



Appeal Decision

Site visit made on 28 January 2026

by **M Aqbal BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 March 2026

Appeal Ref: APP/Z1775/W/25/3375173

3 Shirley Road, Southsea, Portsmouth PO5 2QD

- 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 Janet Stocker against the decision of Portsmouth City Council.
 - The application Ref is 25/00627/FUL.
 - The development proposed is change of use from single dwelling (C3) to 4 self-contained flats (C3).
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Decision

1. The appeal is allowed and planning permission is granted for change of use from single dwelling (C3) to 4 self-contained flats (C3) at 3 Shirley Road, Southsea, Portsmouth PO5 2QD, in accordance with the terms of the application Ref. 25/00627/FUL and subject to the schedule of conditions to this Decision.

Background and main issue

2. The Council's second reason for refusal concerns the effect of the proposal on the Solent Special Protection Area ('SPA'). The appeal site lies within the identified Zone of Influence ('Zol') for the SPA, where even small-scale residential development is expected to contribute to recreational pressure and increased nitrate loading. In such areas, mitigation is required to ensure that additional residential occupiers do not, either alone or in combination with other development, give rise to adverse effects on the integrity of the protected habitats.
3. The appellant has submitted a completed s111 agreement, which secures the necessary financial contributions to address both recreational disturbance and nitrate neutrality. The Council has confirmed receipt of the agreement and that it provides the appropriate level of mitigation in accordance with its adopted strategy for development within the Zol. On this basis, the Council accepts that the second reason for refusal has been satisfactorily addressed.
4. Against the above background, the only main issue is whether the proposal would harm the living conditions of neighbours as a consequence of any parking stress.

Reasons

5. The appeal property is a two-storey semi-detached dwelling situated on the western side of Shirley Road. The proposal seeks the change of use of the existing eight-bedroom dwelling to four self-contained flats comprising a two-bedroom ground-floor flat, two one-bedroom flats at first-floor and roof-space level, and a one-bedroom maisonette to the rear.

6. The surrounding area is predominantly high-density residential in character, with limited opportunities for off-street parking. As a result, most households rely on on-street provision, and a degree of parking pressure is an established feature of the local environment.
7. No on-site parking is currently provided. Under the Council's Parking Standards SPD (2014) ('the Parking SPD') the existing dwelling generates a requirement for approximately two parking spaces, whereas the proposed development would generate a requirement of around 4.5 spaces. This results in a shortfall of 2.5 spaces when assessed against the SPD.
8. The appeal site lies within a Controlled Parking Zone ('CPZ') that is recorded as oversubscribed. However, oversubscription is a theoretical measure of permit demand and does not, in itself, demonstrate that on-street parking is unmanaged or that additional development would inevitably result in unacceptable parking stress. The CPZ operates for a limited period each day and is specifically designed to regulate peak-time residential parking, preventing long-term or commuter parking and ensuring spaces remain available for permit holders. High permit demand can also reflect residents seeking flexibility rather than a lack of physical capacity on the street.
9. Moreover, the likely car ownership associated with one-bedroom units is modest, and there is some unrestricted parking nearby, indicating that the local parking environment is not uniformly constrained. Taken together, these factors mean the recorded oversubscription does not demonstrate that the area is incapable of accommodating the limited additional demand arising from the proposal.
10. The appeal site is approximately 280m south of Albert Road, a designated district centre offering a range of shops, services and public transport links. Southsea Town Centre is located around 720m to the west, the Seafront 590m to the south, and Fratton Train Station approximately 1.4km to the north. These locations and connections provide realistic alternatives to private car use and reduce the need for on-site parking.
11. The proposal requires the provision of five cycle parking spaces. Adequate space exists within the rear garden to accommodate this, and it could be secured by condition. This would support sustainable travel choices and is consistent with the aims of the Parking SPD and national policy.
12. While the development would result in a shortfall of parking spaces when assessed against the Parking SPD, that document provides guidance rather than a fixed requirement and must be applied in light of local circumstances. For the reasons already outlined, including the appeal site's accessible location and the way parking demand is managed locally, the additional pressure generated by the scheme would be limited and capable of being absorbed within existing arrangements. Although the proposal may marginally increase demand for on-street parking, the evidence does not show that this would increase parking stress to a degree that would unacceptably affect the living conditions of neighbouring occupiers.
13. The proposal would therefore not conflict with the underlying objectives of Policies PCS17 and PCS23 of the Portsmouth Plan (Portsmouth's Core Strategy) Adopted 24 January 2012. Policy PCS17 seeks to reduce the need to travel and provide a

sustainable and integrated transport network. Policy PCS23 requires development to be supported by appropriate transport infrastructure and to avoid creating conditions harmful to highway safety or residential amenity.

Other Matters

14. The proposed rear dormer would introduce an additional vantage point toward neighbouring gardens. However, the appeal property already contains upper-floor rear-facing windows in the same, or a more rearward, position, and this established relationship already allows a comparable degree of overlooking. As such, the dormer would not give rise to any significant additional impact on the living conditions of adjoining occupiers.
15. The design of the dormer itself is also acceptable: it is proportionate to the roof slope, positioned discreetly to the rear, and reflects a form commonly found on similar properties. In this context, it would integrate satisfactorily with the appeal property and would not appear visually intrusive. Overall, the proposed external alterations, which are largely confined to the rear are acceptable in design terms.
16. Concerns regarding pressure on local services or the potential for anti-social behaviour, crime or noise must be considered in the context of the property's existing lawful use as an eight-bedroom single dwelling. No substantive evidence has been provided to demonstrate that occupiers of one or two-bedroom flats would present a greater risk of anti-social behaviour than a large single household, and there is no clear basis on which such an assumption could reasonably be made.
17. The proposed refuse and recycling storage should not in itself require the existing hedge to be removed. Nevertheless, a condition has been specified requiring details of refuse and recycling storage to ensure that this is designed and located in a manner that maintains good residential amenity and prevents visual clutter within the street scene.
18. The claim that one-bedroom flats are unnecessary is not clearly proven and overlooks the city's housing needs, which is likely to include a requirement for smaller units to support for example, single households, young professionals and those seeking to downsize. The creation of a modest number of smaller dwellings therefore contributes positively to the overall housing mix.
19. The fact that only one other property on Shirley Road has been converted does not, in itself, indicate that further conversions are inappropriate. The existing dwelling is already capable of accommodating a large household. As such, the proposed intensity of use would not unacceptably exceed what could reasonably arise from that lawful fallback position. Therefore, the development would not amount to over-intensification, nor would it materially alter the character or demographic profile of the area.
20. On the available evidence, the development would not give rise to any significant unacceptable impacts on existing on-street parking to the detriment of highway safety.

Conditions

21. I have had regard to the conditions put forward by the Council considering the requirements of the Planning Practice Guidance and the National Planning Policy Framework. In addition to the standard timescale condition for the implementation of the planning permission, I have imposed a condition specifying the approved plans and documents in the interests of certainty.
22. I have imposed a condition requiring bicycle storage, as this is necessary to promote sustainable travel.
23. A condition requiring details of refuse and recycling storage is necessary for the reasons already set out above.
24. A condition for on-site water efficiency measures is required to ensure the development contributes to reducing pressure on local water resources and supporting sustainable construction.
25. Where necessary and in the interests of clarity, flexibility and precision, I have altered the conditions to better reflect the relevant guidance.

Conclusion

26. For the above reasons, I conclude that the appeal should be allowed.

M Aqbal

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 2) Unless otherwise agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings: 0001 A - Site Location Plan and 0200 C - Proposed plans and elevations.
- 3) Prior to the first occupation of each flat, secure and weatherproof bicycle storage facilities for bicycles in accordance with the Council's Parking Standards SPD (2014) shall be provided for that flat and shall thereafter be retained for the parking of bicycles at all times.
- 4) Notwithstanding the notification on the submitted plans, and prior to the first occupation of the property as flats: details of the refuse and recyclable materials storage facilities to be provided at the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the refuse and recyclable materials storage facilities shall be retained for the continued use by the occupants.
- 5) The proposal hereby permitted shall not (unless otherwise agreed in writing with the LPA) be first occupied until written documentary evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that the development has achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2)b of the Building Regulations (2010) (as amended). Such evidence shall be in the form of a post construction water efficiency calculator. The water efficiency measures shall thereafter be retained in accordance with the approved details.