

Appeal Decision

Site visit made on 8 November 2016

by Grahame Gould BA MPhil MRTPI

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

Decision date: 21st November 2016

Appeal Ref: APP/R3650/W/16/3155218

Acorn Hill, Linkside East, Beacon Hill, Hindhead, Surrey GU26 6NY

- 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 M Readman against the decision of Waverley Borough Council.
 - The application Ref WA/2016/0426, dated 10 March 2016, was refused by notice dated 5 May 2016.
 - The development proposed is described as 'demolition of existing detached garage, the erection of a detached two-storey dwelling house with a part lower ground floor level to the rear and an integral garage with associated access and landscaping, the erection of a single-storey side extension to the existing dwelling house to form a new garage, and blocking up of the existing bedroom window in the side elevation at first floor level and the alteration of the existing access point off Linkside East to provide pedestrian and vehicular access to the existing and proposed dwelling houses'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Reference has been made to the Council's emerging replacement Local Plan for which a consultation draft was published on 19 August 2016. As the emerging Local Plan remains to be examined and is therefore subject to change, I find that little weight can be attached to its policies in the determination of this appeal, having regard to the provisions of paragraph 216 of the National Planning Policy Framework (the Framework). I shall therefore make no further reference to the emerging Local Plan.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area, including the rear garden trees.

Reasons

4. The development would involve the construction of a split level dwelling within the side garden area of Acorn Hill, a detached house. To facilitate the development a substantial detached side garage would be demolished. A single storey side extension would be added to Acorn Hill and this would house a replacement garage.
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The approach to this decision

5. At the time of the application's determination the Council considered it could not demonstrate the availability of a five year supply of deliverable housing sites (an HLS). However, as part of its appeal case the Council has submitted that there is now an HLS, a matter disputed by the appellants. The availability or otherwise of an HLS has implications for the consideration of whether or not development plan policies that affect the supply of housing should be considered as being up to date, having regard to the provisions of paragraph 49 of the Framework.
6. The reason for refusal alleges conflict with saved Policies D1, D4 and D7 of the Waverley Borough Local Plan of 2002 (the Local Plan), which respectively address matters concerning the environmental implications of development, design and layout and the safeguarding of trees. Those local plan policies address detail design matters rather than the quantum or location of new housing and I find them not to be policies for the supply of housing. I also consider Policies D1, D4 and D7 to be consistent with the Framework.
7. Having regard to the above I consider that this appeal should be determined in accordance with the development plan unless material considerations indicate otherwise, in line with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

Character and Appearance

8. Linkside East together with the immediately adjoining streets, Linkside North, Linkside South and Linkside West, are characterised by detached properties of individual designs, occupying comparatively large plots. A distinguishing feature of this area is its sylvan appearance, with generous amounts of planting within gardens, including that marking side boundaries and the mature trees that are readily visible within rear gardens.
9. The development would double the Acorn Hill's plot density in a low density area. The siting of new house relative to Acorn Hill and the boundary with Rose Hill would mean that these properties would lack the spaciousness exhibited by Acorn Hill and the other properties found in the immediate area. I find that this lack of spaciousness would result in the development failing to be respectful of its context, a factor which is indicative of it being a cramped form of development in relative terms.
10. Many of the rear garden trees are readily visible through the gaps between individual dwellings or the spaces between principal buildings and any associated detached outbuildings. Acorn Hill currently exhibits the aforementioned characteristic, with the trees within its heavily treed back garden being readily visible in the space between the house and the garage and above the garage roof.
11. The development would appreciably increase the amount of built mass within Acorn Hill's plot and I find that this would significantly diminish the views of the back garden trees and that this would be harmful to the appreciation of the area's sylvan character. In this respect the spacious character of this area is not defined simply by the gaps between individual buildings and plot

boundaries, with the spaces between buildings in different plots making appreciable contributions to the area's wider spaciousness.

12. Although there would be limited space between the flank walls of Acorn Hill and the new dwelling and the boundary that the latter would share with Rose Hill, there would be potential for some side boundary planting to be undertaken. That boundary planting would provide some softening of the development. However, such planting would not provide mitigation for the lack of spaciousness and reduction in the appreciation of the area's sylvan character.
13. While reference has been made to the historic intention to develop this area at a higher density, as is evident from the 1925 plot plan, this was never carried through. I therefore consider that the historic intentions for this estate have no bearing on the current context for the development.
14. The Council is concerned that there would be pressure from the occupiers to remove the woodland trees within what would be the dwelling's rear garden, because of their number and the limited extent of the garden area. The retention of the back garden trees could be made the subject of planning conditions and/or the making of a tree preservation order. Given those controls I find that the development would not necessarily result in the harmful removal of trees contributing to the area's sylvan character.
15. For the reasons given above I conclude that the development would be harmful to the character and the appearance of the area. There would therefore be conflict with Policies D1 and D4 of the Local Plan, insofar as the development would be of a scale that would be harmful to the area's visual character and distinctiveness.

Other Matters

16. I recognise that the development would make a contribution of the supply of housing in the area, albeit it would be a very modest one. I accept that the architectural designs for the dwelling and replacement garage would be compatible with their surroundings and that the siting of the house would not be harmful to the living conditions for the occupiers of the neighbouring properties. I also acknowledge that the development need not adversely affect the well-being of the protected Larch tree situated within the front verge. While the foregoing matters weigh to limited degrees in favour of the development, I find them to be outweighed by the harm to the character and appearance of the area that I have identified.

Conclusion

17. For the reasons given above the appeal is dismissed.

Grahame Gould

INSPECTOR