



Appeal Decision

Site visit made on 5 August 2019

by David Carter BSc MSc MRTPI

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

Decision date: 23 September 2019

Appeal Ref: APP/H1705/W/19/3227453 169 Pack Lane, Basingstoke RG22 5HN

- 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 C. Goddard, Chris Goddard Properties against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 18/03132/FUL, dated 23 October 2018, was refused by notice dated 20 December 2018.
 - The development proposed is erection of 4 dwellings with new vehicle entrance following demolition of existing building.
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Decision

1. The appeal is allowed and I hereby grant planning permission for the development of 4 dwellings with a new vehicle entrance following demolition of the existing building, in accordance with planning application Ref 18/03132/FUL, subject to conditions on the schedule appended to this decision.

Main Issues

2. These are the impact on:
 - i. The effect of the proposal upon the character and appearance of the area.
 - ii. Whether the development would provide acceptable living conditions for the future occupiers of the dwellings with regard to the quality of outside amenity space.
 - iii. Highway safety.

Reasons

Character and appearance

3. The development proposed is for the demolition of an existing dwelling and its replacement by 4 dwellings on a large plot on the northern side of Pack Lane. The 2 dwellings on the frontage follow the building line and both would provide 4 bedrooms. At the rear of the site 2 bungalows are proposed, each with 2 bedrooms. Access to all 4 dwellings would be through a shared access onto Pack Lane.
4. Pack Lane features housing built over different periods in a variety of architectural styles. The plots are generally spacious with long gardens. There is a strong building line along Pack Lane and the houses are set back from the highway with open frontages giving regularity to the built form. The appeal site

has a considerably wider frontage compared to most nearby properties. There are two recent developments nearby (nos 148 and 154) that involve new build on the frontage coupled with new infill dwellings to the rear. Higher density of development is also to be found in the cluster of buildings close to the junction of Pack Lane and Buckskin Lane.

5. The current proposal would involve back-land development which is not unusual in the area. The proposal would be more compact in layout than those immediately surrounding the appeal site and constructed at a higher density. However, the 2 proposed dwellings closest to Pack Lane would be set back from the road to a similar degree as Nos 165 and 171. The linear alignment of the 2 dwellings to the rear would be separated by gardens and parking areas. This would not be dis-similar to the 2 nearby examples referred to above. Therefore, I do not consider that the current proposal would look out of place. The form of development proposed could also be seen as making a more efficient use of land and, by including dwellings of different sizes and types, usefully adding to the housing mix in the area. The depth of gardens is not compliant with the Design and Sustainability Supplementary Planning Document, adopted July 2018 (SPD). However, the irregular shape of some of the spaces still provides a good amount of separation between the proposed and existing surrounding dwellings. These would be sufficient to respect the local environment and the sense of place nearby.
6. In conclusion on the first main issue, the proposal would have an acceptable impact upon the character and appearance of the area. The dwellings proposed are of a high-quality design and that there is adequate space between the dwellings. The proposal will deliver a high quality of development positively contributing to the appearance of the area and making efficient use of land responding appropriately in the local context. The proposal therefore complies with the Basingstoke and Deane Borough Local Plan 2011 - 2029, adopted May 2016 (LP) Policies EM1 and EM10 which aim to secure that all new development is of high quality.

Living conditions

7. As I have explained above, the development would not appear cramped when viewed from outside and it would also not feel cramped for the occupants of these proposed dwellings. The proposed gardens would be of adequate size and would have adequate privacy.
8. In relation to this main issue, I consider that the development would provide acceptable living conditions for the future occupiers of the dwellings. As the development would provide a high quality of amenity for the occupants, it complies with the LP Policies EM1 and EM10 which aim to secure that all new development is of high quality.

Highway safety

9. Following receipt of additional information from the appellant, the council is satisfied that the development will not have harmful impacts on highway safety. This information shows that there will be adequate manoeuvring space within the site to turn vehicles. There will also be sufficient provision for parking adjacent to each dwelling. Access into and out of the development would include satisfactory visibility.

10. Accordingly, on this main issue, I conclude that the proposals in respect of highway safety are acceptable and comply with LP Policy CN9. This seeks to promote development providing safe, suitable and convenient access with appropriate parking.

Other Matters and Conditions

11. The appellant has indicated the conditions proposed by the Council to be acceptable. In addition to the standard time limit (condition 1) and a condition specifying the relevant drawings to provide certainty (condition 2), other conditions have been suggested which I have adapted as I consider appropriate. I have considered the suggested conditions with respect to the six tests set out in-paragraph 206 of the National Planning Policy Framework.
12. In the interests of making sure the development is of a high quality and in accordance with LP Policy EM10, I agree it is necessary to include a condition requiring the schedule of materials to be agreed with the Council (condition 3), similarly for hard and paved surfacing (condition 4) and boundary treatments and landscaping (condition 5).
13. The requirement for a Construction Method Statement is set out in condition 6. This statement, along with restrictions on working hours for both deliveries and construction works are important to help ensure concerns regarding potential nuisance to neighbours and interference to users of the highway and safety are addressed. In respect of working hours I have combined 2 of the suggested conditions to address this (condition 7). Sustainable water use is covered by condition 8 in accordance with LP Policy EM9.
14. The development would not unreasonably affect the privacy of adjoining occupiers. This is because the 2 dwellings to the rear will be single storey, and I have included condition 9 to ensure that additional openings, at first floor level in the northern and southern side elevations, are not undertaken under permitted development. Furthermore, due to the compactness of the development it is necessary to remove further permitted development rights relating to extensions and alterations but I do not agree that it is necessary to remove the right to construct garden buildings (condition 10).

Conclusion

15. Taking all matters into account my decision is that planning permission should be granted, subject to conditions on the attached schedule, for the development of 4 dwellings with a new vehicle entrance following demolition of the existing building.

David Carter

INSPECTOR

SCHEDULE OF CONDITIONS (10 in total)

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this appeal decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Site location and block plan (Drawing No.P01 Rev D)
 - Proposed site plan (Drawing No.P02 Rev H)
 - Proposed site plan – First Floor and Roof (Drawing No.P03 Rev D)
 - Streetviews (Drawing No. P04 Rev C)
 - Site views (Drawing No P05 Rev C)
 - Unit 1 – Plans (Drawing No.P10 Rev D)
 - Unit 1 – Elevations (Drawing No.P11 Rev D)
 - Unit 2 – Plans (Drawing No.P20 Rev D)
 - Unit 2 – Elevations (Drawing No.P21 Rev D)
 - Unit 3 – Plans (Drawing No.P30 Rev D)
 - Unit 3 – Elevations (Drawing No.P31 Rev D)
 - Unit 4 – Plans (Drawing No.P40 Rev D)
 - Unit 4 – Elevations (Drawing No.P41 Rev D).
- 3) No development above damp-proof course shall commence on site until a schedule of materials and finishes to be used for the external walls and roof(s) of the proposed building(s) has 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) No development above damp-proof course shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the dwelling is first occupied and thereafter maintained.
- 5) No development above damp-proof course shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials, type and finish of screen walls/fences/hedges to be erected. The approved screen walls/fences shall be erected before the use/building(s)/dwelling(s) hereby approved is/are commenced/first occupied and shall subsequently be maintained. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, details of which shall be agreed in writing by the Local Planning Authority before replacement occurs.
- 6) No development shall take place, including any works of demolition, until a Construction Method Statement, including drawings, that demonstrates safe and coordinated systems of work that eliminates foreseeable risks, or if that is not possible controls the risk through subsequent actions, affecting or likely to affect the public highway and or all motorised and or non-motorised highway users, has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

As a minimum the Statement shall include for:

- (i) means of access (temporary or permanent) to the site from the adjoining maintainable public highway, including the associated traffic management arrangements;
 - (ii) the parking and turning of vehicles of site operatives and visitors off carriageway (all to be established within one week of the commencement of development);
 - (iii) loading and unloading of plant and materials away from the maintainable public highway;
 - (iv) storage of plant and materials used in constructing the development away from the maintainable public highway;
 - (v) wheel washing facilities or an explanation why they are not necessary;
 - (vi) measures to control the emission of dust and dirt during construction;
 - (vii) a scheme for recycling and disposing of waste resulting from construction work;
 - (viii) the management and coordination of deliveries of plant and materials and the disposing of waste resulting from construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08.00 to 09.00) and PM peak (16.30 to 18.00) periods;
 - (ix) the routes to be used by construction traffic to access and egress the site so as to avoid undue interference with the safety and operation of the public highway and adjacent roads, including construction traffic holding areas both on and off the site as necessary.
- 7) No deliveries of construction materials or plant and machinery, no removal of any spoil from the site; no work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, 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.
- 8) Within 3 months of the date of commencement a Construction Statement detailing how the new home shall meet a water efficiency standard of 110 litres or less per person per day has been submitted to and approved in writing by the Local Planning Authority unless through a demonstration that this requirement for sustainable water use cannot be achieved on technical or viability grounds. The development shall be carried out in accordance with the approved details.
- 9) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional openings shall be inserted at first floor level or above in the northern and southern side elevations.
- 10) Notwithstanding the provisions of Article 3 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 building, structure or other alteration permitted by Class A, B, C, or D of Part 1 of Schedule 2 of the Order shall be erected on the application site.

End of Schedule