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## Appeal Decision

Site visit made on 23 October 2017

**by Tim Wood BA(Hons) BTP MRTPI**

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

**Decision date: 10 November 2017**

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**Appeal Ref: APP/R3650/W/17/3179523**

**Land south of High Street between Alfold Road and Knowle Lane,  
Cranleigh, Surrey GU6 8RU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
  - The appeal is made by Berkeley Homes (Southern) Ltd against the decision of Waverley Borough Council.
  - The application Ref WA/2016/2160, dated 13 October 2016, sought approval of details pursuant to condition No 1 of a planning permission Ref WA/2016/1625, granted on 16 February 2017.
  - The application was refused by notice dated 26 May 2017.
  - The development proposed is the erection of 55 dwellings.
  - The details for which approval is sought are: appearance, landscaping, layout and scale.
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### Decision

1. The appeal is allowed and the reserved matters are approved, namely appearance, landscaping, layout and scale, submitted in pursuance of condition No 1 attached to planning permission Ref WA/2016/1625 dated 16 February 2017, subject to the conditions attached in Schedule 1 of this Decision.

### Preliminary Matters

2. Outline planning permission was granted at appeal for the development of a larger site, which includes this site, for development of up to 425 houses plus a community facility and open spaces (Ref; APP/R3650/W/15/3129019) in February 2016. Access to the site was determined at the outline stage and all other matters were reserved for subsequent approval. A subsequent application to the Council to allow for a phased approach to the development resulted in an otherwise identical outline planning permission being granted by the Council, as referenced in the heading of this decision. The proposal before me relates to the first phase of the development of the site.
3. From the submitted documents I can see that as well as the application for "reserved matters", submissions were made by the appellant in relation to other conditions attached to the outline permission. However, the application form, the appeal form and the Council's decision notice are clear that they relate to the "reserved matters" which are defined and restricted by the GPDO and condition 1 of the outline consent. I shall deal only with the reserved matters as identified by condition 1 of the outline permission.

## **Main Issue**

4. The main issues in this appeal are the effects of the proposal on the character and appearance of the area and the effects of the proposed car parking provision.

## **Reasons**

### ***Character and appearance***

5. The access would be from Knowle Lane and form a central spine road with a few side roads. Open space would be provided along the main Knowle Lane frontage and in a linear fashion along the roads with areas around the edges of the site. The houses would generally face towards the roads and the rear gardens would back onto other rear gardens. The provision of lower density development and the mix of semi-detached and detached houses is in accordance with the parameters defined at the outline stage. The provision of landscaped areas around the site and within it would provide a high quality environment with a distinctly soft and green character. The houses fronting onto Knowle Lane would be set behind a significant swathe of landscaping including trees which would prevent a hard edge to the site.
6. The proposal includes provision of links to the north and south for connection to the footpath network, including the Downs Way. Pedestrian and cycle links to the west and an emergency vehicle link are included, subject to development of future phases.
7. The proposal includes larger family homes at a lower density which is consistent with the density parameters established by the outline permission. The houses would be set within plots which are appropriate to and reflect the scale of the houses. The majority of the houses would be of 2 storeys in height and many have lower sections and projections such as porches and garages.
8. The Council refer to 4 houses adjacent to the access on Knowle Lane and state that these are unduly tall. The parameters established by the outline permission set a maximum height of 10.5m for 2 storey buildings and a maximum height of 16m for 2.5 - 3 storey buildings. The outline permission also established that higher buildings would be appropriate on the southern side of the Knowle Lane frontage and the scheme accords with this. The house on the northern side is shown to have accommodation within the roof and is indicated to have a height of 10.55m. In terms of townscape, I consider that the provision of houses that are more similar in form on either side of the access is acceptable and its height just 5cm or so above the set maximum for a 2 storey dwelling would not result in any harmful effect on the area. In other respects, I consider that the variety of styles and sizes of the properties would be appropriate to the area and ensure that no monotony of appearance results.
9. In relation to design, the proposal includes a variety of styles and the materials include bricks, clay tiles and slate roofs. The inclusion of pitched roofs, gables and hipped roofs, bay windows and porches would mean that the proposals include feature which are found locally and it would reinforce local building styles. In this respect I find that the proposal would be in accordance with the Cranleigh Design Statement.
10. In relation to landscaping, the planted areas around the edges of the site would ensure that the proposal integrates with this edge-of-settlement location and

further planted areas within the site provide for an appropriate character. In terms of hard landscaping, a variety of surface material is indicated for the roads/accesses, including setts and bound gravel. Plot boundaries which abut public areas would be formed by brick walls and a more informal feature for front garden areas. In my view this would result in a development that would provide a significant degree of greenness and would be in keeping with the area as a whole.

### ***Car parking***

11. The Council are critical of the provision of a tandem arrangement of parking spaces for a number of the houses. They suggest that this would give rise to difficulties in entering and leaving the properties. In my view this is a common arrangement and given that the properties would be under an individual's control, would not lead to any serious inconvenience and would not represent a difficulty. In addition and as the appellant points out, this arrangement allows for cars to be parked off the street and prevents the domination of the plots by hard standing which would otherwise accommodate frontage parking.

### **Conditions**

12. I have had regard to the advice in the Planning Practice Guidance in relation to the use of conditions and I have also noted those that are attached to the outline permission. The Council has submitted a list of preferred conditions that it wishes me to include, if the appeal is allowed. I have considered these as a basis for my deliberations and I note some pre-decision correspondence between the appellant and the Council regarding conditions. I agree that it is necessary to set out the plans that are the subject of this approval for the sake of certainty. For the sake of highway safety conditions requiring visibility splays and the construction of a section of road within the site, prior to commencement are also necessary.
13. So that the development has proper cycle links and footpaths a condition requiring these prior to occupation is necessary and reasonable. So that unreasonable overlooking is excluded, I shall include a condition to ensure that the first floor window in the northern elevation of Plot 21 is obscure glazed. In order that suitably designed provision of bin stores is made in a timely manner, I shall include a condition which requires the implementation of an agreed design. A condition requiring the provision of the play areas and their retention is necessary so that such provision is always available.
14. In order that the proposed development has an acceptable effect on the area I shall include conditions that restrict boundary features at the front of dwellings and also extensions to the roofs that may otherwise be permitted development. I shall include a condition which ensures that the garages are used in association with the houses only and also that electric charging points as proposed for each dwelling are provided and an agreed maintenance and management scheme is in place; this goes beyond what was included on the outline permission and is justified in my view due to the need to maintain and manage them. So that the existing trees are protected I shall include conditions which require agreement of surface and ground works within protected areas around retained trees.
15. In relation to the provision of car parking and cycle storage, the outline permission at condition 15 requires the approval of details for car parking and

cycle storage and then goes on to require the provision and retention of the approved parking areas; what is missing is the requirement to provide and retain the cycle storage. The Council's suggested condition 4 duplicates much of outline condition 15 but I shall add a condition which makes up for what is apparently missing from it ie, I shall add a condition requiring the provision and retention cycle storage.

16. The outline permission includes a condition (No 13) which requires the submission, agreement and implementation of a scheme for the protection of trees and hedges. The Council have asked for a condition which would require a scheme of supervision of such protection measures including requirements for meeting between relevant persons. I find this is necessary given the importance of trees on the site. A Construction Method Statement is required by condition 30 of the outline permission and I see no justification for a further condition. The Council have asked that a condition relating to impact studies on the existing water supply infrastructure. However, the appellant has supplied correspondence with Thames Water which indicates that this is not necessary; therefore, I shall not include such a condition.

### **Conclusions**

17. I consider that the proposed layout, scale, appearance and opportunity for landscaping contained in the proposal would result in a form of development that is consistent with the outline planning permission. Furthermore, it would provide a suitably designed development which would have an acceptable character and appearance set at this edge of the village. The building would contain important elements that reflect the local vernacular, would be of a suitable size and disposition within the site such that they would complement the character and appearance of the area. Having seen the surrounding area and taken account of the Cranleigh Design Statement I identify no harm in this respect.
18. In relation to parking, I consider that the proposed arrangements would offer no serious inconvenience to future residents and would not affect their safety when entering or leaving the properties.
19. Taken as a whole, I find no conflict with Policies D1 and D4 of the Waverley Local Plan or with Policy TD1 of the emerging Local Plan. Therefore, the appeal is allowed.

*S T Wood*

INSPECTOR

### **Schedule 1, Conditions**

- 1) The development hereby permitted shall be carried out in accordance with the approved plans listed in the '*Plans Schedule*' attached to this permission.
- 2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse or adjoining dwelling which fronts onto a road, other than those that may be approved as part of this permission.
- 3) The building at Plot 21 hereby permitted shall not be occupied until the window at the first floor of the northern elevation has been fitted with obscured glazing. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.
- 4) The buildings shall not be occupied until the area shown on drawing nos. EXA\_1635\_800 B and EXA\_1635\_810 B have been laid out in accordance with those details, and those areas shall not thereafter be used for any purpose other than as a play areas.
- 5) No dwelling shall be occupied until space has been laid out within the site for bicycles to be parked and that space shall thereafter be kept available for the parking of bicycles.
- 6) The garages hereby permitted shall be used only for purposes incidental to the use of the respective dwelling and for no other purpose.
- 7) The development hereby approved shall not be commenced unless and until the proposed vehicular access to Knowle Lane has been constructed and provided with 2.4m x 43m visibility splays in accordance with the approved plans and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6m above ground level.
- 8) No works or development shall take place until a scheme of supervision for the arboricultural protection measures shall have been submitted to and approved in writing by the local planning authority. This scheme shall be appropriate to the scale and duration of the works and shall include details of:
  - i) Pre-commencement meeting between the local authority representative and the developers responsible representative(s)
  - ii) timing and methods of site visiting and record keeping, including updates and an agreed reporting process to the local planning authority;
  - iii) procedures for dealing with variations and incidents;
  - iv) the scheme of supervision will be administered by a qualified arboriculturist instructed by the applicant and approved in writing by the local planning authority.

The scheme of supervision shall be implemented as approved.

- 9) The development hereby approved shall not commence unless and until at least 20 meters of the new access road has been constructed in accordance with the approved plans.
- 10) The development hereby approved shall not be first occupied until details of the type of electric vehicle charging points for every dwelling and a communal charging point for visitors has been provided, including a strategy for their ongoing management and maintenance, in accordance with a scheme to be submitted to and approved in writing by the local planning authority.
- 11) The development hereby approved shall not be first occupied until the pedestrian and cycle links between the site and the surrounding area have been laid out in accordance with the approved plans and shall thereafter be retained and maintained in the approved form.
- 12) The development hereby approved shall not be first occupied until details of bin stores have been submitted to and approved in writing by the local planning authority and provided in accordance with these details. The bin stores shall be retained as approved thereafter.
- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no alteration to the roofs of the houses hereby approved shall be undertaken.
- 14) Before the development commences, details (including sections) of the proposed finished ground levels, surface materials including sub-base and depth of construction and methods/materials used for edging, within the protected zone around retained trees shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with those details.
- 15) Before development commences details of any services to be provided or repaired including drains and soakaways on or to the site, shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.

## **Plans Schedule for Condition 1**

Site Location Plan S892-1-001  
Site Layout S892-1-002 Rev J  
Phase 1 Levels Plan Sheet 1 of 2 8160696-1001-P5  
Phase 1 Levels Plan Sheet 2 of 2 8160696-1002-P5  
Drainage Layout Phase 1 Sheet 1 8160696-1003-P4  
Drainage Layout Phase 1 Sheet 2 8160696-1004-P4  
Drainage Layout Phase 1 Sheet 3 8160696-1007-P2  
Exceedance Flow Routes Phase 1 Sheet 1 8160696-1008-P2  
Exceedance Flow Routes Phase 1 Sheet 2 8160696-1009-P2  
Proposed Internal Road Layout & Geometry-Phase 1 8160696-6101-P2  
Key Plan EXA\_1635\_000 D  
Typical Tree Pit Details EXA\_1635\_200 A  
Typical Planting Details EXA\_1635\_210 A  
Planting Schedule and specification EXA\_1635\_120 D  
LAP 01 EXA\_1635\_800 B  
LAP 02 EXA\_1635\_810 B  
Planting Plan Sheet 1 of 6 EXA\_1635\_101 D  
  
Planting Plan Sheet 2 of 6 EXA\_1635\_102 D  
Planting Plan Sheet 3 of 6 EXA\_1635\_103 D  
Planting Plan Sheet 4 of 6 EXA\_1635\_104 D  
Planting Plan Sheet 5 of 6 EXA\_1635\_105 D  
Planting Plan Sheet 6 of 6 EXA\_1635\_106 D  
Double Garages Floorplans and elevations S892/Ph1/DG A  
Electric substation plan and elevations S892/Ph1/ESS  
Tree Protection Plan 16172-BT8 rec'd 8/2/17  
Site Layout - Hard Landscaping S892-1-003 A  
Indicative street scenes S892-1-005 A  
Plot 1 Floorplans and elevations S892/Ph1/P1 A  
Plot 2 Floorplans and elevations S892/Ph1/P2 A  
Plot 3 Floorplans and elevations S892/Ph1/P3 A  
Plot 4 Floorplans and elevations S892/Ph1/P4 A  
  
Plot 5 & 6 Floorplans and elevations S892/Ph1/P5&6 A  
Plot 7 Floorplans and elevations S892/Ph1/P7 A  
Plot 8 Floorplans and elevations S892/Ph1/P8  
Plot 9 & 10 Floorplans and elevations S892/Ph1/P9&10  
Plot 11 Floorplans and elevations S892/Ph1/P11 A  
Plot 12 Floorplans and elevations S892/Ph1/P12 A  
Plot 13 Floorplans and elevations S892/Ph1/P13 A  
Plot 14 Floorplans and elevations S892/Ph1/P14 A  
Plot 15 Floorplans and elevations S892/Ph1/P15 A  
Plot 16 Floorplans and elevations S892/Ph1/P16 A  
Plot 17 Floorplans and elevations S892/Ph1/P17 B  
Plot 18 Floorplans and elevations S892/Ph1/P18 A  
Plot 19 & 20 Floorplans and elevations S892/Ph1/P19&20  
Plot 21 Floorplans and elevations S892/Ph1/P21 A  
Plot 22 Floorplans and elevations S892/Ph1/P22  
Plot 23 & 24 Floorplans and elevations S892/Ph1/P23&24 A



Plot 25 Floorplans and elevations S892/Ph1/P25 A  
Plot 26 Floorplans and elevations S892/Ph1/P26 A  
Plot 27 Floorplans and elevations S892/Ph1/P27  
Plot 28 Floorplans and elevations S892/Ph1/P28 A  
Plot 29, 30 & 47 Floorplans and elevations S892/Ph1/P29,30&47 A  
Plot 31 & 32 Floorplans and elevations S892/Ph1/P31&32  
Plot 33 Floorplans and elevations S892/Ph1/P33 A  
Plot 34 & 35 Floorplans and elevations S892/Ph1/P34&35 A  
Plot 36 Floorplans and elevations S892/Ph1/P36 A  
Plot 37 Floorplans and elevations S892/Ph1/P37 A  
Plot 38 Floorplans and elevations S892/Ph1/P38 B  
Plot 39 Floorplans and elevations S892/Ph1/P39 A  
Plot 40 Floorplans and elevations S892/Ph1/P40 A  
Plot 41 Floorplans and elevations S892/Ph1/P41  
Plot 42 Floorplans and elevations S892/Ph1/P42  
Plot 43 Floorplans and elevations S892/Ph1/P43  
Plot 44 Floorplans and elevations S892/Ph1/P44 A  
Plot 45 Floorplans and elevations S892/Ph1/P45 A  
Plot 46 Floorplans and elevations S892/Ph1/P46 A  
Plot 48 Floorplans and elevations S892/Ph1/P48  
Plot 49 Floorplans and elevations S892/Ph1/P49 A  
Plot 50 Floorplans and elevations S892/Ph1/P50 B  
Plot 51 Floorplans and elevations S892/Ph1/P51  
Plot 52 & 53 Floorplans and elevations S892/Ph1/P52&53  
Plot 54 Floorplans and elevations S892/Ph1/P54 A  
Plot 55 Floorplans and elevations S892/Ph1/P55 A