



Appeal Decision

Site visit made on 14 October 2019

by Thomas Bristow BA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2019

Appeal Ref: APP/N1730/D/19/3235625

19 De Montfort Square, Odiham, Hampshire RG29 1FR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mrs Anna Ellis against the decision of Hart District Council.
 - The application Ref 19/00747/HOU, dated 2 April 2019, was refused by notice dated 11 July 2019.
 - The development proposed is described on the application form as a 'single storey extension'.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey extension to 19 De Montfort Square, Odiham, Hampshire RG29 1FR, in accordance with the terms of application Ref 19/00747/HOU, dated 2 April 2019, subject to the conditions below.

Relevant policies

2. Notwithstanding informal pre-application advice,¹ each proposal must be determined on its merits in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan includes saved policies of the Local Plan 1996-2006 (adopted originally on 23 December 2002) and of the Odiham and North Warnborough Neighbourhood Plan (made part of the development plan on 29 June 2017).²
3. In summary, and amongst other things, Neighbourhood Plan policy 5 along with Local Plan policies GEN 1 and GEN 4, seek to ensure that all development is designed so as to integrate appropriately with its surroundings.³ That aim is shared with paragraph 127 of the National Planning Policy Framework ('NPPF') and reiterated in the Planning Practice Guidance ('PPG').⁴ Policy GEN 1, criterion (vii), Local Plan policy T14, criterion (iii), and Neighbourhood Plan policy 5, criterion (viii) set out that development should make adequate provision for access and parking. The latter refers to the Council's parking standards.
4. No 19 is part of a recent development of 89 homes, following planning permission Ref 13/02085/MAJOR approved in 2014. I understand No 19 is a

¹ Ref 19/00522/PREAPP.

² Noting that the Hart Local Plan Strategy and Sites 2016-2032 is at a relatively advanced stage of examination.

³ Although not cited in the Council's decision notice, Local Plan policy URB 16 likewise seeks to ensure development is sympathetic in scale and character to its surroundings.

⁴ Including Reference ID: 26-001-20191001.

'type 868.E', a two-storey, three-bedroom property. The Council's Parking Provision Interim Guidance (dated August 2008) explains that Odiham falls within accessibility 'zone 2' (albeit referring to Planning Policy Statement 3, which was ceased to be Government policy from March 2012). Table 1 of the Guidance correlates the size of a property with its accessibility in arriving at recommended levels of parking provision.

Main issues

5. The proposal also entails the provision of a small first-floor window. That would relate to an existing bathroom within the side elevation facing the garage to No 17. The detail of that element of the proposal would match that of No 19 as it stands. That window is proposed to be obscure-glazed, however in any event faces towards neighbouring garages and across the street rather than directly towards other properties. As such the first floor window proposed would entail no significant effects, and the Council do not object to it. Consequently the main issues are (i) the effect of the extension proposed on local character and appearance, and (ii) whether or not the proposal would result in an adequate level of parking provision.

Reasons

Character and appearance

6. As set out above No 19 is one of 89 homes planned as a cohesive development comprising buildings of similar design. Properties typically have pitched roofs; I was unable to identify any other flat-roofs, as is the proposal here with a pyramidal roof light surrounded by a parapet wall, during my site visit. Harmony is intrinsically aesthetically pleasing.
7. Nevertheless there is some variety in the scale of dwellings and garages, and also in the pitch and roof form of properties. No 19, for example, has a steeper pitch than No 21. Nos 1 and others nearby have, instead, half-hipped roof elements. Nos 17 and 15 incorporate modest front dormers. Some garages stand alone, whereas others are integrated. The single garage to No 17 is next to a double garage; the former has a simple dual-pitched roof, the latter is hipped. The area is therefore not so ordered that it could not accommodate some architectural variety.
8. In absolute, and also relative terms to No 19, the extension proposed is modest, representing an increase of around 17 square metres in footprint. It would be set back some 4.4 metres from the principal elevation of No 19, aligned with the neighbouring garage. That, combined with the screening resulting from the form of adjacent buildings, would limit its visual prominence. The level of the front-facing window, its detailing, and the materials proposed would align with the existing property.
9. At around 2.65 metres in width and 3.6 metres in height, the extension proposed would, it appears, only fractionally exceed the relevant limitations of permitted development rights (Schedule 2, Part 1, Class A(A.1)(i) and (j) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, the 'GPDO'). I understand that such permitted development rights are intact, as discussed also in the second main issue.

10. For the above reasons whilst the proposal would result in some change and divergence from the typical form of nearby properties, the extension would nevertheless be clearly subservient to No 19, integrate well with the arrangement and design of the host property and neighbouring garage, and result in little appreciable change to the street scene (including when set against what is generally permissible under permitted development rights).
11. Consequently, in my view, the development proposed would integrate appropriately with its surroundings, in accordance with the relevant provisions of Neighbourhood Plan policy 5, Local Plan policies GEN 1 and GEN 4, and NPPF paragraph 127.

Parking provision

12. The Council's officer report explains that hardsurfacing to the side of No 19 currently provides parking space sufficient for two vehicles. That appears to be the case,⁵ although on account of the garage to No 17 one car would inevitably be blocked in were both spaces occupied simultaneously. That appears to be something of a rarity compared to other properties comprising the development of land adjacent to Hatchwood Place.
13. Although I understand the width between the side elevation of No 19 and garage of No 17 is around 2.8 metres, the 'tandem' arrangement of spaces is nevertheless less practical than other layouts (as recognised in paragraph 6.4 of the Guidance). The rearmost parking space is therefore likely to be less frequently used, if at all, and the development proposed would retain sufficient space to allow for one vehicle to be parked off-street.
14. My view in that respect is reinforced by the appellant attesting to the provision of on-street parking nearby, including along the opposite side of De Montfort Square to No 19. She states that such provision is 'not in high demand'. That was the case during my mid-afternoon site visit, albeit that inevitably represents a snapshot in time. There is no indication that on-street parking spaces elsewhere are allocated or reserved for particular properties or purposes.
15. Condition No 14 to the 2014 permission is that 'the approved parking facilities including all garages for vehicles and access shall be maintained at all times to allow them to be used as such'. That could be read so as to encompass driveways, albeit that 'facilities' accorded its ordinary meaning of 'piece of equipment provided for a particular purpose' suggests something more formal. I have noted above that permitted development rights were not withdrawn via condition on the 2014 application.
16. It could also be argued that, were the exercise of permitted development rights to conflict with condition 14, the latter would prevail (albeit that permitted development rights allow for types of development other than extensions, including outbuildings under Class E). However it does not appear that there

⁵ Albeit that is below the 3.25 spaces recommended, with reference to table 1 of the Guidance assuming the property is of type B8/E and now effectively falls within Odiham.

would be anything to prevent, for example, the use of the rearmost space for say storage, or for other incidental purposes not amounting to development.⁶

17. The proposal would reduce off-street parking available to No 19. However with regard to the particular constraints of one of those spaces, what might legitimately be able to be undertaken without planning permission, and to the availability of parking nearby, I am not of the view that the development would result in inadequate parking provision. Therefore no conflict arises with the relevant provisions of policy GEN 1, criterion (vii), T14, criterion (iii) or policy 5, criterion (viii) as set out above, notwithstanding the recommendations in the Guidance.

Conclusion

18. For the above reasons, having considered the development plan as a whole, the approach in the NPPF, and all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions below.

Conditions

19. In addition to requiring commencement within the relevant statutory period, I have imposed conditions requiring compliance with the supporting plans and that matching materials are used in the extension as in the existing building. Those are necessary so that the proposal is implemented as assessed above (and thereby integrates suitably with local character and appearance).

Thomas Bristow

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with approved plans 5208E, SJS 2019/5/1, and SJS/2019/5/3.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

⁶ With regard to the exemptions to the planning definition of development under Section 55(2) of the Town and Country Planning Act 1990 as amended.