



Appeal Decision

Site visit made on 22 March 2019

by J Alderman BA(Hons) MA MRICS

an Inspector appointed by the Secretary of State

Decision date: 12 September 2019

Appeal Ref: APP/H1705/W/18/3218942

128 Winchester Road, Basingstoke RG21 8YW

- 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 Bennett against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 18/03021/FUL, dated 12 October 2018, was refused by a notice dated 7 December 2018.
 - The development proposed is the erection of a new dwelling following demolition of existing garage.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a new dwelling following demolition of existing garage at 128 Winchester Road, Basingstoke RG21 8YW in accordance with the terms of the application Ref: 18/03021/FUL, dated 12 October 2018, subject to the conditions set out in Schedule 1.

Procedural Matters

2. The Council's report makes reference to the site including highway land, currently laid to grass. The appellant confirms this land is not included within the development.
3. Concern has been expressed that the garage of 126 Winchester Road is incorrectly located on the plans, however, at my site visit I was able to see the actual location of the garage and I took this into account in making my decision.
4. The Council have, subsequent to their notice of decision, provided an update on their housing land supply, stating that at the current time it is unable to demonstrate that it has five years' worth of deliverable sites. They go on to say that as a consequence this means that policies relating to housing delivery in the borough's adopted Local Plan and made Neighbourhood Plans are currently considered to be out of date. As a result planning applications need to be considered in line with paragraph 11 of the National Planning Policy Framework 2019. I have therefore taken this in to account in coming to my decision.
5. The appellant has been provided with this information and has confirmed that they have no comment they wished to make.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

7. The appeal site comprises a semi-detached property with a long narrow garden, it is in a rank of similar style properties. The property itself fronts on to Winchester Road, whilst there is access at the rear of the property from Wessex Close.
8. Along Wessex Close there is a mixture of property styles with little sense of cohesion, they include a Salvation Army building and a car park, a brick terrace of two storey dwellings whose gardens back on to Wessex Close and the Wessex Christian Fellowship Church, which comprises single and two storey buildings.
9. The proposed appeal property would comprise a single storey dwelling with a flat roof wrapping around one parking space. It would be situated across the full width of the plot. The building would be constructed in brick. There would not be windows in the wall at the rear of the plot, which would form the side elevation of the development.
10. The Council is concerned that the development would take up the whole width of the plot and would not provide any space between the boundary and the development in common with some other structures in rear gardens. The overall effect would in their view result in over development and excessive massing.
11. However, due to the varied street scene, there is no consistent style or layout, the structures at the rear accesses of the properties in Winchester Road are different heights, some with flat roofs and some with pitched roofs, they are also built from a variety of materials. There is nothing that suggests that the proposed design of the dwelling would be out of keeping with this street scene. Neither is there a necessity to have a space between the boundary and the building to create uniformity. The design of the proposed development would be single storey and as such would it not be overly dominant. The courtyard design and enclosure by the outside walls prevent it from standing out or being unduly prominent.
12. The wall forming the end of the plot and the side elevation of the proposed development would provide an expanse of brick. However, when viewed from Wessex Close, it would not look especially out of kilter with its surroundings, particularly when seen in the context of the variety of structures in the immediate vicinity.
13. As a result the development would not be out of place or contrived and would blend in with and respect the character and appearance of the area. Therefore, I conclude that the proposed development would comply with Policy EM10 of the Basingstoke and Deane Local Plan (2011 to 2029), which requires development to, amongst other things, have due regard to the density, scale, layout, appearance, architectural detailing, materials and history of the surrounding area. It would also comply with the guidance within the Design and Sustainability Supplementary Planning Document 2018.

Other Matters

14. A number of concerns have been raised by interested parties, including loss of privacy, impact on parking and refuse collection. As well as the effect on trees in the immediate area. The dwelling would be a single storey structure, coupled with the distance of the properties on Winchester Road from the proposed development, the effect on privacy of surrounding occupants would not be significant. The Council's Highways and Joint Client Waste Team provided no fundamental objections to the scheme and similarly the Tree Team have suggested a positive resolution to issues effecting trees. From the evidence provided I do not see any reason for me to take a contrary view to this advice.

Conditions

15. The Council has suggested a number of conditions which I have considered against advice in the National Planning Policy Framework and Planning Practice Guidance. As a result I have amended some of them for consistency and clarity.
16. In addition to the standard implementation condition it is necessary in the interests of precision, to define the plans with which the scheme should accord.
17. A condition requiring external materials to be agreed is necessary in the interests of safeguarding the character and appearance of the area.
18. A condition requiring parking is necessary to ensure that sufficient on-site parking is provided and retained in the interests of highway safety, and Conditions relating to construction times and deliveries are necessary to protect the amenities of nearby residents.
19. A condition in relation to water usage is necessary to maximise efficiency and the condition relating to cycling storage is required to encourage sustainable modes of transport. The condition relating to refuse is to provide suitable living conditions for future occupiers.
20. The final Condition relates to the start of the development and the requirement for approval of a Construction Plan prior to the commencement of works. The main reason for this is to protect Swedish whitebeam trees growing on the highway verge to the east of Wessex Close. Although these trees would not require removal to facilitate the proposed development, there remains concern that they may be damaged if the verge is used by contractor vehicles and material storage during the construction phase of the development.
21. The reason for the condition being a pre-commencement condition is because construction storage and vehicles are likely to be on site at the beginning of the development, therefore the arrangements to prevent any harm to the trees needs to be in place prior to commencement of the development.

Conclusion

22. For the reasons given above and taking into account all other matter raised, the appeal is allowed.

J Alderman

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site and Block Plans (drawing no. 01 rev A)
Proposed Block Plan (drawing no. 02 rev B)
Proposed Floor Plans (drawing no. 10 rev B)
Proposed Elevations (drawing no. 11 rev B)
3. No development above ground floor slab level shall commence on site until details of the types and colours of external materials to be used, including colour of mortar and any finishes (e.g. stain to timber boarding), together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved.
4. The development shall not be occupied until the vehicle parking area has been constructed and surfaced in accordance with the approved details and that area shall not thereafter be used for any purpose other than parking, loading and unloading of vehicles.
5. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or internal painting or fitting out, shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public or bank holidays.
6. No deliveries of construction materials or plant and machinery and no removal of any spoil from the site, shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public or bank holidays.
7. Within 3 months of the date of commencement a Construction Statement detailing that the new home will meet Optional Regulation 36(2)(b) of Part G2, Water Efficiency of the Building Regulations shall be submitted to and approved in writing by the Local Planning authority. Development shall be carried out in accordance with the approved details.
8. The development hereby permitted shall not be occupied until the property has provision within its curtilage for refuse and recycling storage (prior to disposal). With a collection point not more than 15 metres carrying distance from a highway, which is a carriageway. The surface materials from the carriageway to the waste container collection point shall be smooth and shall not hinder the movement of waste containers to the collection vehicle. 1 number 240ltr refuse Wheelie bin, 1 number 240ltr recycling Wheelie bin and 1 number glass recycling box will be provided. The areas of land so provided for storage (prior to disposal) shall not be used for any or the collection of refuse and recycling and shall be thereafter retained and maintained, unless otherwise agreed in writing by the Local Planning Authority.

9. The development hereby permitted shall not be occupied until the property has provision within its curtilage for secure cycle parking facilities for 2 long and 1 short stay places, The cycle storage shall thereafter be retained and maintained in perpetuity.
10. No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate the areas used for the storage of all materials, equipment and vehicles during the construction. All development shall proceed in accordance with the approved method statement.

End of Schedule