

Appeal Decision

Site visit made on 9 May 2017

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

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

Decision date: 17th May 2017

Appeal Ref: APP/R3650/W/17/3168078

37 St Johns Street, Farncombe, Godalming, GU7 3EH

- 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 David Wilsmhurst against the decision of Waverley Borough Council.
 - The application Ref WA/2016/2083, dated 31 August 2016, was refused by notice dated 14 December 2016.
 - The development proposed is the demolition of existing 3 bay garage and replacement with single bed eco-dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development upon (a) the character and appearance of the area and (b) the living conditions of future occupants in respect of privacy.

Procedural Matter

3. My attention has been drawn to the emerging Local Plan which was submitted for examination in December 2016. However, as far as I am aware this remains unexamined and un-adopted and as such the weight I can attach to this is limited.

Reasons

Character and Appearance

4. The appeal site comprises of a single storey triple garage block which is located to the rear of No 37 St John Street. No 37, along with No 35, are a pair of semi-detached 2-storey blocks of flats. There is an existing vehicular access which leads to the rear of the flats and the garaging. To the rear of the site is No 33, a bungalow which is located at right angles to the existing garage block. To the north is a row of terraced houses along Cubitt Close. A further separate block of garages forms the southern boundary of the site.
 5. The appeal site is within a mixed area of residential dwellings and commercial properties. There is a general variety in terms of the size, age and style of dwellings in the area, giving rise to a mixed character.
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6. The proposal is for a modest 1-bed dwelling. This would be single storey with a mono-pitched roof and rooflights. The dwelling would be built into the rear boundary of the site and as such would have a single aspect across a small garden area to the front. The roof would be a 'green' sedum roof and the walls would be rendered concrete blocks. The existing driveway would be shared with the flats and parking bays for these units would be incorporated as part of the scheme.
7. I consider that the appeal site is particularly constrained in terms of its overall size. The general character of the area is mixed in terms of density and in respect of the scale of dwellings, and I accept that the development would exceed the national space standards in terms of its floorspace. However, in considering the effect on character and appearance, at my site visit I saw that there are no properties in the area with such a small plot as proposed and thus the development would not integrate well in this regard.
8. While the existing garages are of no particular architectural merit, the constraints of the site have also led to a proposal which would be poorly designed. The appellant submits that the design is creative and would add interest to the mixed character of the area. However, I consider the development to be devoid of any architectural merit and would neither respond to the area's commercial and industrial character or its domestic character.
9. The single aspect design, mono-pitched roof and porch would give rise to a bland development which would not reflect any characteristics of the local area. While I recognise that matters of design can be subjective and that particular architectural tastes should not be imposed, the development would not be visually attractive and would fail to promote or reinforce local distinctiveness.
10. The combination of the small plot size and scale and the incongruous design of the dwelling would therefore result in a poor quality and visibly cramped form of development which would be at odds with the general character of the area. Moreover, the existing garages are visible from St Johns Street and as such the proposed development would also be particularly noticeable in the street scene, causing harm. I note the environmental credentials of the proposed dwelling, however, this would not outweigh the harm I have found in respect of its design.
11. On this matter, I therefore conclude that the proposed dwelling would harm the character and appearance of the area. The proposal would not accord with Saved Policies D1 and D4 of the Waverley Borough Local Plan 2002 (LP). These require that development is of a high quality design which integrates well with the site and complements its surroundings and state that development will not be permitted where there would be harm to the visual character and distinctiveness of a locality, particularly in respect of the design and scale of the development and its relationship to its surroundings. The proposal would also conflict with the design paragraphs of the National Planning Policy Framework (the Framework) which seek to secure high quality design as a key aspect of sustainable development.

Living Conditions

12. There would be a separation distance of only around 14 metres from the rear elevation of No 37 and, due to the positioning of the proposed dwelling to the very rear of the plot, its garden would all be to the front of the property. There

would therefore be no private garden area as occupants of the flats would have a direct view into this area. I consider this would be wholly inadequate for day to day living.

13. The appellant has indicated that the space may be adjusted accordingly and that the flats would not need any outside space. However, due to the scale of the plot, and the relationship between this and the flats, increasing the size of the garden would not overcome this issue. Furthermore, due to the requirements for off-street parking, part of the appeal site would effectively be a shared space between the dwelling and the flats. Any fencing would be unlikely to overcome this due to the limited separation distances and the overlooking from first floor level. In addition, this could also give rise to further harm in respect of character and appearance and outlook.
14. In support of the appeal, my attention has been drawn to other development in the area which the appellant considers to also be overlooked. I accept that, given the built up nature of the area, a degree of overlooking is inevitable. I also note the backland nature of development along Cubitt Close and the limited separation distanced between dwellings here and dwellings fronting St Johns Street. However I do not know the circumstances of those cases or the policies that applied at the time of their consideration. This development should not, therefore, justify a lack of privacy for occupants of the proposed dwelling.
15. On this matter, I therefore conclude that there would be harm to the living conditions of future occupants due to a lack of privacy. The proposals would therefore be in conflict with LP Policies D1, D4 and H10 which seek to protect general amenity and provide a usable outdoor space. The proposal would also conflict with the Framework which requires, as a core planning principle, good standards of amenity (paragraph 17).

Conclusion

16. The proposal would positively contribute to housing supply and mix in an area where there is a shortfall, albeit this would be at a very small scale. I also note the dwelling would be energy efficient and would offer environmental benefits in respect of biodiversity in relation to the existing offer.
17. However, these benefits would not outweigh the social and environmental harm I have identified in respect of character and appearance and living conditions and I consider that these factors would significantly and demonstrably outweigh the benefits. The proposals cannot therefore be considered sustainable development for which the Framework presumes in favour.
18. For all of the above reasons, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

C Searson
INSPECTOR