

Appeal Decision

Site visit made on 28 April 2017

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 18 May 2017

Appeal Ref: APP/X0415/W/17/3168474

Sanderling, 59-61 Watchet Lane, Holmer Green HP15 6UF

- 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 Mrs R Graham against the decision of Chiltern District Council.
 - The application Ref CH/2016/2112/FA, dated 9 November 2016, was refused by notice dated 27 January 2017.
 - The development proposed is the erection of two link detached dwellings with integral garage & one detached cottage, and construction of vehicular access. Removal of garage extension to 59 – 61 Watchet Lane.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. Watchet Lane lies on the western side of Holmer Green, and is a fairly long straight road. The primarily residential road is characterised by linear development on its western side, with large detached and semi-detached houses with long back gardens. Properties are generally fairly well set back with room for parking and gardens in front of them. The eastern side of the road has a differing character, with linear development fronting the road but cul-de-sacs and through roads connecting through towards the centre of Holmer Green to the east.
 4. The appeal site comprises of a large two storey property, Sanderling, with an integral double garage on its south side. The proposal seeks to demolish this garage and construct an access road into the garden land behind. Two link detached properties (Plots 1-2) would be built at the head of the road, with a smaller detached property (Plot 3) erected at the north side of the access.
 5. I understand that following the refusal of the application that is the subject of this appeal a separate application for just Plots 1-2 has been approved. Plot 3 is also the only plot referred to in the Council's decision notice and there is therefore agreement between the parties that Plots 1 & 2 are acceptable in this location. Based on all that I have seen and read I have no reason to disagree with this view; whilst the primary pattern of development on the west side of Watchet Lane in the vicinity of the site remains linear, as a result of the long
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gardens and reasonably generous plots on the west side of the road, backland development in the form of the proposed Plots 1 and 2, and those south of No 49 Watchet Lane, which was under construction at the time of my visit, will begin to add a new dimension to the character of the area. Due to the length of the gardens of the properties in the immediate vicinity of the site, the rear plots also have the chance to be reasonably well screened and hidden from the street scene such that the immediate linear character of the area is not significantly affected.

6. Plot 3 would be sited roughly half way up the appeal site plot and would overlook the access drive. The property's main private garden would be sited to its right, between the house and Sanderling. This proposed house is detailed in the plans as a reasonably substantial three bed detached property with the south facing façade having canted bay windows and twin pitched roof half dormers. The northern rear elevation has a large central dormer window and high level roof lights.
7. To the north side of the appeal site is a short break in the linear development of the area, with a field gate accessing a grassed access to an orchard to the rear of the site. On the other side of this track lies a single storey bungalow with a pyramidal roof. Due to this break in development adjacent to the site and the lower height of the next property, Plot 3 would be clearly visible from the main street scene and would appear as a new intermediary tier of development in the character of the area.
8. Whilst I note comments relating to the space provided to the rear of Plot 3 by virtue of the field access, in my view this short break in development would increase the prominence of Plot 3 in the street scene; although the property would be designed to overlook the access drive, from the rear the fairly tall elevation of the house would appear awkward and contrived in its positioning, not relating to the character and appearance of the overall linear character of the area.
9. Furthermore, although reasonably generously sized, the positioning of the private garden to the side of the property, surrounded by a 1.8m close boarded fence would also appear out of place in views from the new access track, in an area characterised by long rear gardens, with this effect nullifying any positive effects of Plot 3 constituting a transition between the frontage development and construction to the rear. On this point I also note that the approved scheme for 2 dwellings only appears to have a relatively limited area of close boarded fencing encircling the new proposed garden for Sanderling.
10. I noted the presence of other similar schemes nearby on my site visit. However, aside from Heath Close, which is some way to the south of the appeal site and adjoins a more built up area of development, all other examples of such developments are on the east side of the road within the more nucleated pattern of development towards the centre of Holmer Green. As such I do not consider that they either provide precedents for the proposal in this case or alter the character and appearance of the area immediately surrounding the appeal site. I also note in this respect that the new backland development to the south only appears to have properties to the rear of the plot.
11. Reference is also made to possible future developments in the area, either to the rear of the site or involving the rear gardens of other properties to the

south west; with speculation that such developments may mirror the proposal. However, no firm plans have been put to me, and for the reasons given above I am of the opinion that Plot 3 would appear out of place within the surrounding area.

12. There is no disagreement between the parties that the Council are unable to demonstrate a five year supply of deliverable housing land. In such cases the National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. The benefits of the proposal would provide for 3 houses in an area of acknowledged shortage of housing supply. However, I note in this context that Plots 1-2 already have consent. I have no information that the overall scheme would be unviable without Plot 3 and therefore assume that Plots 1-2 will be constructed, meaning effectively that the proposal will generate 1 new house. One unit would generate certain limited social and economic benefits through its construction.
13. However, I consider that such limited benefits would be significantly and demonstrably outweighed by the harm that Plot 3 would cause to the character and appearance of the area. In making this judgement I have had regard to the core planning principle contained in the Framework that planning should take account of the different roles and character of different areas and the advice in paragraph 56 that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.
14. I therefore conclude that the proposed development would have a significant adverse effect on the character and appearance of the surrounding area. The proposal would be contrary to the Framework and to policies GC1 and H3 of the Local Plan¹, and policy CS20 of the Core Strategy², which together state that development will be permitted which is designed to a high standard and which reflects and respects the character of the surrounding area. In this respect whilst I note that H3 could be considered as a policy for the supply of housing and therefore out of date, the aspects of the policy concerning character and appearance remain consistent with the Framework, and I therefore accord it limited weight.
15. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jon Hockley

INSPECTOR

¹ Chiltern District Local Plan, 1997, Consolidated 2007 and 2011

² Core Strategy for Chiltern District, November 2011