



Appeal Decision

Site visit made on 16 July 2024

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th August 2024

Appeal Ref: APP/D1780/D/24/3342776

4 Little Toller, Roman Road, City of Southampton, Southampton SO16 7HG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs D Wastell against the decision of Southampton City Council.
 - The application Ref 23/01625/FUL, dated 14 December 2023, was refused by notice dated 07 February 2024.
 - The development proposed was described as: "Retrospective planning for additional height to existing boundary wall."
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Decision

1. The appeal is allowed and planning permission is granted for additional height to existing boundary wall at 4 Little Toller, Roman Road, City of Southampton, Southampton SO16 7HG in accordance with the terms of the application, Ref 23/01625/FUL, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted relates to the following approved plan:
Proposed site plan and elevation (Drawing No. 2559/02_ 100_).
 - 2) Within 3 months of the date of this decision, the coping stones as indicated on the proposed elevation within Drawing No. 2559/02_ 100_ shall be installed on top of the wall and thereafter retained.

Preliminary Matters

2. The description of development in the banner heading above is taken from the planning application form and includes the word "retrospective". As this is not a form of development, I have removed this from my formal decision above.
3. The application form states that the development has commenced but was not complete. I was able to see the wall during my site visit, and it appeared to be mainly complete, but with only several coping stones across the top of the bricks. The wall therefore appears to be part-retrospective in nature and I have determined the appeal on this basis.

Main Issue

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

Reasons

5. The appeal site (No. 4) is a two-storey dwelling forming a corner plot at the bend of Roman Road. It forms part of a small grouping of dwellings known as

Little Toller, which share a vehicular access off the road and are within a residential area near the A27 junction with the M3 motorway.

6. The submitted evidence indicates that No. 4 previously contained hedging and trees that formed its boundary along the Roman Road highway. At some stage in recent years, this was removed and a brick wall was constructed along and adjacent to the highway. The appeal scheme comprises an increase in height along and on top of this wall. During my site visit, I noted some trees within the garden of No. 4 visible above the wall subject of this appeal, and these appear to be in the same location as indicated on the Tree Preservation Order Plan provided by the Council.
7. The dwelling and garden area of No. 4 is on higher ground. The dwelling is therefore visible from the road and the wall screens views of its windows and garden area. I also noted that the appeal wall is of similar height to an existing fence along the front/side of Baydon Lea, along Roman Road on the approach to No. 4 from the A27 junction. The boundary fence of Badgers, alongside the side of No. 4, is noticeably higher than the appeal wall, due to its siting on higher ground level.
8. While I do not know the precise planning history or policy context, I found numerous examples of hard landscape frontages further along Roman Road, and they do not contain a predominant characteristic in terms of material, colour or height. The Council states that the appeal wall is contrary to section 3.11–3.11.2 of its Residential Design Guide Supplementary Planning Document 2006 (SPD). However, this advice does not preclude the use of hard landscape features such as walls. Rather, it seeks to ensure that boundaries fronting the street are in keeping with the treatment of other boundaries and that the design, materials and colours should be consistent with the predominant positive characteristics of existing boundaries.
9. The appeal wall is in an area of transitional character between a suburban setting and a more wooded setting. The wall steps down to follow the declining land level around the corner of Roman Road. This reduces its visual impact, and I also noted that it is not widely visible beyond its immediate frontage. I saw no other examples of yellow brick walls so in this respect, the appeal wall does not follow the above mentioned SPD advice. However, I noted a variety of hard landscape features along Roman Road, and the yellow bricks used are similar to the pre-existing wall below, and those on the main dwelling and the other dwellings of Little Toller.
10. For the above reasons, the design and scale of the appeal development provides a reasonable amount of privacy for No.4, whilst also respecting its surrounding context. It is therefore not an incongruous or unduly dominant feature and it does not cause harm to the character and appearance of the host dwelling or the surrounding area.
11. The proposal therefore complies with Policy SDP7 and Policy SDP9 of the City of Southampton Local Plan Review (2015), and Policy CS13 of the Local Development Framework Core Strategy Development Plan Document (2015). These policies require, amongst other things, development to respect existing buildings in terms of scale and layout and to respect its surroundings in terms of visual impact and the quality and use of materials.

Other Matters

12. The effect on pedestrians and other road users, and that the wall is also unsafe from a structural point of view, have been raised in representations. I however observed that there is street lighting along this section of highway, which is wide enough for two vehicles to pass each other, and the footway is also wide enough for two pedestrians to pass. I therefore consider that the development does not pose a material risk to highway safety, and I have not been provided with any cogent evidence demonstrating that it is structurally unsafe. These matters therefore do not justify the refusal of planning permission.

Conditions

13. A condition specifying the approved plan is necessary in the interests of certainty. As the development is retrospective in nature but not fully complete, I also consider that a condition is necessary to ensure it is completed as shown in the approved plan within a specified timescale. I have sought the appellant's agreement in respect of the wording of this condition.

Conclusion

14. For the reasons given above the appeal should be allowed.

R Cahalane

INSPECTOR