similar driveway to off street parking and whilst the gap is smaller than that on the host property, the original gate pillar on the southern side appears to have been removed. To the north is 15 St Davids Road (No.15), which forms, with

the host property, the northern half of this pair of semi-detached properties. No.15 also benefits from a driveway leading to off street parking, where the gap in the wall appears to be broadly similar in size to the appeal proposal. The original gate pillars have also been retained.

11. As I observed on my site visit, there are numerous other examples in the road of where the original boundary walls and gate pillars have either been altered, reduced in size or removed. Both parties refer to examples where similar alterations, to that proposed, have been approved by the Council, including at No.15 in August 2018 under reference 18/00786/HOU and at 23 St Davids Road (No.23) in September 2013 under reference 13/00727/PLAREG. Both permissions post-date the publication of the CAG, the confirmation of the Article 4(2) Direction and the adoption of policy PCS23 of TPP.
12. Within the above context, the proposed works would be similar to those approved at No.15, and as the new wall and gate pillar would be rebuilt to match existing and to broadly match that on No.15, the proposal would provide some symmetry and consistency between this pair of semi-detached properties. Whilst the proposal would reduce the length of the original wall that currently exists, the loss of a small part of this single original detail would not, in my judgement, result in any harm. This finding is supported by the fact that the proposal would not only retain part of the original wall, but also replace the original decorative gate pillar, a feature that is missing from other similar alterations in the road.
13. I accept that the proposal would lead to a change in the appearance of the frontage to the host property, but when viewed within the wider streetscene and in the context of the other alterations that have already taken place to boundary walls and pillars, the appeal proposal would not result in any harm to the character or appearance of the SDRCA as a whole.
14. For the above reasons, I also do not agree with the Council and consider that the alterations approved and implemented at No.15 do represent an example of a reasonably good design and of where parking can be accommodated in the front garden through keeping the loss of the original boundary wall to a minimum and retaining as much of the original enclosure as possible. The appeal proposal would replicate that design, by retaining part of the original wall and replacing the gate pillar to match existing, the latter being a particularly important decorative detail of the area as identified in the CAG.
15. Whilst I note that the Council contend that the approved alterations at No.15 are not a feature that should be replicated, no substantive evidence or detailed assessment has been provided to support that statement. Moreover and as I confirmed above, the alterations to No.15, as well as those to No.23, albeit the latter is in my view of a poor quality due to its finish, were approved by the Council against the background of the CAG, the Article 4(2) Direction and adopted policy PCS23.
16. Accordingly, I find that the proposed development would preserve the character and appearance of the SDRCA as a whole in that it would leave it unharmed, and would thus be in accord with policy PCS23 of the TPP and the corresponding policies of the Framework.

Other Matters

17. Concerns have been raised regarding the loss of parking and income from on street parking permits. However, there is no detailed evidence before me to suggest that these concerns would result in material harm and I note they are not issues that the Council have raised in relation to this appeal. I also note that the highway authority did not raise any concerns or objections to the appeal proposal, which is a finding that I concur with.

Conditions

18. The Council has suggested conditions which I have considered against the advice in the Framework and the Planning Practice Guidance chapter on the use of planning conditions. Conditions requiring compliance with the submitted plan and for materials to match existing are necessary and reasonable to secure a high-quality development and to preserve those original historic details that would be retained or replaced. I have, however, added reference to the approved plan for clarity.

Conclusion

19. For the reasons given above and having taken all the matters raised into account, I conclude that the appeal should be allowed.

G Roberts

INSPECTOR