
Appeal Decision

Site visit made on 19 November 2018

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2018

Appeal Ref: APP/X1735/W/18/3201013

1 Dockenfield Close, Havant PO9 3ST

- 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 Mr N Stone against the decision of Havant Borough Council.
 - The application Ref APP/17/01136, dated 20 October 2017, was refused by notice dated 29 March 2018.
 - The development proposed is construction of 1No. 1bed dwelling with associated refuse and cycle storage, parking and landscaping
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal as originally submitted was for the construction of a two-bedroom property. I understand that during the course of the application, changes were agreed between the appellant and the Council, and the description of the proposal was amended accordingly. Planning permission was subsequently refused for the construction of a one-bedroom dwelling, which is the subject of this appeal. This is also the reason for my use of the description of development as it is shown, which is taken from the appeal form.
3. A revised version of the National Planning Policy Framework (the Framework) was published after the determination of the planning application. The parties were given the opportunity to comment on this matter, and I have also taken into account the revised Framework for the determination of this appeal.

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the area;
 - Whether the proposal makes adequate provision for off-road parking and the effect of any lack of provision on the amenity of the area;

Reasons

Character and appearance

5. The appeal site lies within a dense residential estate that comprises a mix of terraced and semi-detached dwellings with small front gardens which, in many

cases, are used for off street parking. The properties are characterised by their similar appearance, particularly in respect of their simple built form and use of materials. This, together with the consistent front building lines and regular spacing between buildings, provides an even rhythm and uniformity to the street scene, both along Dockenfield Close and Winchfield Crescent.

6. No 1 Dockenfield Close comprises an end-of-terrace property, with a detached garage to the rear, which sits prominently at the corner of Dockenfield Close and Winchfield Crescent. Corner plots such as the appeal site are typically larger in size, and thus more spacious.
7. The construction of a two-storey dwelling, attached to the existing property, would however break the established building line along Winchfield Crescent. The proposal would create a form of development which would sit too close to the road frontage, and look unduly prominent and dominant within the street scene. The harm caused by the proposal would be further exacerbated by the width of the proposed dwelling, which does not replicate that of the other properties within the terrace, by reason of the constrained and narrow nature of the plot, and proximity to the road frontage.
8. The appellant sought to address the concerns raised by the local planning authority regarding the proximity to the road frontage, by proposing an L-shape building, set slightly further away from the corner of the plot. In my view, this further illustrates the cramped nature of the development. In addition, this proposed design approach would also detract from the uniformity and rhythm which characterises the existing terrace.
9. The appellant has drawn my attention to several applications related to infill developments, which have been granted planning permission by the Council, including an end-of-terrace property which was recently built to the side of no 1 Winchfield Crescent. I however note that this site does not form a corner plot. At my site visit, I saw that part of the ground floor to the dwelling appears to have been cut off, suggesting that the footprint of the building was excessive in relation to the size of the plot. This has resulted in a form of development which appears as an anomaly in the context of the prevailing character of this locality.
10. No 47 Dockenfield Close lies at the end of the cul-de-sac and does not form a corner plot. The location of this site is not as prominent and sensitive in relation to the street scene, and therefore, I do not consider that the circumstances of this development are directly comparable to the proposal before me. The other schemes mentioned by the appellant are located some distance away from the appeal site and I cannot be certain that they represent a direct parallel to this appeal, which in any event I have determined on its own merits.
11. The proposal would therefore, and taking the above into account, be harmful to the character and appearance of the area, and conflict with Policy CS16 of the Core Strategy¹. This policy requires, amongst other things, development to be designed to a high standard, notably by identifying and responding positively to local character, using the characteristics of the locality, but also by producing a positive relationship between buildings, streets and spaces. These aims are

¹ Havant Borough Core Strategy 2011

consistent with the Framework, particularly paragraph 127, which places the emphasis on high quality design.

Car parking provision

12. The Council's Parking SPD² sets out parking requirements for new development. It supplements Policy DM13 of the Core Strategy and is consistent with paragraph 105 of the Framework, which states that local parking standards should be set out, taking into account a number of elements, such as accessibility, type of development, but also the availability and opportunities of public transport.
13. The appeal site is located within proximity of a bus route, but the area cannot be described as accessible to the extent that residents could solely rely on other modes of transport to the private motor vehicle to travel to work and purchase everyday items such as food supplies. The site does not, therefore, lie within a sufficiently accessible location to justify a relaxation of the Council's parking standards, as set by the SPD. This means that as a result of the proposal, there would be a shortfall of one car parking space.
14. In the absence of compliance with the set parking standards, the SPD requires a parking survey to be submitted with the planning application, in order to identify the current level and capacity of on-street parking in the vicinity of the site. However, such an assessment does not appear to have been undertaken. The proposal would therefore appear to conflict with Policy DM13.
15. I note that some parking may be displaced onto nearby streets, in the event that the occupiers of the existing property own more than one vehicle, but this would be limited. As pointed out by the appellant, the existing garage does not appear to have been used by the occupiers of the appeal property for some time, suggesting that car parking for this dwelling may already be accommodated on street. In addition, I have not been provided with any evidence which would lead me to conclude that the lack of sufficient car parking provision would, in this instance, create wider parking problems, and interrupt the free flow of traffic, to the detriment of residential amenity.
16. The appellant has brought my attention to a number of applications, which have been approved by the Council despite a lack or absence of car parking provision. However, I note that, with the exception of the application at no 37 Catherington Way, all the other schemes appear to have been granted planning permission before the Council adopted the Parking SPD. This now constitutes an important material consideration for the determination of planning applications in this area. With regard to no 37 Catherington Way, I understand that this was an application for the erection of a two-storey extension, for which additional car parking provision would not be required. Therefore, I do not consider that it represents a direct parallel to the appeal proposal.
17. Based on the evidence before me and in the absence of objection from the local highway authority, I do not consider that the lack of on-site provision would encourage the parking of vehicles on the public highway to the extent that it would interrupt the free flow of traffic and harm the living conditions of local residents and warrant a refusal of planning permission on this basis. I therefore do not find conflict with Policy CS16 e) of the Core Strategy in this particular

² Havant Borough Council Park Supplementary Planning Document 2016

regard, which notably seeks to prevent harm to the amenities of neighbours by reason of noise. The conflict with Policy DM13 of the Core Strategy would be outweighed by the material considerations I have identified above.

Other Matters

18. The appeal site lies within proximity of the Solent Maritime Special Area of Conservation, and Chichester and Langstone Harbours Special Protection Area and Ramsar protected sites. Both parties agree there is a need to contribute towards mitigation measures due to the potential adverse impact that residential development may cause to habitat sites, and the appellant has submitted a Unilateral Undertaking to that effect. As I am dismissing the appeal on other substantive grounds however, this is not a matter which needs to be considered further as part of this appeal.
19. I note the appellant's comments regarding the appearance of the proposal and how it would or would not differ from an extension to the existing dwelling. I further note the Council's comments in this respect. Be this as it may, the proposal is for a dwelling which would appear and function as such. In addition, there is nothing before me to suggest that even if the proposal were an extension, its scale, size or positioning would be automatically acceptable given the harm that I have found above.

Conclusion

20. Whilst I have found that there would be no harm arising from the matter of car parking provision, this would not be sufficient to make up for that which would be caused to the character and appearance of the area as I have set it out above. It is for this reason that the appeal is dismissed.

S Edwards

INSPECTOR