
Appeal Decision

Site visit made on 23 July 2019

by Sarah Dyer BA BTP MRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 21st August 2019

Appeal Ref: APP/R3650/W/19/3227860

Bri Enda, 54 Summers Road, Farncombe, Godalming GU7 3BD

- 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 Bourne Homes (Mr Andrew Kamm) against the decision of Waverley Borough Council.
 - The application Ref WA/2018/2171, dated 14 December 2018, was refused by notice dated 4 February 2019.
 - The development proposed is demolition of existing house and erection of 6 new houses with associated parking and widening of existing vehicular access.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Bourne Homes Ltd against the decision of Waverley Borough Council. This application is the subject of a separate Decision.

Procedural Matters

3. The Council has advised that Godalming and Farncombe Neighbourhood Plan (NP) has been the subject of a referendum which found in favour of the NP and that it has now been made. On this basis the NP forms part of the Development Plan alongside the Waverley Local Plan (Part 1) (2018) (the Local Plan Part 1) and the saved policies of the Waverley Local Plan 2002 (the 2002 Local Plan).
4. I have also dealt with another appeal (Ref: APP/R3650/W/19/3222851) on this site. That appeal is the subject of a separate decision.
5. An alternative layout plan has been submitted which includes a 'temporary bin storage area'. This plan materially alters the nature of the application and potentially prejudices the interests of interested parties. For this reason, I have not taken the amended plan into account in my determination of the appeal.

Main Issues

6. The main issues are:

- Whether the development makes satisfactory provision for:
 - off-street parking; and
 - the storage and collection of waste.
- Whether the type and size of the proposed houses would meet the needs of the community.

Reasons

Off-street parking

7. Existing car parking provision in the area takes a number of forms including off-street parking on driveways and in garage courts and on-street parking. There are sections of the street which are subject to parking control and the width of some streets limits on-street parking to one side. The railway station which is within walking distance of the site is served by a car park. The available on-street parking appears to be well-used.
8. Policy ST1 of the Local Plan Part 1 requires that development schemes make appropriate provision for car parking in accordance with local standards. The relevant car parking standards for the appeal site are now embedded in Policy GOD6 of the NP. On the basis of the application of these standards there is a shortfall in the provision of off-street car parking spaces.
9. The Council has confirmed in its statement that its concerns relate to the impact on the character and appearance of the area and the inconvenience to residents which may arise from an under-provision of off-street car parking.
10. The area is already characterised by high levels of on-street car parking and the areas within which cars are able to park are restricted by parking controls and road widths. Consequently, additional on-street parking would have a very limited impact on the visual amenity of the area.
11. There is limited evidence to substantiate that the effect of additional competition for on-street car parking spaces would have a significantly harmful effect on residential amenity, either in respect of this development or in combination with other new development. There is also no dispute between the parties that the site is close to public transport. However, the Council states that this is accounted for in the Council's Parking Guidelines and Policy GOD6 of the NP which also reflect a high level of car ownership in the area. I also note that the NP draws on information from the 2011 Census regarding car ownership and use which, addresses the issue raised by the appellant on this point.
12. The appellants refer to a development at The Freeholders public house, St Johns Street, Farncombe (Council Ref WA/2017/1427) (the Freeholders PH scheme) which had no off-street parking provision but was supported by the Council. Whilst there are some parallels between the location of the Freeholders PH scheme and the appeal scheme in terms of the proximity of local shops and services, there are two key differences. Firstly, the parking demand in respect of the Freeholders PH scheme was assessed in the context

of the demand for on-street parking associated with the public house use. Secondly, the NP did not form part of the Development Plan when the Freeholders PH scheme was under consideration. On this basis the two schemes are not directly comparable, and the approval of the Freeholders PH scheme does not outweigh my concerns regarding the provision of off-street car parking in the case of the appeal scheme.

13. Given the unequivocal nature of Policy GOD6, the issue of car parking having so recently been the subject of scrutiny through the neighbourhood planning process and the emphasis which government guidance places on Neighbourhood Plans, I conclude that the development would not make satisfactory provision for off-street parking. The development is therefore contrary to Policy ST1 of the Local Plan Part 1 and Policy GOD6 of the NP.

Storage and collection of waste

14. The predominant character of development in the area is of street facing detached and semi-detached houses which allows for the collection of waste directly from the frontage of existing dwellings. Waste receptacles in the form of wheelie-bins are stored in front gardens. Bri Enda, 54 Summers Road (No. 54) is an exception to the prevailing character, taking the form of a chalet bungalow located behind adjacent rear gardens and accessed via a narrow driveway between two houses.
15. The layout of the appeal scheme incorporates an area for the storage of wheelie-bins, including for recycling, at the end of the drive furthest from Summers Road. The appellants have demonstrated that a fire tender could access the site and turn around within the turning space to re-enter Summers Road in forward gear, albeit very little space would be available for refuge for pedestrians during that manoeuvre. However, on the basis of the information before me a refuse collection vehicle, which is bigger, would not necessarily be able to make the turn and would reverse along the driveway to a distance which allows collection by waste operatives. Given the limited width of the access driveway and the lack of space for pedestrian refuge this manoeuvre would be likely to prejudice the safety of residents of the development.
16. The appellants have sought to address the issue of waste storage and collection through the introduction of a 'temporary bin storage area' which is shown on their amended plan but, for the reasons set out in paragraph 5, this plan does not form part of my determination of this appeal.
17. The appellants also raise the question of whether satisfactory arrangements for waste storage and collection could be covered by the imposition of a planning condition. Given the constraints of the site, the potential need for access by refuse collection vehicles and operatives and the limited information regarding the management of waste collection, such a condition may not be capable of being enforced, thus it would not pass the test of being enforceable.
18. I conclude that the appeal scheme would not make satisfactory provision for refuse collection. Therefore, the development would not accord with Policies TD1 and CC2 of the Local Plan Part 1. Policy D4 of the 2002 Local Plan and Policy GOD5 of the NP. These policies jointly, among other things, require the provision of sufficient and appropriate off-street storage for refuse and recycling and safe access for servicing.

19. I do not find Policy D1 of the 2002 Local Plan, which deals with the environmental implications of development directly relevant to this main issue.

Dwelling mix

20. Policy AHN3 of the Local Plan Part 1 requires proposals for new housing to make provision for an appropriate range of different types and sizes of unit. The Council's Committee report, which is not expanded upon in the Council's Statement, sets out the percentage of each size of dwelling which is sought to meet current housing needs. The appellant does not dispute these percentages.
21. The Council accepts that in providing 3 2-bed and 3 3-bed units the development provides for the greatest need within the Borough, however it considers that a 1-bed unit should be provided. I have very limited information before me to demonstrate the harm which would arise as a result of the overprovision of 2 and 3-bed units and under-provision of 1-bed units or to show how the incorporation of a 1-bed unit would affect the range of different types and sizes of unit across the scheme. I also place moderate weight on the Council's greatest need being for 2 and 3-bed units which are provided for by the appeal scheme and the ability of the houses to accommodate families which is indicated as a specific need in Policy AHN3.
22. On the basis of the information before me, I conclude that the type and size of the proposed houses would meet the needs of the community and would not be contrary to the thrust and intent of Policy AHN3 of the Local Plan Part 1.

Other Matters

23. The appeal site is well located in relation to access to local shops and services, including a railway station. The appeal scheme would also make more efficient use of the site given that it is considerably larger than adjacent plots and currently only accommodates one dwelling. Furthermore, the provision of new dwellings would meet some of the acknowledged housing need and would have some economic benefits, although these have not been quantified.
24. The appellants consider that the Council cannot demonstrate a five-year supply of housing land (5YHLS) and have cited appeal decisions to support their view (Appeal Ref: APP/R3650/W/17/3171409 Land West of Folly Hill, Folly Hill, Farnham and Appeal Ref: APP/R3650/W/16/3165974 Longdene House, Hedgehog Lane, Haslemere). The Council contends that it has a 5YHLS, but there is limited information before me regarding the Council's views on the appeal decisions which have been referenced.
25. Notwithstanding the apparent dispute between the main parties, even if I were to conclude that there is a shortfall in the 5YHLS and that relevant policies for the supply of housing should be considered out-of-date, the adverse impact of the development which would arise from the lack of satisfactory provision for refuse collection and off-street car parking would significantly and demonstrably outweigh the benefits which I have identified.
26. The occupier of Glengariff, which is a semi-detached house with a rear garden abutting the appeal site, raised concerns regarding, amongst other things, a loss of privacy arising from the development. I visited her property during my site visit. Nevertheless, as I am dismissing for other reasons it is not necessary for me to consider this matter further.

27. I note that the appellants have expressed frustration with the way in which the Local Planning Authority handled the application. However, this is a matter between the parties involved and would not alter the outcome of this appeal.
28. My attention has been drawn to an issue regarding land ownership. However, as I am dismissing the appeal for other reasons it is not necessary for me to consider this matter further as it could not change the outcome of this appeal.
29. The appellant has referred to a legal judgement (EWHC 650 (Admin)). In reaching my decision on the appeal I have been mindful of the need to consider the appeal scheme against the Development Plan as a whole. However, on that basis, and taking account of whether the use of planning conditions would resolve conflict with Development Plan policies, the development does not accord with the Development Plan.

Conclusion

30. For the reasons set out above the appeal is dismissed.

Sarah Dyer

Inspector