



Appeal Decision

Site visit made on 31 October 2017

by Rory Cridland LLB (Hons), Solicitor

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

Decision date: 24th November 2017

Appeal Ref: APP/H1705/W/17/3179725

The Peak, Up Street, Dummer RG25 2AL.

- 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 Haywood against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 17/00340/FUL, dated 31 January 2017, was refused by notice dated 5 July 2017.
 - The development proposed is the erection of a detached dwelling with associated site works and new vehicle access to serve existing property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - (i) the character and appearance of the surrounding area, including the Dummer Conservation Area ("the CA"); and
 - (ii) Highway safety with particular regard to visibility and turning.

Reasons

Character and appearance

3. The appeal site is located within the settlement boundary of Dummer and consists of a triangular parcel of land located on the western edge of the village. It currently forms part of the garden of the property known as "The Peak", a traditional red brick property located on the edge of the CA. Although the site is set on a rise, the mature hedging along the northern and western boundaries provides a considerable amount of screening particularly when approaching the village from the east where it acts as a visual barrier to the properties beyond.
4. Policy EM1 of the Basingstoke and Deane Local Plan 2011-2029¹ (LP) permits development only where it can be demonstrated that it would be sympathetic to the character and visual quality of the area concerned. It requires development proposals to respect, enhance and not be detrimental to the character or visual amenity of the landscape, paying particular attention to a number of factors including the setting of settlements and its impact on hedgerows. Similarly, LP Policy EM10 permits high quality development where,

¹ Adopted 2016.

amongst other things, it positively contributes to local distinctiveness and the existing street scene. Furthermore, LP Policy EM11 seeks to ensure that all development conserves or enhances the quality of the borough's heritage assets in a manner appropriate to their significance. This includes its conservation areas.

5. In view of its location within the recognised settlement boundary, the Council accepts the principle of residential development in this location. However, it objects to the proposal on the basis that it would harm the rural character of the area, fail to respond to the local context and negatively impact on the CA. I agree with those concerns. At present, there is a strong rural character with the hedging along the appeal site's western boundary providing a significant amount of screening of the properties along the southern side of Up Street. This results in the traditional brick and flint cottages located further along Up Street appearing prominent on the approach and provides a pleasant and attractive setting to the village and the CA, while also acting as a natural boundary between the village and the surrounding countryside.
6. The proposed dwelling would occupy a prominent position at the western edge of the village. Being located on a rise, it would be visible in the foreground and would significantly alter the existing approach. It would be partially visible above the hedge, impacting on drivers travelling eastward along Up Street as well as users of the nearby public footpath. Its modern, differing style would contrast sharply with the more traditional appearance of the brick and flint cottages and would materially erode the positive contribution that they make to the appearance and setting of the village and the CA. While I acknowledge the screening and set back position would provide some mitigation², I consider the impact on the eastern approach would be significant and would harm both the character of the surrounding area as well as that of the CA.
7. Likewise, although I agree that plot sizes in the area vary, they are generally spacious with reasonable sized gardens. This contrasts with that of the proposed dwelling where the amount of built form would cover a considerable proportion of the plot. It would be positioned around 1m from the western and eastern boundaries and provide only a modest amount of outdoor space to the rear. The front would be dominated by a large area of hard standing, which, even with some additional landscaping, would appear at odds with the more verdant and landscaped frontages of the other nearby dwellings. This would be exacerbated by any reductions in the hedge which would be necessary to accommodate visibility at the accesses (a matter to which I return below).
8. Overall, I consider the development would appear cramped and overdeveloped and, as such, out of keeping with the more spacious and verdant setting of the other nearby properties. This would exacerbate the harm identified above and fail to preserve or enhance the character and appearance of the CA. While I note the appellant's suggestion that the hedge could be moved, this would be a complicated operation which would require further investigation. In the absence of any firm evidence that such a solution was both technically and economically viable, I afford it little weight.
9. On balance, I consider the proposal would negatively impact on the character and appearance of the surrounding area and the CA. Although I consider the resultant harm to the character and appearance of the CA would be less than

² As would the use of materials in keeping with those found in the CA.

substantial, the National Planning Policy Framework advises that, in such circumstances, the resultant harm should be weighed against the public benefits of the scheme. While I am mindful of the benefits that even a single additional unit of accommodation can have to the supply of housing, heritage assets are an irreplaceable resource and the Framework indicates that *great* weight should be afforded to conserving them. As such, I do not consider the benefits of the proposal are sufficient to outweigh the harm identified above

10. Consequently, I find the proposal would negatively impact on the character and appearance of the surrounding area and would fail to preserve or enhance the character of the CA. As such, it would be contrary to LP Policies EM1, EM10 & EM11 which, taken together, aim to protect against such harm.

Highway safety

11. The appeal site is located on the western end of Up Street, a road with a 20mph speed limit which runs through the settlement of Dummer. A short distance to the west of the site the speed limit increases as it leaves the village and enters the open countryside.
12. The Council has raised concerns regarding visibility at the access of the new dwelling as well as that to be constructed for The Peak. While I note the appellants' arguments in relation to whether both accesses should be considered, I accept that, in both cases, the evidence indicates that adequate visibility can be achieved at both locations - albeit with reductions in the hedge along the front of the site and its associated visual impact. While I note the Council's concerns regarding the lack of traffic speed and volume data, there is no information which would indicate that traffic speeds along this part of Up Street were higher than the speed limit (20mph) and nothing to indicate that there was any particular risk to highway safety in this location. In the absence of any evidence which would indicate that highway increased sightlines were appropriate, I consider sightlines based on a 20mph speed limit would be sufficient to ensure that there was no material risk to highway safety
13. Accordingly, notwithstanding the impact that the resultant reduction in the hedge would have on the character of the surrounding area and the CA, I am satisfied that, from a highway safety perspective, sufficient visibility can be achieved for both accesses.
14. However, the Council has also raised concerns with the proposed turning and parking arrangements and has provided a swept path analysis which indicates that it would be difficult to enter and exit the site without requiring an unacceptable number of gear changes. In the absence of any robust evidence which would challenge this analysis and demonstrate that these manoeuvres could be safely undertaken, I cannot be certain that the proposed arrangement would not result in reversing onto the highway or other manoeuvres which would compromise highway safety.
15. Consequently, although I am satisfied that sufficient visibility can be achieved, I am not persuaded that the proposed parking and turning arrangements would not be detrimental to highway safety along this part of Up Street. As such, I consider the proposal would be contrary to Policies EM10 & CN9 of the LP, which, taken together, seek to ensure that new development provides appropriate parking provision and does not compromise highway safety.

Conclusion

16. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Rory Cridland

INSPECTOR