

Appeal Decision

Site visit made on 7 June 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 20th June 2017

Appeal Ref: APP/P1750/D/17/3174557

Friars Keep, 41 Manor Road, Aldershot GU11 3DG

- 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 Andrew & Angela House & Martin against the decision of Rushmoor Borough Council.
 - The application Ref 17/00067/FULPP, dated 24 January 2017, was refused by notice dated 1 March 2017.
 - The development proposed is the erection of detached garage block providing garaging for four classic cars with summer room and ancillary loft storage and games room over.
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Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. These are:
 - Whether or not the proposed development would preserve or enhance the character or appearance of the Cargate Avenue Conservation Area (CACA); and
 - The effect of the proposed development on the living conditions of the occupiers of Number 39 Manor Road.

Reasons

The Cargate Avenue Conservation Area

3. The appeal site is the garden to Number 41 Manor Road. It is a substantially proportioned and roughly triangular residential plot to the southwest corner of the cul de sac. The ground is laid to a mix of hard standing and grass and the original dwelling occupies a central position but has been extended to the side and rear. The wider area is characterised by dwellings of a mix of sizes and types. Outbuildings are present but noticeably smaller than and thus clearly ancillary to their hosts which maintains an open and spacious character to gardens generally.
 4. In context, the proposed garage would be large. Its length, height and design would garner a significant presence in the garden and subsume a substantial proportion of it. It would be set back from the frontage of and sat on a lower ground level to Number 39 making it somewhat of a recessive feature in the street scene. This, coupled with the semi secluded nature of the curtilage as a
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whole, would go some way to limiting its overall visual effect to glimpses. Nonetheless it would, in conjunction with the extended dwelling, all but fill the width of the plot and introduce a scale of new development that would significantly reduce its spaciousness. The garage would also not comprise a visually subservient outbuilding, competing as it would for dominance with the existing dwelling.

5. For these reasons, the proposed garage would cause harm to the character of the CACA. This harm would be less than substantial which, in accordance with paragraph 134 of the Framework¹, should be weighed against the public benefits. I accept that the construction project would no doubt be of benefit to the local economy and sustain employment in the relevant industry but given the scale of the proposed development such a contribution would not be significant. I have not been advised of any further public benefit to the proposed development. It is therefore clear that they would not be sufficient to outweigh the harm as I have set it out.
6. The proposed development would fail to preserve or enhance the character of the CACA by virtue of the harm that it would cause. It would therefore be contrary to saved Policies H15 and ENV34 of the Local Plan². These policies, amongst other things and along with sections 7 and 12 of the Framework, seek to ensure a high quality and contextually appropriate design and appearance to new development as well as the safeguarding of the historic environment from harm.

Living Conditions

7. The proposed garage would be located close to the shared garden boundary with and project further back beyond the rear elevation of Number 39 Manor Road. It would be of a substantial scale adjacent to the western elevation of No 39 and the scheme also includes the removal of some of the mature hedge and tree planting that currently demarcates the boundary. The western elevation of No 39 includes an entrance doorway, small secondary windows serving a reception room and bedroom and an obscurely glazed window for the landing.
8. The area of garden between the west elevation of No 39 and the boundary is already darkened by both the dwelling itself and the extensive nature of the aforementioned planting. This has a similar effect on the windows. Given the fact that the garage would be located on a reduced ground level I do not consider the effect on this area, or the windows when also considering their size and purpose, to be substantially different to the existing situation. Given the obscurely glazed landing window and the secondary nature of the smaller windows I further consider that outlook would not be unacceptably compromised.
9. The garden to No 39 is long, wide and has a noticeably open aspect to it. A raised patio area extends the width of the rear elevation which would be splayed away from the proposed garage. For these reasons, and despite the length of the projection of the proposed garage, the occupiers of No 39 would have ample space and thus opportunity for unencumbered enjoyment of their private garden. As such, I am of the view that the proposed development

¹ The National Planning Policy Framework 2012

² Rushmoor Borough Council Local Plan Review 1996-2011 (2000)

would not unduly harm the quality of the garden space afforded to No 39 when taken as a whole.

10. For these reasons, the proposed development would not cause harm to the living conditions of the occupiers of No 39 Manor Road. As a result, and with regard to this main issue, I do not find conflict with saved Policy H15 of the Local Plan. The policy, amongst other things and along with one of the core principles of the Framework, seeks to ensure a good standard of amenity for existing and future occupiers of land and buildings.

Other Matters

11. I note views that have been expressed by local residents that the garage could be used for commercial purposes although such a use does not form part of the scheme before me which is for an outbuilding ancillary to the existing dwelling. Similarly, there is some concern about the highway safety impact of additional vehicles entering and exiting the site in the context of other local land uses. Whilst the number of vehicles may increase as the proposed development would provide for parking for four of them, the scale of the net addition would not be significant and they would unlikely all be in use at the same time. I do not consider therefore that there would be any significant harm in these respects.

Conclusion

12. Whilst I have not found harm in respect of the effects of the proposed development on the living conditions of the occupiers of No 39 Manor Road, this would not be sufficient to make up for its shortcomings. Specifically this is the harm that it would cause to the character of the CACA in the manner that I have described. It is for this reason that the appeal fails.

John Morrison

INSPECTOR