



Appeal Decision

Site visit made on 29 July 2009

by **Andy Harwood CMS MSc MRTPI**

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
20 August 2009

Appeal Ref:APP/D1780/A/09/2102052

82 Shirley Avenue, Shirley, Southampton, Hampshire, SO15 5NJ.

- 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 Daniel Scott against the decision of Southampton City Council.
- The application Ref 08/01319/FUL, dated 10 September 2008, was refused by notice dated 5 November 2008.
- The development proposed is the erection of a pair of two bedroom, two storey semi-detached dwellings (resubmission).

Decision

1. I dismiss the appeal.

Main Issues

2. The two main issues are: the effect of the proposed development on the character and appearance of the surrounding area; and the effect of the development upon car parking and highway safety.

Reasons

3. The appeal site is currently part of the rear garden of 82 Shirley Avenue which faces onto Howards Grove. The site, similar to adjoining rear gardens, includes a high rear boundary wall with a vehicular access leading to a garage positioned close to the road. This and the other rear boundaries are not of uniform appearance. However the lack of two-storey development visible above the boundary walls and garages provides a sense of spaciousness to the street-scene on the south-eastern side of the road. Landscaping visible above the rear boundary walls further softens the setting.
 4. The dwellings on the opposite side of Howards Grove from the appeal site (Nos. 168 – 176) are laid out with a good degree of space between them as are those within Shirley Avenue. Generally the area close to the appeal site has an open, suburban feel. This gives way to higher residential densities towards the commercial area within Shirley High Street. The large sheltered housing development to the rear of 76 - 78 Shirley Avenue has the effect of bringing the higher density area closer to the appeal site. This, in my view, increases the sensitivity of this site and the adjoining rear gardens at the point of this transition in character.
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5. The principle of residential development on this previously developed land is acceptable. However policy SDP1 of the City of Southampton Local Plan Review, 2006 (LP) allows for this only where it would respect and improve the quality of the built environment. LP policy SDP7 seeks to prevent material harm to the character and/or appearance of an area including by paying respect to the scale, density and proportion existing buildings. SP policy SDP9 requires high quality building design in a number of terms including scale, massing and visual impact. The Council's Residential Design also approved in 2006, helps to inform how such matters should be considered. This makes it clear that proposed development should be similar to adjacent development in terms of scale, massing position on the plot. Emphasis is given to vertical and horizontal rhythm as well as architectural detailing which is required to be harmonious with existing adjacent development.
6. In this case, the proposal would create a pair of semi-detached dwellings which are not a common feature in this part of Howards Grove from where they would predominantly be seen. The houses would have a narrower emphasis than the existing detached dwellings nearby. The Victorian semi-detached dwellings and municipal estate development further towards Shirley High Street are too far away to visually connect with this proposal. The proposed dwellings would appear cramped within the plot in a much tighter form than those in the immediate area. The dwellings would have a much narrower frontage than is found nearby which would emphasise the higher density of development.
7. In relation to the first main issue, the proposed development would have a harmful effect upon the character and appearance of the surrounding area. This would not comply with LP policies SDP1, SDP7 and SDP9 or the advice within the Residential Design Guide. Even though this would involve making better use of previously developed land, overall the proposal goes against the advice within Planning Policy Statement 1 "Delivering Sustainable Development". This makes it clear that designs inappropriate within their context, failing to take available opportunities for improving the character and quality of an area should not be accepted. I have not been provided with a copy of LP policy H2. However, from the explanation of it within the appellant's Character Assessment and Design Report, for the above reasons, the proposal would not appear to comply with it.
8. The layout would not incorporate parking spaces for the prospective residents. However the Council confirms that this would comply with the maximum parking standards set out in the LP. Current guidance in the form of Planning Policy Statement 3 "Housing" (PPS3) and Planning Policy Guidance note 13 "Transport" (PPG13) emphasise the need to reduce car dependence. The profligate use of land should be avoided and developers should not be required to provide for more parking spaces than they themselves wish. At paragraph 2.30 of the LP, it is confirmed that car parking is a key determinant in the choice of mode of travel.
9. The site is just outside the 400m radius from high accessibility bus corridor which runs along Shirley High Street. This does not in my view mean that the site has a poor standard of accessibility. It is around 500m over level ground

from a diverse commercial area which has a range of facilities and good public transport services. The proposed dwellings would not appeal to residents who insist on having cars or off-street parking spaces and the increased security that comes with that. In any event, the above policies do not encourage meeting such demands. Lower car ownership and sustainable travel choices are encouraged. The lack of parking, the generally good pedestrian footpaths along with provision for cycle stores would encourage the more sustainable alternatives particularly if co-ordinated with parking controls as advocated within PPG13. Even if such a co-ordinated approach is not implemented, some parking could take place safely within Howards Grove, close to the appeal site but away from the narrow junction with St James Road. Any inconvenience caused should not be decisive in this case, in my view.

10. In relation to the second main issue, I consider that the proposal would not have an adverse effect upon highway safety. The Council's adopted parking standards are not outweighed by the other matters brought to my attention. In this respect, the proposed development would not conflict with LP policies SDP1 SDP10 or SDP10.
11. There would be a good degree of separation between the backs of the proposed dwellings and those in Shirley Avenue. The garden spaces would also be sufficient for the use of existing and proposed residents. However despite this and my conclusion on the second main issue, because of my conclusion on the first on balance the development would be unacceptable.
12. For the above reasons and taking account of all other matters, I consider that the appeal should be dismissed.

Andy Harwood
INSPECTOR