
Appeal Decision

Site visit made on 15 January 2021

by S D Castle BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 February 2021

Appeal Ref: APP/W1715/W/20/3260432

9 Westfield Road, Chandler's Ford SO53 3GT

- 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 J Chahal against the decision of Eastleigh Borough Council.
 - The application Ref F/20/87442, dated 18 February 2020, was refused by notice dated 16 July 2020.
 - The development proposed is erection of 1 no. 2 bedroom detached dwelling to the side of 9 Westfield Road, Chandlers Ford, Hampshire, SO53 3GT including drop kerb. Demolition of existing store and erection of side extension to 9 Westfield Road.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I understand that the emerging Eastleigh Borough Local Plan 2016-2036 (eEBLP) has not yet been found sound. The Council has indicated, however, that it is at an advanced stage of preparation. No further details have been provided as to the status of the plan, with respect to any comments, objections or amendments required before it can be adopted. Accordingly, I can only afford limited weight to the eEBLP policies.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the surrounding area;
 - the living conditions of future occupiers, with particular regard to outdoor space;

Reasons

Character and Appearance

4. The appeal site is an irregularly shaped corner plot located within an established residential area, adjoining Westfield Crescent to the east and Westfield Road to the south. No 9 Westfield Road is a pitched-roofed two-storey semi-detached dwelling with a flat roofed single-storey side projection and spacious side garden. Nearby surrounding dwellings on Westfield Road and Westfield Crescent are characterised by a cohesive pattern of semi-detached and terraced dwellings consistently set back from the

- highway behind driveways and front gardens. These nearby dwellings are consistent with the materials and simple gable ended form of No 9.
5. Whilst there has been significant new development in the surrounding area, the immediate context of the site remains that of a planned estate where there is a regularity of dwelling design and in which grassed open spaces, often adjacent to the flank elevations of dwellings at road junctions, are prevalent. The regularity of dwelling design and layout, in combination with the significant areas of both public and private open green space, gives a cohesive and spacious character to the area. The appeal site contributes positively to this character through the dwelling's congruent design, spacious side garden area and set-back from the highway.
 6. The proposed detached dwelling has taken design cues from the surrounding dwellings in terms of its roof form, facing materials and window details. Nevertheless, the proposal would not reflect the cohesive pattern of development of semi-detached and terraced dwellings within which it would be predominantly viewed. It would encroach into one of the characteristic open green spaces at a prominent junction, harming the area's prevailing sense of spaciousness. The proposed dwelling would also project forward of the building line of No 1 Westfield Crescent, resulting in a prominent side elevation with limited visual relief forming the dominant built form at the entrance to Westfield Crescent. The proposed dwelling's comparatively narrow width and rear parking area would not be typical of the surrounding area. The detached dwelling's separation from no 9 would further emphasise the incongruous appearance of the proposal within its immediate visual context.
 7. I note that the Council has previously granted permission¹ for a detached dwelling on the side garden of no 9 in November 2017. I have been provided with some limited details of that permission, including the proposed site plan and front elevation drawings. At the time of my site visit, and from the limited details before me, the permission did not appear to have been commenced. Without a copy of the permission before me, I am unclear as to whether the permission remains extant. Notwithstanding this, the impact of the appeal proposal would result in additional harm to the character and appearance of the area in comparison to the 2017 permission. That additional harm would be by virtue of the additional projection forward of the building line of No 1 Westfield Crescent, the addition of a rear parking area, the narrower width of the dwelling, and the increased separation from the two-storey element of no 9. As noted above, these aspects of the proposal would emphasise the incongruous appearance of the proposal within its immediate visual context.
 8. At the time of my site visit, sections of closed boarded fence covered part of the eastern boundary of the site. The Council states that these have been erected without the benefit of planning permission. The site plan of the 2017 permission shows only limited planting on the eastern boundary. The appeal proposal includes more extensive planting along the eastern boundary to provide additional private amenity space. The enclosing of the side garden in a manner that would ensure privacy would, however, harm the identified spacious character of the area.
 9. Accordingly, the proposed development would harm the character and appearance of the surrounding area. It would, therefore, conflict with Saved

¹ LPA Ref: F/17/81664

Policy 59.BE of the Eastleigh Borough Local Plan Review (EBLPR) (2006), Policy DM1 of the eEBLP, the Quality Places Supplementary Planning Document (QPSPD) (2011), and Paragraph 127 of the National Planning Policy Framework (the Framework). These policies and guidance seek, when taken together, amongst other things, to ensure that development is of a high quality design and does not have an unacceptable impact upon the character and appearance of the area.

Living Conditions

10. The Council's QPSPD identifies outdoor space is an important component of good quality residential design and includes a minimum for private amenity space of at least 60% of the floor space of a house. The appellant's statement advises that this equates to 43.8m of private amenity space. The Council advises that the rear garden provides approximately 35 sq m (48.6%) but asserts that the side garden should not be regarded as private amenity space given the extent of landscaping that would be required. Furthermore, the Council considers that the rear garden would provide poor quality amenity space given that it would be located to the north of the dwelling and would, therefore, experience significant overshadowing.
11. The appropriate type and level of provision of outdoor space will vary according to the characteristics of the development and its surroundings. This is recognised within the QPSPD which states that the minimum required space may be reduced in urban areas when the dwelling is within 100m of a public open space. Given the proposed dwelling includes only 2 bedrooms and would be adjacent to a large area of public open space, the proposed rear garden, though small, would provide appropriate space to meet typical household requirements. Drying space for washing, a supervised play area for small children and space for 2 people to sit outside in comfort would all be accommodated in the rear garden. Furthermore, whilst I have noted enclosing the side garden would harm the character and appearance of the area, appropriate privacy could be provided by boundary planting.
12. As such, the living conditions of the future occupants of the proposed dwelling, with particular regard to outdoor space, would be acceptable. The proposal would therefore accord with EBLPR Policy 59.BE, eEBLP Policy DM1 and the QPSPD in this regard.

Other Matters

13. In addition to the 2017 permission on the appeal site, my attention has been drawn to a further permission granted for a three-bedroom house on another corner plot at no 49 Westfield Road². I have not, however, been provided with full details of the scheme at no 49 and so can not be certain that the circumstances are the same as the current proposals.
14. I have had regard to the concerns of an interested party with regards to on-street parking and loss of sunlight to surrounding properties. The Council did not conclude that they would amount to reasons to justify withholding planning permission. I have been provided with no substantiated evidence which would prompt me to disagree with the Council's conclusions on these matters.

² LPA ref: F/20/85519

Planning Balance

15. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations (including the Framework) indicate otherwise.
16. I acknowledge that the proposal would result in some economic, environmental and social benefits, including through its construction and as a result of an increase in spending, and patronage of facilities, in the local area. The proposal would also contribute to the supply of housing in a location where the distances to services and facilities would limit the need to travel. As the proposal is for a single additional dwelling, the weight to be given to such social, economic and environmental benefits would be limited.
17. I have no evidence before me to suggest that the Council is unable to demonstrate a 5-year supply of deliverable housing sites. The most recent Housing Delivery Test measurement is 173%³ of the local planning authority's housing requirement over the previous three years. Moreover, there is no suggestion in the evidence before me that the most important policies for the determination of the proposal are out-of-date. As such, the tilted balance, as set out in paragraph 11 of the Framework, is not engaged in this instance.
18. I give significant weight in favour of the appeal to the previous permission for a detached dwelling on the site. However, even if the evidence before me were to confirm that the previous permission remains extant, the harm to character and appearance of the proposal over and above the previous permission would weigh significantly against the appeal.
19. Overall, I find that the matters advanced in support of the proposal, do not, either individually or collectively, outweigh the harm identified, nor the conflict with the development plan.

Conclusion

20. For the above reasons, the appeal is dismissed.

S D Castle

INSPECTOR

³ Housing Delivery Test 2020 – Published 19 January 2021