



Appeal Decision

Site visit made on 9 October 2007

by **D G T Isaac LLB**

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

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Decision date:
22 October 2007

Appeal Ref: APP/D1780/A/07/2047462

Land to rear of 88 Shirley Avenue, Southampton, 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 Davies Associates against the decision of Southampton Council.
- The application Ref. 07/00292/FUL, dated 22 February 2007, was refused by notice dated 15 May 2007.
- The development proposed is described as erection of 2 two and a half storey three bedroom dwellings.

Decision

1. I dismiss the appeal.

Main Issues

2. I consider the main issues in this case to be (a) the effect of the proposal in terms of highway safety, and (b) whether satisfactory living conditions would be provided for future residents of the proposed dwellings in terms of the provision made for private outdoor amenity space.

Reasons

3. The appeal site fronts onto Howard's Grove and the proposed new dwellings would each have vehicular access from that road. Each dwelling would have a parking space for one vehicle to the front of the building, but the proposal would not incorporate any turning space for vehicles within the site.
 4. The Council's Residential Design Guide advises that adequate turning space must be provided for vehicles within a development. The Residential Design Guide was approved by the Council as supplementary planning guidance in September 2006 following a process of public consultation and it is a material consideration to which I have attached significant weight.
 5. The appellants have pointed out that there are numerous examples of properties in the surrounding area which have similar arrangements for on site parking without turning space. However, there is nothing before me to indicate that planning permission has been granted for other developments in the locality incorporating on site parking areas without any manoeuvring space.
 6. There is an existing access to the rear of no. 88 Shirley Avenue on the site. Nevertheless, it seems to me that in comparison with the current situation, the proposal would result in an increase in vehicular movements onto and off the
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- site from Howard's Grove. I recognise that the proposal would result in the removal of the wall and gates that currently occupy the Howard's Grove boundary of the site. However, other neighbouring properties that back onto Howard's Grove have boundary walls and gates of a similar height.
7. By not incorporating any on site turning space for vehicles, the proposal would result in vehicles either having to be reversed onto the site from Howard's Grove or out of the site onto the highway. Having regard to the limited width of the carriageway and footways on this part of Howard's Grove, the proximity of the site to the junction with St James Road and the boundary treatment to the rear of other neighbouring properties, I consider that the reversing manoeuvres on this part of Howard's Grove that would be necessary to gain access either to or from the site would be hazardous. Moreover, by leading to an increase in such reversing manoeuvres in this location, to my mind, the proposal would be unduly hazardous to other users of the highway.
 8. I conclude that the proposal would have a harmful effect in terms of highway safety and that it would conflict with Policy SDP1 of the City of Southampton Local Plan Review and with the advice in the Residential Design Guide.
 9. Turning to the second main issue, the back garden areas of each of the proposed new dwellings would be less than the minimum back garden sizes indicated in the Residential Design Guide for semi-detached dwellings. Whilst the deficiency in terms of garden depth might be considered to be marginal, the overall area of only some 38m² would fall well short of the minimum area of 70m² which is indicated in the Design Guide.
 10. The appellants have drawn my attention to the size of the gardens of some properties in St James Road and the rear gardens of other dwellings further down Howard's Grove. Nevertheless, it seems to me that in the context of their immediate surroundings, the back gardens of the proposed new dwellings would be uncharacteristically small. As for the development at 145 Howard's Grove to which reference has been made, the type of accommodation provided there which appears to be sheltered housing is not typical of the area.
 11. I have considered what the appellants have said about some people not wanting more private outdoor amenity space than that which would be provided for the proposed new dwellings. I have taken into account the advice in Planning Policy Statement 3 (PPS 3): *Housing* regarding the more efficient use of brownfield land in sustainable locations such as this. However, PPS 3 also makes it clear that particularly where family housing is proposed, it will be important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens.
 12. As the internal accommodation provided in the proposed new dwellings would make them suitable for occupation by families with children, it seems to me that it is important that adequate provision of private outdoor amenity space should be made for future residents including their children. However, to my mind, the limited amount of private outdoor amenity space provided, which would fall significantly short of the minimum overall area indicated in the Residential Design Guide, would not be adequate to provide satisfactory living conditions for families with young children.

13. I conclude that satisfactory living conditions would not be provided for future residents of the proposed dwellings in terms of the provision made for private outdoor amenity space and that in this respect the proposal would conflict with Local Plan Policies SDP1 and H7 and with the advice in the Residential Design Guide.
14. I have taken into account all of the other matters raised in the representations made about the scheme. I have considered the proposal on its individual merits. However, none of the other matters raised is sufficient to outweigh my conclusions on the main issues and those conclusions provide compelling reasons to dismiss the appeal.

D G T Isaac

INSPECTOR