



Appeal Decision

Site visit made on 19 November 2014

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

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

Decision date: 19 December 2014

Appeal Ref: APP/D1780/A/14/2225646

38 Lime Avenue, Southampton, SO19 8NZ

- 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 M Dexter against the decision of Southampton City Council.
 - The application Ref 14/00856/FUL, dated 14 May 2014, was refused by notice dated 13 August 2014.
 - The development proposed is erection of 2 x 4 bedroom detached dwellings with associated works.
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Application for Costs

1. An application for costs was made by Mr M Dexter against Southampton City Council. This application is the subject of a separate decision.

Decision

2. The appeal is dismissed.

Procedural matter

3. The site address is given as 38 Lime Avenue, Southampton, SO19 8NZ on the application form and as Land rear of 38-40 Lime Avenue, Southampton, SO19 8NZ on the decision notice. The latter is more accurate and I have determined the appeal accordingly.

Main issues

4. The main issues are the effect of the proposal on the character and appearance of the area, on the living conditions of neighbouring residents and on highway safety.

Reasons

5. The National Planning Policy Framework (the Framework) sets out the Government's policy that applications for planning permission should be determined in accordance with development plan policies unless material
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considerations indicate otherwise. In this case, I consider the following policies to be relevant.

6. CS13 of the Council's Local Development Framework Core Strategy Development Plan Document 2010 (the Core Strategy) relates to design. It requires development to be analysis-based and context driven and to meet a range of criteria including that it should integrate with its local surroundings, be of a high quality design, impact positively on the amenity of the city's citizens and be of an appropriate density through scale, massing and appearance.
7. CS19 requires development to have regard to maximum parking standards and that car parking provision be assessed in accordance with a number of criteria including the location and density of the development and that it be well designed and seek to enhance the local environment.
8. Saved policies SDP1, SDP7 and SDP9 of the Southampton Local Plan Review 2006 (the local plan) are also relevant. SDP1 relates to the quality of development and is partially replaced by Core Strategy policy CS13 in respect of the impact of development on the amenity of citizens.
9. SDP7 does not allow for development which would cause material harm to the character and/or appearance of an area and requires proposals to respect the existing layout of buildings in the streetscape and the scale, density and proportion of existing buildings.
10. SDP9 requires a high standard of design and, among other things, that proposals should respect the surroundings in terms of their scale, massing and visual impact and their impact on local amenity. The Council's Supplementary Planning Guidance *Residential Design Guide 2006* (the Design Guide) sets out more detailed advice with regard to matters such as layout and architectural detailing.
11. I consider that these policies are consistent with the Framework as they seek to protect and enhance the environment and ensure good standards of amenity for occupants of land and buildings.

Character and appearance

12. The appeal site is part of the side gardens of 38 and 40 Lime Avenue. It falls quite steeply in a mix of informal terracing and sloping grass towards Lime Close to the southwest and to allotments and the Scholing Common Greenway, an area of open green land below and to the southeast. It lies in a residential area which is characterised by detached and semi-detached bungalows and a small number of chalet bungalows set against the backdrop of the Greenway and woodland beyond.
13. Most of the bungalows have some form of off street parking, typically a driveway and hardstanding or garage. Some of those with short front gardens have been altered to provide hardstanding across the width of the plot.
14. I consider that the proposed two storey dwellings would be out of keeping with the character and appearance of the area because of their height, scale, form and layout. This proposal is a revised scheme following a previously refused one for three houses and I accept that it is a reduction in the amount of development and aims to address the objections to the previous scheme.

15. The houses would be of a full two storeys and set down and cut into the slope. The ridge heights would be such that the houses would appear lower than the neighbouring properties at Nos. 38 and 40 when viewed from Lime Avenue. In this context, they would not appear unduly out of scale with the neighbouring bungalows. However, in the context of Lime Close, although there would be some similarities with Nos. 5 and 7, they would appear out of scale with the majority of the bungalows there, particularly No. 3 which is set low at the end of the cul-de-sac. They would appear prominent in the street scene because of their siting, height and bulk and would impinge on the views towards the Greenway from Lime Close and to a lesser extent from Lime Avenue.
16. The layout would not be characteristic of the prevailing pattern of development in the immediate area. This would not necessarily be unacceptable because the size and shape of the site are such that some form of development could be accommodated as an infill of the space between Nos. 38 and 40 Lime Avenue and 3 Lime Close. However, I consider that the proposed juxtaposition of the two two-storey houses and the neighbouring bungalows would appear awkward and incongruous. The area of hardstanding to provide access parking and manoeuvring space would further detract from the street scene because of its extent and stark appearance, the impact of which would be difficult to screen satisfactorily with soft landscaping.
17. There is some variation in the detailed design of properties in the immediate surroundings but overall I find that there is a noticeable degree of homogeneity in the bungalows in respect of their scale, roof form and projecting gabled windows, especially in Lime Avenue. There is less homogeneity in Lime Close where a small number of houses have a clearly expressed half storey into the roof.
18. In my opinion, the proposed design would appear somewhat bland in this context and would fail to respond positively to the prevailing character of the surroundings. The need to avoid overlooking of neighbouring properties would result in long, high side walls which would be solid brick apart from one small window. These would present a monolithic appearance to those properties and, in the case of the southwest elevation of the dwelling nearest to Lime Close would appear particularly obtrusive.
19. I conclude that the proposal would harm the character and appearance of the area because it would not integrate well with the surroundings, it would not respect the layout, scale and proportion of the buildings in the streetscape, its design quality would make little positive contribution to the enhancement of the local character and it would have an unacceptable visual impact. In these respects it would be contrary to Core Strategy policy CP13, local plan policies SDP1, SDP7 and SDP9 and the advice in the Design Guide.

Living conditions

20. The proposal has been designed to minimise its impact on the living conditions of neighbouring residents. I consider that there would be little or no potential for overlooking of, or loss of privacy for the properties immediately adjacent to the site. However, notwithstanding a distance of between approximately 14m and 17m between the main front window of 3 Lime Close and the nearest of the proposed houses, the latter would have a significant adverse impact on the

outlook from No. 3 because of the difference in levels and its overbearing appearance.

21. I conclude that the proposal would harm the living conditions of neighbouring residents because of its visual impact, contrary to policies CS13 of the Core Strategy and SDP9 of the local plan.

Highway safety

22. The proposal includes an area of hardstanding for the parking of two cars for each unit and for access and manoeuvring. Core Strategy policy CS19 requires that parking provision must have regard to the scale of proposed development and its location and density. The site is in an area of low accessibility and fairly dense housing. The Council has parking standards which set the maximum requirement for development proposals. The maximum for 4 bedroom houses is three spaces per dwelling and there is no requirement that development should meet a minimum standard. I note that the Highway Authority raised no objection since the proposal meets the parking standard.

23. I understand that there is considerable pressure for on-street parking in both Lime Avenue and Lime Close and that this is compounded by parking overflow from the several schools and other educational establishments on Middle Road. I saw during my visit that many of the properties in both streets have parking facilities within their curtilages, but that there is limited capacity for those without off-street parking and for visitors to park on the street without obstructing other traffic or parking on the pavement or on the turning heads. I also saw that there is heavy demand for spaces on Middle Road in those places where there are no restrictions.

24. However, while I accept that the current situation is difficult and the proposal would result in some increase in pressure for on-street parking, I consider that it is unlikely to be excessive as a result of these two dwellings and that, on the basis of the information before me, it would not be reasonable to take account of parking generated by the schools. I do not consider that the potential increase in parking demand would be such as to compromise highway safety and I am not persuaded that the concerns regarding parking would be sufficient reason on their own to justify dismissing the appeal. I therefore conclude that the proposal is not contrary to Core Strategy policy CS19.

Conclusions

25. I have found that the proposal is acceptable in terms of its parking provision. However, this does not outweigh my conclusions on the other two main issues, that it would be harmful to the character and appearance of the area and the living conditions of neighbouring residents. The issues in this appeal are finely balanced and in determining this appeal I have given careful consideration to all the representations made and all other matters raised. On balance, I have found nothing to alter my conclusion that for the reasons given above, the proposal is contrary to planning policy and the appeal should not succeed.

PAG Metcalfe

INSPECTOR