The Planning Inspectorate

Appeal Decision

Site visit made on 25 April 2017

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 22 May 2017

Appeal Ref: APP/M1710/W/16/3165598
Ryecroft, Five Ash Road, Medstead GU34 5EH

- 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 & Mrs M Kercher against the decision of East Hampshire District Council.
- The application Ref 56715, dated 6 August 2016, was refused by notice dated 8 November 2016.
- The development proposed is described as demolition of existing 3-bedroom detached bungalow and erection of 2-storey, 4-bedroom dwelling detached.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:

   - the street scene and the character and appearance of the area; and,
   - housing choice.

Reasons

The street scene and the character and appearance of the area

3. My impression of the site and the surrounding area is that it is part of a strip of generally large, detached bungalows, notable for their linear arrangement along Five Ash Road, looking onto the agricultural fields of the open countryside on the opposite side of the road. The bungalows generally share a distinctive, low, and broad scale, derived from their shallow footprints and low eaves heights springing from the heads of the ground floor openings.

4. The proposed replacement house, with a continuous eaves set above the openings of the first floor, would appear uncharacteristically tall in this context. The proportion of its street elevation would be out of scale with the elevations of the neighbouring dwellings on Five Ash Road. This resultant shift in scale would undermine the coherent scale within the group which is part of the distinctive pattern of development along Five Ash Road.

5. I noted that some of the other bungalows along Five Ash Road have had minor roof development and that there are 2-storey houses within the group. However, they are very much in the minority, and they do not change the

overall character of development where roofs tend to spring from eaves at ground floor rather than first floor.

6. I appreciate that the pattern of development changes along Red Hill and in The Crescent, however the houses there appear to belong to an area with a different character of development. Moreover, I noted on my visit that many of those dwellings include modelling devices which reduce their vertical scale, such as catslide roofs, sections of low eaves, and pitched dormers within the roof to accommodate the first floor rather than raised walls.

7. I note that the width of the proposed house would be less than the existing bungalow. Being on land lower than many neighbouring plots would make it less visible, and its materials would be sensitive to the surrounding development. However, these factors do not overcome its incompatibility with the surrounding pattern of development in terms of vertical scale. I acknowledge that the proposal would provide greater accommodation and to modern construction standards, but this does not outweigh the harm identified above.

8. As the appellant points out, the Framework[1] says that decisions should not attempt to impose architectural styles or particular tastes. However, it also says that it is proper to seek to promote or reinforce local distinctiveness. In this case, the surrounding pattern of development has several characteristics which contribute to the distinctiveness of the place. The generally consistent and modest vertical scale of the buildings along this section of Five Oaks Road is a significant element of the townscape which contributes to the distinctiveness of the area, which the proposal would undermine.

9. Because of its break from the distinctive pattern of development, the proposed development would harm the street scene and the character and appearance of the area. It would conflict with Policy CP29 of the East Hampshire District Local Plan: Joint Core Strategy adopted 2014 which requires development, amongst other things, to contribute to local distinctiveness and sense of place and to be sensitive to its setting in terms of scale, height and massing. It would also conflict with the Framework[2] which says that development should respond to local character, and with the Planning Practice Guidance[3] which advises that development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development.

Housing choice

10. The appeal site, located outside the Settlement Policy Boundary, contains a bungalow which is proposed to be replaced by a larger house. In this circumstance, saved Policy H16 of the East Hampshire District Local Plan: Second Review 2006 (LP) applies. The supporting text to the Policy amplifies its aim '*to ensure that the existing variety in the housing stock is not diminished through excessive replacement and extension of dwellings.'*

11. The Policy restricts the replacement of dwellings with a floor area of between 67m^2 and 266m^2, as in this case, by a dwelling with a floor area no greater than 150% of the area of the original dwelling. There is a dispute between the

[1] National Planning Policy Framework, paragraph 60
[2] National Planning Policy Framework, paragraph 58
[3] Planning Practice Guidance, paragraph 007, ID 26-007-20140306

parties as to floor areas, the extent of the original dwelling, and whether the fall-back position of permitted development should be taken into account.

12. By the Council's calculations, the proposed house, with a floor area of 215m^2, would replace the existing house with a floor area of 114m^2; an increase of 89%. The appellants measure the floor area of the proposed dwelling as 210m^2. They dispute the floor area of the original dwelling attributed by the Council, as it does not include a conservatory which was added to the dwelling before 1 April 1974, the cut-off date in the Policy which defines 'original dwelling', and for which they have provided supporting evidence. Including the conservatory would increase the floor area of the original dwelling to 125m^2. On this basis the proposed dwelling would represent a 68% increase in floor area of the original.

13. The appellants also argue that in proposals similar to these, the Council has made allowance for enlargements which may be possible under permitted development. However, while I have not been provided with the details of the circumstances which led to those planning permissions, I understand that unlike in this case, those developments benefitted from Certificates of Lawful Development relating to permitted development. It is also unclear how this is reconciled against the measurement of floor area against the original dwelling, as described in the Policy.

14. In any event, by my assessment, the proposal would increase the floor space of the original dwelling by more than 50%. However, notwithstanding this, there is no evidence as to what extent it would affect the range of dwelling sizes in the area and the consequential impact on housing choice. While the Framework encourages local planning authorities to plan for a wide choice of homes, it says they should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand. There is no submission which shows that in this area there is an identified need for dwellings the size of the existing bungalow, or an over-supply of dwellings the size of its proposed replacement, and therefore no evidence that conflict with the Policy would result in harm to housing choice in this area.

15. I conclude on this issue that it has not been shown that the conflict of the proposed development with LP Policy H16 would have an unacceptable effect on housing choice. Accordingly, this is not a reason to dismiss the appeal.

Conclusion

16. While I have found no harm from the proposal's conflict with LP Policy H16, this is outweighed by its harm to the street scene and to the character and appearance of the area which would be clearly at odds with the development plan as a whole. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR