



Appeal Decision

Site visit made on 13 March 2018

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th April 2018

Appeal Ref: APP/Z1775/W/17/3188141

Cornerstone House, 120 London Road, Hilsea, Portsmouth PO2 0NB

- 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 Prinset Ltd against the decision of Portsmouth City Council.
 - The application Ref 17/00338/FUL, dated 23 February 2017, was refused by notice dated 16 June 2017.
 - The development proposed is the conversion of part of the ground floor to create 2 No. 1 bed self contained flats and an enlargement to the cycle storage area, with external alterations to include the installation of new windows and doors.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of part of the ground floor to create 2No. 1 bed self contained flats and an enlargement to the cycle storage area, with external alterations to include the installation of new windows and doors at Cornerstone House, 120 London Road, Hilsea, Portsmouth PO2 0NB in accordance with the terms of the application, Ref 17/00338/FUL, dated 23 February 2017, subject to the following conditions on the attached Schedule A.

Main Issues

2. The main issues are the effects of the proposal on (a) the safety of the users of surrounding highway network and (b) the living conditions of the future occupiers of Apartment 2 (the larger of the two proposed residential units), having regard to light.

Reasons

Highway safety

3. The appeal site comprises part of the ground floor of a four storey building, known as Cornerstone House, which is located on London Road with a return frontage to Stubbington Avenue. A significant part of the building has been converted to residential use under planning permission and prior approval procedures. On London Road, the surrounding buildings are predominantly in commercial use at ground floor with a mix of residential and commercial uses above. On Stubbington Avenue, there are mainly residential properties.
4. On both London Road and Stubbington Avenue, vehicle parking directly outside of the appeal site is prohibited. There is street parking available further along Stubbington Avenue and residential roads leading off this road. At the time of

my site visit around midday, street parking in these areas was difficult although this represents only a snapshot in time. The Portsmouth Parking Supplementary Planning Document (SPD) 2014 sets out an expected amount of two parking spaces for this development which cannot be provided due to the constraints of the site. The Highway Authority has objected to the effect of the parking space shortfall on the highway safety of users in the area.

5. However, the supporting census data underpinning the SPD parking standards is based on households with cars and excludes households without cars. In this instance, the accommodation to be provided is single bedroom and in a location within easy walking distance of services and facilities, including shops for day to day needs, and bus stops for public transport to other parts of the city. Therefore, it has not been demonstrated that a need of two additional car parking spaces would be required and it would be likely that only an additional vehicle parking space would be required at most in accordance with the Appellant's analysis of the census data.
6. It has been agreed that the surrounding area experiences a high degree of parking stress, including weekends and evenings. Given the residential nature of the proposal, parking by future residents would be likely to be during evenings and weekends. However, an additional car parking requirement of one space would not materially worsen this situation. Photographic evidence has also been produced which shows that nearby junctions are not blocked by indiscriminate parking during the evening on certain dates. The Council also acknowledges that indiscriminate parking can be dealt with separately as traffic infringements which would act as a deterrent. In built-up residential areas, residents may not be able to park close to their properties at certain times but this is a matter of inconvenience rather than detriment to highway safety.
7. For all these reasons, it has not been demonstrated that any additional vehicle parking requirement would harm the safety of highway users in the vicinity and therefore, the proposal would comply with policy PCS17 of the Portsmouth Plan (PP) 2012.

Living conditions

8. There would be a frontage doorway for apartment 2 and the existing large glazed panels would be replaced with part glazing and part UPVC grey panels. This would be similar to the other adjacent converted units within Cornerstone House. By reason of Cornerstone House being a single aspect building, the rear kitchen and bathroom of this larger unit would have no windows serving it and the development would face north.
9. However, a daylight technical report details that three of the four rooms of the apartment would receive adequate natural daylight. The fourth room, a kitchen, would not receive any significant natural light but this would have supplementary lighting. The technical report includes detailed modelling and calculations following Building Research Institute guidelines and methodology taking into account room area and window dimensions and therefore, considerable weight is given to its findings and conclusions. Whilst the lighting arrangement to the kitchen is not ideal, the report show that the apartment as a whole would receive adequate daylight.
10. For all these reasons, the living conditions of the occupiers of apartment 2 would not be harmed and the proposal would comply with PP policy PCS23.

Other matters

11. There would be a likely significant effect on the internationally important interest features of Chichester and Langstone Harbours Special Protection Areas (SPAs), in combination with other plans and projects. A financial contribution has been made towards mitigation of this effect for the Solent SPAs under section 111 of the Local Government Act 1972 which would accord with the Solent SPAs Supplementary Planning Document (SPD) 2014.
12. Under the SPD, the mitigation would fund measures to prevent disturbance to wintering waders and wildfowl and consist of measures, including rangers, to reduce disturbance by influencing the behaviour of visitors, including dog-walkers and a monitoring scheme to assess the effectiveness of measures. On this basis, I am satisfied that the contribution would be used for its intended purpose and that the effects of this development can be mitigated such that the integrity of the SPAs would not be adversely affected.

Conditions

13. Suggested conditions have been considered in light of advice contained in Planning Practice Guidance (PPG); for clarity and to ensure compliance with the guidance, I have amended some of the Council's suggested wording.
14. A condition requiring that the development is carried out in accordance with approved plans is necessary in the interests of certainty. In the interests of offering sustainable choices of transport and the appearance of the development, a condition is necessary to ensure adequate cycle and bin storage provision. To ensure adequate air ventilation and window noise insulation, a condition is necessary to ensure provision in accordance with approved details. Given the previous use of the site, it has not been demonstrated that a condition requiring details of existing construction details, storage of chemicals and equipment is necessary. In all other respects, the imposed conditions would meet the tests contained within the PPG and the National Planning Policy Framework.

Conclusion

15. For the above reasons and having regard to all matters raised, I conclude that the appeal should be allowed.

Jonathon Parsons

INSPECTOR

Schedule A

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 15-2092-202 Revision P5; 15-2092-203 Revision P4; 15-2092-204 Revision P2 and 15-2092-205 Revision P2.
3. The cycle and refuse storage facilities shown on the approved drawings shall be provided and made available for use before first occupation of the apartments/flats hereby permitted and shall thereafter be retained.
4. Before first occupation of the two apartments/flats hereby permitted, the windows and ventilation system shall be provided in accordance with drawing nos 15-2092-203 Revision P4 and 15-2092-202 Revision P5, and Clarke Sanders Noise Impact Assessment 31 October 2017, ref AS 9453.170131.NIA.