
Appeal Decision

Site visit made on 29 June 2017

by Lynne Evans BA MA MRTPI MRICS

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

Decision date: 10 July 2017

Appeal Ref: APP/R3650/D/17/3173996

Oakland View, 3 Courts Mount Road, Haslemere GU27 2PR

- 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 S Hitchcock against the decision of Waverley Borough Council.
 - The application Ref: WA/2016/2416 dated 5 December 2016, was refused by notice dated 2 March 2017.
 - The development proposed is front open porch, ground and first floor extension with alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - a) the effect of the proposal on the character and appearance of the Haslemere Conservation Area, and
 - b) the effect of the proposal on the living conditions of the adjoining neighbours at No 1 Courts Mount Road, with particular regard to over shadowing and effect on outlook.

Reasons

Issue a) Conservation Area

3. The appeal property is a modest detached bungalow set back from the road frontage on the south side of Courts Mount Road. The land slopes up steeply both from east towards west and north towards south so that the existing property is set at a higher level than the road.
4. The appeal property and surrounding area lie within the designated heritage asset of the Haslemere Conservation Area. Section 72 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of such areas. The Conservation Area is focussed on the town centre and historic core, extending out to include the verdant surrounding areas, encompassing the historic development of the settlement.

5. Sandrock and Courts Mount Road are narrow and very verdant roads with a mix of properties styles, but predominantly with a cluster of tight knit properties on the corner of the two roads with larger properties on more generous plots moving further west along Courts Mount Road. Whilst it is seen in some street scene views, and although of a more modern, suburban style than the adjoining more historic buildings, its modest scale and set back from the road results in the existing building being of limited impact in these views. Approaching from the east up Courts Mount Road the elevated side elevation of No 5 Courts Mount Road, with its distinctive arts and craft inspired design, is prominent in the street scene.
6. The proposed extension, introducing a first floor with raised roof, and dormers to the front and the rear would result in significantly greater bulk and massing to the appeal building. It would be more visually intrusive in the street scene and would uncomfortably compete in views with the side elevation of No 5 Courts Mount Road, when approaching from the east.
7. Contrary to the contentions of the Appellant, I did not find from my site visit and the information before me that the proposed design would reflect the local vernacular. It would, in my view, both in terms of its increased bulk and massing as well as its detailed design, and particularly the proposed front dormers including a full length door with Juliet balcony, appear as a visually discordant element in the street scene. The proposal would relate neither to the cluster of properties to the east nor to the larger and spaciouly sited properties to the west. As a result, it would, in my view, detract from the character and appearance of the designated heritage asset of the Conservation Area.
8. I therefore conclude that the proposed development would not preserve the character and appearance of the Haslemere Conservation Area. It would therefore conflict with Policies D1, D4 and HE8 of the adopted Waverley Borough Local Plan 2002 (Local Plan), the Haslemere Design Statement 2012 and the National Planning Policy Framework (Framework) and in particular section 12, all of which seek a high quality of design which conserves the historic environment and heritage assets. The Council has also referred to Policies TD1 and HA1 of the draft Local Plan Part 1 (draft LP Part 1) which I have also taken into account, although as the Plan is not yet adopted, this limits the weight I can give to these policies.
9. Paragraph 134 of the Framework sets out that where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal. No public benefits have been advanced although work on the proposal could lead to some small benefits to the local economy and would add to the provision of residential accommodation. Whilst the harm to the designated heritage asset of the Conservation Area would, in my view, be less than substantial, the public benefits would not be sufficient to outweigh that harm.
10. The Appellant has drawn my attention to a number of other extensions which have been permitted above the size of the original dwelling. Each proposal must be considered on its individual merits. Furthermore, the principle of extending the property is not, in itself, the issue but the particular proposal before me, where I have found harm to the designated heritage asset.

Issue b) Living Conditions

11. The adjoining property to the east of the appeal property, at No 1 Courts Mount Road, is a modest single storey cottage. Given the steep slope of the road, climbing from east to west, No 1 is set at a much lower level than the appeal property, but it is also set forward towards the road frontage. It has a sitting room with windows facing west towards the appeal site and glazed opening to the south into a covered area. There is a small garden area to the west of the property. The neighbours would be aware of the extended property, particularly from within their garden area, but given the siting of the proposal in relation to the adjoining property, the principal outlook for the neighbours would remain over the front garden of the appeal property. As a result I do not consider that the proposal would materially harm the outlook for the neighbours at No 1.
12. Although a number of references have been made, there is no technical information before me from either the Appellant or the Council in respect of the Council's objection in relation to overshadowing of No.1. However, given the relationship and distance between the properties, even taking into account the significant change in levels and orientation of the two properties, I do not consider that the proposed development would result in material harm to the neighbours' living conditions, through overshadowing.
13. I therefore conclude that the proposal would not materially harm the living conditions of the neighbours at No 1 Courts Mount Road, with particular regard to loss of outlook and over shadowing. There would therefore be no conflict in this regard with Policies D1 and D4 of the Local Plan, the Waverley Borough Residential Extensions SPD (2010) and one of the Core Principles of the Framework as set out at Paragraph 17, all of which seek to ensure a good standard of amenity for all existing and future occupants of land and buildings. The Council has also referred to Policy TD1 of the draft LP Part 1, which I have also taken into account, although as the Plan is not yet adopted, this limits the weight I can give to this policy.
14. I agree with the Council's assessment that given the relationship between the appeal property and No 5 to the west, and in particular the difference in levels and the distance between properties, as well as the design of the proposal, there would be no material harm to the living conditions at No 5, with particular regard to loss of outlook and light. There is also sufficient distance between properties that, in my view, the proposed increase in height and massing would not harm the living conditions of the neighbours in Sandrock, through loss of outlook and light. Were there no other matters of concern and planning permission were to be granted, appropriate conditions could be imposed, to ensure that proposed side windows and rooflights were sited and glazed to ensure that privacy between neighbours would be respected.

Conclusion

15. I have concluded, under my first main issue, that the proposal would not preserve the character and appearance of the Haslemere Conservation Area and that the public benefits would not be sufficient to outweigh that harm. I have taken into account the family related reasons for seeking the increased and improved accommodation and whilst, under my second main issue I am satisfied that there would be no harm to the living conditions of the neighbours

and particularly to the neighbours at No 1, these findings do not outweigh the harm I have concluded under my first main issue.

16. The Appellant has drawn my attention to the manner in which the application was determined by the Council but my assessment has focussed on the planning merits of the proposal.

17. For the reasons given above and having regard to all other matters raised, including in representations from surrounding neighbours as well as other consultees, I conclude that the appeal should be dismissed.

L J Evans

INSPECTOR