



Appeal Decision

Site visit made on 4 May 2023

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 May 2023

Appeal Ref: APP/A1720/W/22/3306594

40 Portsview Avenue, Fareham PO16 8LU

- 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 B Kendall against the decision of Fareham Borough Council.
 - The application Ref P/22/0706/FP, dated 13 May 2022, was refused by notice dated 22 July 2022.
 - The development proposed is described on the application form as, "Demolition of existing bungalow + garage. Construction of 2No semi-detached chalet bungalows".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. During the course of the appeal the Council adopted the Fareham Local Plan 2037 (adopted 2023) (Local Plan) which supersedes the Local Plan Part 1: Core Strategy (2011) and the Local Plan Part 2: Development Sites and Policies (2015). The parties were provided with an opportunity to comment on its relevance to this appeal, and I have taken the comments received into account in my consideration of this appeal proposal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site comprises 40 Portsview Avenue (No 40), a bungalow which benefits from gardens to its front and rear. A garage is situated at the end of the rear garden. The site is situated on a corner plot, near the junction between Colinton Avenue and Portsview Avenue, in a residential area which consists of a mix of detached bungalows and houses, chalet bungalows, and semi-detached houses.
5. Due to the number of bungalows and chalet bungalows in the vicinity, the proposed housing type (chalet bungalows) would be acceptable in this location, in principle. The proposed 2 semi-detached chalet bungalows would respect the dominant building line along Portsview Avenue, and the proposed materials (which could be confirmed via a planning condition) would be appropriate in their context.
6. Nevertheless, due to the constraints of the overall size of the site, the proposed chalet bungalows would each be narrow, resulting in a scale which would

unduly contrast with the appearance of the adjacent pair of dormer bungalows (42 Portsvie Avenue (No 42) and 44 Portsvie Avenue (No 44)) and the fairly substantially-sized house at 38 Portsvie Avenue (No 38). Moreover, when compared with the predominant widths of other plots in the local area, particularly on the northern side of Portsvie Avenue where the site is located (including the plots for No 42 and No 44), and considering that little space would be left to the side boundaries of each plot, the 2 chalet bungalows would appear noticeably constricted within their respective plots.

7. Generally narrower plots are present on the southern side of Portsvie Avenue but these are commonly occupied by 2-storey semi-detached houses rather than chalet bungalows as proposed in this appeal. Considering this, and that the proposed chalet bungalows would primarily be viewed in the street scene amongst the properties on the northern side of Portsvie Avenue, their presence does not change the fact that the proposed chalet bungalows would appear cramped within their plots, which would not reflect the mostly spacious nature of residential development in the vicinity.
8. Although situated in corner locations, I observed that, due to the overall size of the plots at No 38 and the semi-detached pair at 64 and 66 Portsvie Avenue, these houses sit comfortably within their respective plots, meaning that they contribute to the sense of spaciousness in the area, which for the reasons given above the proposed chalet bungalows would not do.
9. Furthermore, the harm that the proposal would cause to the character and appearance of the area as a result of the above-mentioned factors would be exacerbated by the fact that the proposed chalet bungalows would be situated in a prominent corner location.
10. The proposal would introduce an area of hardstanding to the front of the chalet bungalows. I observed that extensive areas of hardstanding are present in front of some nearby properties, including at No 38, No 42, and No 44. However, it is also the case that many properties in the vicinity have retained areas of green space and soft landscaping to their frontages, and in this context the proposal would not reinforce these positive elements of local character. In this respect the proposal would not comply with the guidance given in the Fareham Borough Design Guidance Supplementary Planning Document (Excluding Welborne) (adopted 2015) that hard surfacing should not dominate the front garden.
11. I therefore find that the proposal would have an unacceptable and harmful effect on the character and appearance of the area. It would conflict with parts i. and ii. of Policy D1 of the Local Plan which provides that, amongst other things, development proposals will be permitted where proposals appropriately respond to the positive elements of local character, and create places that are attractive, memorable, distinctive and of strong character.

Other Matters and Planning Balance

12. No concerns have been raised by the Council in their decision notice in relation to the living conditions of the future occupiers of the proposed chalet bungalows, the living conditions of the occupiers of nearby properties, access, parking, highway safety, cycle storage, recycling arrangements, energy efficiency, noise, site waste management, flood risk, or drainage. However, even if I were to likewise reason that the proposal would be acceptable in

relation to these matters, which are not in dispute between the main parties, these would be neutral factors rather than ones which weigh positively in favour of the proposal.

13. The proposal would provide family-sized accommodation, thereby supporting the Government's objective of significantly boosting the supply of homes. In this regard, Policy H1 of the Local Plan specifically provides that housing will be provided through unexpected (windfall) development. Even though the site has previously been developed and is located in an established and accessible residential area, and the proposal would constitute an efficient use of land, the minimal quantum of housing proposed means that these matters collectively can only be given limited weight in support of the proposal.
14. I have found on the main issue that the proposal would have an unacceptable and harmful effect on the character and appearance of the area. Given that paragraph 126 of the Framework provides that, amongst other things, the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, this conflict with the development plan has been given significant weight.
15. Consequently, as a matter of planning judgement I find that the matters advanced in support of the proposal, do not, either individually or collectively, outweigh the harm identified, nor the conflict with the development plan identified.
16. The Council considers that the proposal has the potential to have adverse effects on the integrity of protected habitat sites in combination with other developments, and has raised concerns in relation to the potential impact of increased recreational disturbance on the Solent Waters Special Protection Areas. However, as I am dismissing the appeal for other reasons, with the overall outcome of the appeal having been determined, there is no need to consider the potential implications of the proposal in these respects. I therefore make no further comments on these matters. For the same reasons, it is not necessary to consider the submitted signed Unilateral Undertaking in any further detail.

Conclusion

17. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Alexander O'Doherty

INSPECTOR