
Appeal Decision

Site visit made on 24 May 2017

by S J Lee BA(Hons) MA MRTPI

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

Decision date: 15th June 2017

Appeal Ref: APP/D3640/W/17/3166723
8 Foxhill Crescent, Camberley GU15 1PR

- 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 Justin Monroe against the decision of Surrey Heath Borough Council.
 - The application Ref 16/0888, dated 16 September 2016, was refused by notice dated 11 November 2016.
 - The development proposed is change of use of the amenity land following erection of a proposed out build garage, running 6.0m deep and 3.0m wide.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. On Part E of the appeal form it is stated that the description of development has not changed. However, a different wording has been entered from that used on the original application form. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Nonetheless, I have used the description used on the appeal form in the header above as this represents a clearer and more accurate description of the proposal.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site is located on a prominent corner plot within a relatively modern estate of predominantly detached dwellings. While there is some variety in appearance, the area retains a generally harmonious character. My attention has been drawn to an appeal decision at 2 Foxhill Crescent¹, which is also a corner plot. While not entirely comparable with the appeal proposal in all respects, the Inspector in that case commented on the open and spacious nature of the estate and that this is an essential part of its overall character. I saw nothing that would lead me to a different conclusion.
5. This character is created largely by the relatively generous plots, the set back of the dwellings from the roadside, the spaces between and around them and

¹ Appeal reference: APP/D3640/W/15/3135322

the open front to boundaries of many of the properties. Corner plots also tend to have wrap around side gardens, which adds considerably to the open character and feel of the area. This feature is especially visible and prominent in the appeal site. The site therefore makes a particularly important contribution to the overall character of the estate.

6. The proposed garage would be set back from the front building line. However, the presence of a building in the gap between the house and roadside would still serve to reduce the openness around the corner to a significant degree. When viewed from the front the existing sweep of the corner would be truncated by the presence of the garage and the additional fencing and planting. This would result in a harder edge than currently exists and an increased and inappropriate appearance of enclosure and formality.
7. When viewed from the side, there would be a discernible reduction in the space between the flank of the dwelling and the pavement. The hard edge of the close-board fencing would appear incongruous and unsympathetic to the prevailing character of the street scene, particularly when viewed in the context of No 10. While landscaping measures are proposed for the 1 metre strip of land that would remain, the proximity of this to the back edge of the pavement would not mitigate the adverse impacts on the appearance of the street scene resulting from the narrowing the gap. Indeed, it is likely that this would serve only to exacerbate the increased appearance of enclosure and reduction of space along the street.
8. The design of the garage is not objectionable. However, both its siting and the other consequential effects of changing the use of the amenity space would be detrimental to the existing character of the site and would significantly diminish the positive contribution it currently makes to the visual amenity and quality of the street scene and the overarching character of the estate. As such, it would have an unacceptable impact on the character and appearance of the area.
9. Accordingly, there would be conflict with Policy DM9 of the Surrey Heath Core Strategy (2012) which seeks, amongst other things, to ensure the development respects local character. It would also conflict with Guiding Principle P01 of the Western Urban Character Area Supplementary Planning Document (2012) (SPD), which states that development should pay particular regard to maintaining space around buildings. There would also be conflict with paragraphs 58 and 64 of the National Planning Policy Framework insofar as the development would not respond to local character or take the opportunity to improve it or the way it functions.

Other Matters

10. The appellant has drawn my attention to other nearby examples of development and alterations that have taken place on the estate. I have not been provided with full details of how or when such alterations were permitted or carried out. I have however noted the Council's comments in relation to many of these taking place as permitted development, and thus outside the Council's control. Some development may also have taken place prior to the publication of the SPD and thus the context in which the decisions were taken is different. As such, I cannot conclude with any certainty that the circumstances of the appeal proposal are directly comparable to the examples provided.

11. Nevertheless, I took the opportunity to observe the examples during my site visit. Not all are relevant to the case as they do not apply to corner plots where the importance of wrap around gardens is already noted. However, I did note that there are cases on such plots where some degree of openness has been reduced to one extent or another, either through increased enclosure or extension. Nevertheless, these examples do not lead me to conclude that any further erosion of the open and spacious character of the area would be acceptable or appropriate. Indeed, these serve only to demonstrate the importance of maintaining spaces in order to retain the established character of the estate and resisting development that might significantly and negatively affect this. This would be the case here and is reflected in the character assessment and guidance set out in the SPD.
12. I have also noted the appellant's comments in relation to the maintenance of the space and the anti-social behaviour they have experienced. While I sympathise with the appellant and recognise this can be unpleasant, it does not justify a harmful form of development and does not therefore outweigh my concerns.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

S J Lee

INSPECTOR