

Appeal Decision

Site visit made on 26 September 2016

by David Cliff BA Hons MSc MRTPI

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

Decision date: 18TH October 2016

Appeal Ref: APP/N1730/W/16/3153105 4 Dorchester Way, Greywell, Hook RG29 1BX

- 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 and Mrs Russell against the decision of Hart District Council.
 - The application Ref 16/00399/FUL, dated 16 February 2016, was refused by notice dated 12 April 2016.
 - The development proposed is 'one new attached 3 bedroom dwelling with parking and first floor rear extension to existing house (submission of 15/02649/FUL)'.
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Decision

1. The appeal is allowed and planning permission is granted for one new attached 3 bedroom dwelling with parking and first floor rear extension to existing house at 4 Dorchester Way, Greywell, Hook RG29 1BX in accordance with the terms of the application 16/00399/FUL, dated 16 February 2016, and subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2015/01, 2015/02B and 2015/03A.
 3. No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.
 4. The development hereby approved shall not be occupied until space has been laid out in accordance with the approved drawings for the parking of vehicles. Thereafter the parking area provided shall be retained for the parking of vehicles.

Preliminary Matter

2. In my decision above I have omitted the wording *submission of 15/02649/FUL* from the description of development. Despite being used in the description stated on the application form, this wording does not amount to an act of development and is therefore superfluous.
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Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

4. Dorchester Way consists of a row of predominantly two storey semi-detached properties, in a rural location at the edge of the village of Greywell. Some of the other properties in the row have been previously extended by two storeys at the side.
5. The proposed two storey side extension to form a new dwelling has been set back behind the front elevation of the existing dwelling and has a reduced eaves and ridge height. Whilst being a large extension, the design seeks to be subservient to the existing property.
6. The adjoining property (3 Dorchester Way) has already been extended to the side at two storey level, as has 1 Dorchester Way. Taking these into account, I do not consider that the existing row of properties is particularly uniform in its appearance or rhythm with varied separation distances evident between the different properties.
7. The proposed flank wall of the new dwelling would be sited over one metre from the boundary with 5 Dorchester Way. That neighbouring property has a garage (with accommodation within its roof space) located adjacent to its side boundary. Due to its comparatively low ridge line this would provide additional spacing and separation between the respective properties. Given these circumstances and taking account of the variety of different gaps between other properties in the road, I do not consider that the proposal would result in an unacceptable terracing effect.
8. The resulting plot widths for both the proposed dwelling and that existing would be narrower than others in the road. However, the plots widths of the dwellings along Dorchester Way vary and I do not consider that any harm to the character and appearance of the area would result from the proposals in this respect. Furthermore, given the subservient design of the proposed extension along with the factors outlined above, I do not find that the proposal would result in an unacceptably cramped appearance within the streetscene.
9. Planning permission has been previously granted for a two storey side extension to the existing house. The appellant states that construction of it has commenced and the Local Planning Authority has not argued otherwise. Whilst that permission is to extend the existing dwelling rather than provide for a new dwelling, I note that it would result in a massing of building which is only slightly less than the current proposal. From the evidence before me, there appears to be a more than theoretical possibility that such an extension would be constructed should this appeal fail. Therefore this is a material consideration to which I give moderate weight as a fall back position.
10. The proposal would include an area of hard surfacing for parking at the front of the site. There is existing hardstanding at the appeal site and other properties in the road have similar hardstandings. I do not consider that significant harm would result from the additional hardstanding now proposed, along with the likely increase in cars arising from the development, upon the character or appearance of the streetscene.

11. Even though it is located on the edge of the village with open countryside immediately adjacent, I conclude with regard to the main issue that the proposed development would safeguard the character and appearance of the area. It would accord with the relevant design aims of saved policies GEN1, GEN4 and RUR20 of the Hart District Local Plan (Replacement) 1996-2006 and the National Planning Policy Framework (the Framework).

Other Matters

12. The proposal would provide one new dwelling within a rural settlement making a small contribution to the supply of housing. The Council states that it does not need to rely on the provision of an additional dwelling in this location for its supply of housing, although confirms that it is not introducing the site's location as a reason for refusal. I have found the proposal to be acceptable in terms of the main issue regarding character and appearance, and the matter of housing supply and location of the development has not altered my overall conclusion in the determination of this appeal.
13. The increase in traffic generated by the proposal would be modest and would be unlikely to lead to any significant implications upon highway or pedestrian safety. It would also be unlikely to result in any unacceptable noise impacts.
14. The appeal site is located outside, though adjacent to the boundary of the Greywell Conservation Area. Taking into account my reasoning above with regard to the main issue, I find that the proposal would safeguard the setting and significance of the Conservation Area.

Conditions

15. An approved plans condition is necessary to provide certainty to what has been approved. A condition requiring the approval of external materials is necessary to ensure the satisfactory external appearance of the development. The provision and retention of the parking area is also necessary to reduce the likelihood of on street parking and any resulting implications for highway safety.
16. The Government's Planning Practice Guidance advises that conditions restricting the future use of permitted development rights will rarely pass the test of necessity and should only be used in exceptional circumstances. I do not consider the reasons for the Council's suggested condition in this regard to amount to exceptional circumstances and therefore do not consider it necessary to attach such a condition in this case.

Conclusion

17. From the evidence before me, I find that the proposal would accord with the development plan read as a whole and would amount to sustainable development as sought by the Framework.
18. Having regard to all other matters raised, I conclude that the appeal should be allowed.

David Cliff

INSPECTOR