

Appeal statement

Appeal against refusal of planning permission

Location: 175-177 London Road, Waterloooville, PO7 7RJ

Proposal: Demolition of existing single storey building; construction of 2 No. three bed semi-detached dwellings and 2 No. semi-detached bungalows (1 No. two bed and 1 No. one bed); retention of existing property at 177 London Road; with associated access, parking and landscaping.

Appellant: Mr A Blackburn

LPA Reference: APP/19/00922

1.0 Appeal site and surroundings

1.1 Comprises commercial premises and a two-storey dwelling (Mo.177) located on the west side of London Road close to the junction with Rowlands Avenue.

1.2 The buildings on the appeal site have no architectural interest and are not statutory or locally listed buildings. There are no listed buildings in the vicinity of the appeal site. Furthermore, the appeal site does not fall within a conservation area or near to one.

1.3 The area around the appeal site is residential in character with a mix of dwelling types but comprising mainly detached and semi-detached dwellings dating from the late nineteenth and twentieth centuries. There is a recently constructed convenience store on the corner of London Road and Rowlands Avenue.

2.0 Appeal proposals

2.1 The appeal proposals resulted from a pre-application submission and discussions with planning officers. It has been accepted by the LPA that the appeal site is suitable in principle for residential development.

2.2 The planning application that led to this appeal was validated by the local planning authority on 23 September 2019. It proposed the demolition of existing commercial buildings on the site and the construction of a pair of two-storey semi-detached dwellings fronting London Road and a pair of single storey dwellings in the rear part of the site. The existing two-storey dwelling, known as No.177 London Road would be retained within a new curtilage.

2.3 On 15 November 2019 planning permission was refused by the local planning authority for the following reasons:

1. The proposed development would have a harmful effect on the character and appearance of the surrounding area as it would introduce a more intensive form of development into an area that is defined by its spacious character. Furthermore when viewed alongside the adjoining dwellings on all sides of the site, the proposed development would not integrate with, or respond positively to, the character and appearance of the surrounding area in terms of design, layout or scale and in that respect it would conflict with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework.

2. In the absence of a suitable agreement to secure appropriate mitigation measures, the development would be likely to have a significant effect on the Solent Special Protection Areas due to the increase in recreation as a result of the development, and so is contrary to Policies CS11 and CS21 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM24 of the Havant Borough Local Plan

(Allocations) 2014, the National Planning Policy Framework and the Conservation of Habitats and Species Regulations 2017.

3. The proposal, in the absence of an assessment of nutrient discharge and without completion of the appropriate binding arrangements in relation to off-setting any increase, is likely to have a significant effect on internationally designated ecological sites (Special Protection Areas, Special Area of Conservation and potential SPA designations). The development is therefore contrary to policies CS11 and CS21 of the Havant Borough Local Plan (Core Strategy) 2011, the National Planning Policy Framework and the Conservation of Habitats and Species Regulations 2017.

3.0 Planning history

3.1 There is none that is particularly relevant to this appeal

4.0 Reason for appeal

4.1 The reason for refusal is considered unjust and not in accordance with advice in the National Planning Policy Framework (NPPF) that supports sustainable development and Central Government's drive to build more homes in sustainable locations, such as the appeal site area.

5.0 Planning considerations and policy references

5.1 The reasons for refusal Number 2 will be dealt with by means of a financial contribution and/or legal agreement. Reason for refusal Number 3 may be resolved through the imposition of an appropriate *Grampian* planning condition. This has been agreed elsewhere in the Borough, for example at 50 Silvester Road, LPA Ref: APP/19/00839. A copy of this decision notice is included in the appeal documents.

5.2 The primary reason for refusal, Number 1 on the decision notice, asserts that the appeal proposals would introduce a form of development that would be intensive and not in keeping with the spacious characteristic of the locality. Reference is made to the design, layout and scale being inappropriate.

5.3 The area around the appeal site is formed from mainly semi-detached dwellings dating from the twentieth century. In design terms they are lacking any particular strong architectural style and at best could be described as mediocre in design terms. Garden sizes vary but those dwellings fronting London Road have unusually long and narrow gardens. Dwellings in Rowlands Avenue have gardens of shorter length. Most of the nearby dwellings in London Road and Rowlands Avenue have off-street car parking in the form of vehicle hardstandings adjacent to the footway (see photographs in Appendix A).

5.4 Car parking and cycle storage would be provided to the Council's standards. Furthermore, a charging point would be integrated into the development to encourage residents to use electric vehicles. It is noted there is no objection from the LPA to the access and parking arrangements incorporated into the appeal proposals.

5.5 The reason for refusal does not mention any negative impact on nearby residential properties and the Planning Officer's delegated report is clear on this point. The frontage dwellings (Plots 1 and 2) forming part of the appeal proposals follow the pattern and building line already established on the London Road frontage. Furthermore, the depth of the dwellings proposed would be a similar measurement to existing nearby dwellings. The dwellings proposed at the rear (Plots 3 and 4) are single storey in height and therefore would not result in any unneighbourly overlooking, loss of light or diminution of outlook in respect of neighbouring dwellings in London Road and Rowlands Avenue. This has been agreed by the LPA.

5.6 There is a precedent for a similar forms of development forming the appeal proposals that have been accepted by the LPA in many locations throughout the Borough. One example being at 78/80 Silvester Road, a short distance to the north where the character and appearance is similar to the appeal site surroundings (see Figures 5 and 6 in Appendix A). Planning permission was granted on 8 September 2017 to construct 2, three bedroom

bungalows on land to the rear of these two dwellings with the access road running between Nos. 78 and 80. Furthermore, planning permission was granted recently to construct a single storey dwelling to the rear of 50 Silvester Road, see decision notice Ref: APP/19/00839.

5.7 Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 is referred to in the reason for refusal. The wording of this policy is set out below:

Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

- 1. Responds to, draws inspiration from and respects local context and:*
 - a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;*
 - b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;*
 - c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;*
 - d) Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and*
 - e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.*
- 2. Produces a positive relationship between buildings, street and spaces both existing and proposed, where:*
 - a) The layout of the development reduces opportunities for crime and antisocial behaviour; contributes to improving community safety; and makes provision for the management and maintenance of the development;*
 - b) New streets are not dominated by vehicular traffic;*

c) The layout of the development is legible, meaning it is easy to orientate oneself and move through.

3. Contributes to the improvement of the public realm close to the development, particularly sites close to town, district and local centres and other priority regeneration areas by using high quality hard and soft landscape material and street furniture; and where development is of a significant scale or prominence makes provision for public art.

4. Is inclusive by considering the needs of those with disabilities, ensuring safe and convenient access for all; and integrating affordable and supported housing with market housing through tenure blind design to minimise social exclusion and promote social integration.

5. Maximises opportunities for mixed use developments, particularly in town and district centres; and encourage higher densities (50+ dwellings per hectare) where appropriate.

6. Mitigates negative environmental impacts through sustainable design and construction methods, resource efficiencies, particularly water and the provision of facilities for waste recycling.

7. Adapts to the changing needs of the users and the changing climate over the lifespan of the building.

In response to this policy the following comments are offered using relevant policy numbers and letters:

1. a) As far as there is a local character to respond to the appeal proposals do conform by the broad characteristics of the frontage development prevalent in the locality.
- b) There are no positive landscape features to respond to but the gardens proposed would aid bio-diversity and could include appropriate tree and shrub planting.

c) The massing, scale, building lines, design features and external materials all compare favourably with existing characteristics of dwellings in the area.

d) This part of London Road is a good public transport route with many buses to nearby centres, such as Waterloooville and further afield, Portsmouth.

d) It has been accepted by the LPA that the appeal proposals would not result in harm to nearby residents' amenity. In fact the removal of the existing near derelict building and non-conforming use would benefit residential amenity.

2. a) It is noted that the crime prevention consultee raised no objection to the appeal proposals.

b) The appeal proposals would not be any more dominated by vehicles than what is prevalent already in the area. Off-street car parking is a policy requirement of the LPA. The appeal proposals have been designed to minimise space given over to parking and access.

c) The appeal proposals would constitute development that is legible. Plots 1 and 2 would have frontages to London Road and Plots 3 and 4 via a clearly defined access road off London Road.

3. Compared to the existing appearance of the appeal site the appeal proposals would result in a significant enhancement of the public realm (see photographs in Appendix A).

4. The appeal proposal dwellings would be designed to ensure they are suitable for all persons, including those in wheelchairs. Units 3 and 4, being on one level would be especially appropriate.

5. The appeal site is close to the town centre of Waterloooville and the district centre of Cowplain. Consequently a higher density than is currently prevalent in the area is considered appropriate.

6. The appeal proposal dwellings would be designed to minimise environmental harm. A suitable condition would be expected to encompass this issue.
7. This internal design of the appeal proposal dwellings would ensure that as far as is practicable they would be adaptable to suit future requirements of residents.

5.8 The appeal proposals include space where tree and shrub planting could take place. As well as the rear gardens there is a limited amount of space on the highway frontage to London Road where planting could occur. The car parking spaces fronting London Road would be surfaced in good quality paving and not concrete or tarmacadam.

5.9 The design of the appeal proposal dwellings would be of a high standard including good quality external materials. The use of brick and render under a tile clad roof would echo the materials that are prevalent in the area. Chimney stacks for the London Road frontage dwellings and a fire wall would embellish the roofscape. The single storey dwellings would utilise similar external materials. All of the appeal proposal dwellings would be dual aspect with good levels of natural light and ventilation.

5.10 The appeal proposals would be in line with much of the advice that makes up the NPPF in terms of sustainable development and the presumption in favour of such development.

Chapter 5 is about delivering a sufficient supply of homes and Paragraphs 68 is considered particularly pertinent to the appeal proposals. It states that - *small and medium size sites can make an important contribution to meeting the housing requirements of an area, and are often built out relatively quickly.*

Chapter 12 refers to the importance of achieving well-designed places. Paragraphs 127 and 130 are considered most relevant to the appeal proposals. Paragraph 127 seeks to ensure that developments add to the

quality of the area, are visually attractive, result in good architecture, are well laid out and include effective landscaping. Paragraph 130 suggests that where development results in poor design and fails to take opportunities available for improving the character and quality of an area, and the way it functions, permission should be refused.

5.11 The appeal proposals would result in a significant improvement to the character and appearance of the appeal site and consequently the wider area. The existing very poor quality buildings, and their siting, certainly detracts from the design quality of the area. The removal of these buildings, and associated commercial activities, would result in both environmental benefits to the aesthetic qualities of the area as well as residents' amenity. The appeal proposals are considered to make effective use of this urban site by producing a mix of dwelling types within a well-designed development. For other sites within the Borough, including those already mentioned in Silvester Road, the LPA has accepted the form of development proposed in this appeal as being an effective way of increasing residential densities without harm to residential amenity.

6.0 Consultee responses

6.1 It is noted that the Council's Highway Engineer raised no objection to the appeal proposals. Furthermore, other consultees appear to be generally content with the principle of new dwellings on the appeal site.

7.0 Conclusion

7.1 The Inspector appointed to determine this appeal is respectfully requested to support this sustainable development and grant conditional planning permission.

Appendix A



Figure 1. Frontage of appeal site to London Road



Figure 2. View of appeal site from Rowlands Avenue.



Figure 3. Vehicle hardstandings nearby in Rowlands Avenue.



Figure 4. Vehicle hardstandings just south of appeal site in London Road.



Figure 5. Pair of bungalows to rear of 78/80 Silvester Road, Waterloooville.



Figure 6. Vehicular access to bungalows to rear of 78/80 Silvester Road.