
Appeal Decision

Site visit made on 12 December 2016

by JP Roberts BSc(Hons), LLB(Hons), MRTPI

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

Decision date: 8 February 2017

Appeal Ref: APP/R3650/W/16/3154339

Thornbrake House, 14 Woodcut Road, Wrecclesham, Farnham GU10 4QF

- 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 Ian Stafford-Brookes against the decision of Waverley Borough Council.
 - The application Ref WA/2016/0694, dated 4 April 2016, was refused by notice dated 31 May 2016.
 - The development proposed is three residential units.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. The appellants have submitted a planning obligation under Section 106 of the Town and Country Planning Act 1990 which makes provision for the payment of a sum of money to mitigate the effect of the proposed development on the Thames Basin Heaths Special Protection Area (SPA). The Council has accepted that a suitable obligation would overcome its concern, and I shall refer to this further below.

Main Issues

3. The main issues are:
 - i) The effect of the proposal on the character and appearance of the surrounding residential area;
 - ii) Whether the proposal would provide satisfactory living conditions for the occupiers of the proposed dwellings with particular regard to overlooking, outlook and visual impact, and
 - iii) The effect of the proposal on the living conditions of the occupiers of 12 Woodcut Road and 8 Pottery Lane with particular regard to overlooking, outlook and visual impact.

Reasons

Character and appearance

4. The site lies within the settlement boundary of Farnham and there is no objection to the principle of the proposed development. The site is currently occupied by a single dwelling sited in a central position within a large plot.
-

There is a mixed pattern of development in the area. Houses on Woodcut Road are generally closely spaced, and with varying degrees of setbacks, with fairly long rear gardens. Pottery Lane has a varied disposition of dwellings, with some on the south-west side of the road being very close to the road, whilst north of the junction with Broadwell Road the pattern is similar to that along Woodcut Road.

5. The appellants have referred me to other pockets of higher density development in the area, the majority of which involve single dwellings, but these are not representative of the vicinity of the appeal site. Moreover, from its junction with Echo Barn Lane to the south-east to the junction with Broadwell Lane to the north-east, the side of Pottery Lane on which the appeal site lies has its own clearly discernible and attractive character, which is different from the south-west side of Pottery Lane opposite. It is marked by a verdant frontage with hedges and trees, with the houses set back from the road, in generally large, generously planted plots. This distinctive character contributes to the appearance of the wider area from where it can be seen.
6. It is proposed to demolish the existing house and to erect three houses in its place. The detached house accessed off Woodcut Road would be seen from the junction of Pottery Lane and Woodcut Road in the same view as the proposed pair of dwellings fronting Pottery Lane, and the much greater density would appear at odds with that of the houses on this side of Pottery Lane. The pair of houses facing Pottery Lane would be closer to the road than the existing house and those on either side.
7. The need to achieve sightlines at the access would necessitate the removal of the boundary hedge and the area between the road and the houses would be largely taken up by the hard-surfaced access and parking areas, together with parked cars. This would create an unsympathetic and inappropriately urban treatment of the area to the front of the dwellings. Whilst there would be some scope for additional and retained planting, in my view, it would not be adequate to mitigate the harmful effects of the uncharacteristic density or the loss of greenery along this part of the Pottery Lane frontage.
8. The Council also criticises the design of the houses as being top-heavy with dominant roofs, but I consider that the design would be compatible with those in the area, and this does not add to my concerns. However, it does not alter my finding that the proposal would result in material harm to the character and appearance of the surrounding residential area, and that it would conflict with saved policies D1 and D4 of the Waverley Borough Local Plan (LP) which respectively deal with the environmental implications of development and design and layout, both of which contain criteria relating to local character and site context. It would also conflict with the Farnham Design Statement which was adopted as a Supplementary Planning Document in 2012, and which requires, amongst other things, that development should reflect the pattern and density of existing development.

Living conditions – intended occupiers

9. The rear elevations of the proposed houses on Plots 1 and 2 would face the side boundary of the house on Plot 3 at a distance of about 8.8m at the closest point. At such a close distance the house on Plot 3, which would almost abut the rear boundary of Plots 1 and 2, would appear extremely dominant to the occupiers of Plot 2 in particular. This would provide a bleak outlook from the

sitting room, kitchen and the most private part of the garden area, and would fail to provide the good standard of amenity that the National Planning Policy Framework (the Framework) seeks for all occupiers of land and buildings.

10. The appellants have referred me to other examples of new dwellings which back onto others close to the boundary, but from the very limited information provided I cannot be certain that these involve windows to habitable rooms facing two storey flank elevations in the same circumstances as proposed in this case.
11. The Council alleges a conflict with its Residential Extensions Supplementary Planning Document, which seeks a gap of 3m between two storey development and a boundary but as the proposal does not involve an extension, it is not strictly applicable. Even so, I afford the guideline some weight, as it based on a sound design principle to ensure that development relates well to its context.
12. I am less concerned about mutual overlooking; the upper windows in Plots 2 and 3 facing Plot 1 would serve bathrooms, and the dining room window in the ground floor of Plot 1 would be likely to face a boundary fence which would preclude overlooking. The dwellings on Plots 2 and 3 would block some sunlight to the garden and side elevation to Plot 1, but not to an extent that would materially harm living conditions.
13. Whilst I find no material harm arising as a result of overlooking or the amount of sunlight reaching the proposed properties, the harm that I have found in respect of the poor outlook and dominant visual impact of Plot 1 when seen from the windows and garden of Plot 3 would fail to provide satisfactory living conditions for the intended occupiers. This would conflict with saved LP Policies D1 and D4, which, amongst other things, seek to protect amenity.

Living conditions - neighbours

14. The dwelling proposed on Plot 3 would lie about 8.54m from the boundary with 8 Pottery Lane. A first floor bedroom window would overlook the boundary, which is currently screened by planting on either side of the boundary. However, that planting cannot be relied upon to provide screening in perpetuity, and the closeness of the window to the boundary would enable anyone standing in the room to obtain clear views of the private garden.
15. Having said that, the existing screening would be likely to remain for some time, and I consider it likely that should any boundary planting die or be removed, in view of the high level of privacy that the property currently enjoys, it is likely that it would be replaced. Moreover, the garden to No 8 is a large one, where only a small part would be overlooked at a close distance, and thus I find that the residual harm would be small.
16. The house at Plot 1 would be close to the living room extension to the house at 12 Woodcut Road. It has large windows and rooflights facing the appeal site, and is separated from the boundary by a distance of about 3.5m. The proposed house at Plot 1 would have a two storey façade and a half-hipped roof some 2m off the boundary. I consider that this would create an overpowering and visually oppressive feature so close to the windows of a habitable room. There are plenty of examples nearby of dwellings being as close or closer to their neighbours, but I am satisfied that the particular

relationship here would be so unneighbourly as to seriously interfere with the occupiers' enjoyment of their sitting room.

17. The sitting room has light from windows on three sides, and so the proposal would not seriously diminish the amount of sunlight and daylight received in the room.
18. I conclude on this issue that the proposal would result in small harm to the privacy of the occupiers of 8 Pottery Lane but more serious harm would arise to the living conditions of the occupiers of 12 Woodcut Road with regard to outlook and visual impact, and would conflict with saved LP Policies D1 and D4.

Other matters

19. The house at 8 Pottery Lane is an early Edwardian grade II listed building, which lies within the Wrecclesham Conservation Area, the southern extension of which incorporates the building and its curtilage. The building's significance is largely derived from its use of decorative materials, including tiles from the nearby Farnham pottery. It sits in a large curtilage and the nearest of the proposed dwellings would be a sufficient distance away from the boundary so that I consider that it would not harm the setting of the listed building or the conservation area.
20. I have had regard to the narrowness of local roads, but I consider that the proposed access and parking arrangements would provide adequate off-street parking and that two additional dwellings would not materially add to existing highway problems. Whilst I recognise that the tandem parking arrangement on Plot 2 is not ideal, it is an insufficient reason to dismiss the appeal.
21. The Council has indicated that it can now demonstrate a 5 year supply of housing land, and no contrary evidence has been offered. Thus, whilst the proposal makes a contribution to the borough's housing supply, it would be modest. The scheme would also make more effective use of urban land; whilst the appellants say that the erection of 2 dwellings on the site would not be viable, there is no evidence to show this and in any event it would not justify the harm I have found. There would also be some economic benefits arising from the construction and occupation of the proposed dwellings, but the harm I have identified above is significant and outweighs all other considerations.

Obligation

22. The Council has confirmed that its reason for refusal regarding the SPA could be overcome by the submission of a planning obligation. The appellants' obligation offers the sum sought by the Council but it is not dated. Were the appeal to have been allowed, a dated version would have been sought.

Conclusion

23. For the reasons given above, I find that the proposal would conflict with the development plan as a whole and conclude that the appeal should be dismissed.

JP Roberts

INSPECTOR