



Appeal Decision

Site visit made on 6 August 2019

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2019

Appeal Ref: APP/H1705/W/19/3230081

Land Adjoining Rondor, Green Way, Basingstoke RG22 6PB

- 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 Ian Parkinson against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 18/02586/FUL, dated 31 August 2018 was refused by notice dated 7 December 2018.
 - The development proposed is erection of detached industrial style dwelling with green roof.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The site location in the heading above is taken from the application form. It is described on the planning decision notice, the appeal form and the plans, as land at Green Way, Green Way. The supporting documents submitted by the Council indicate that Rondor is the property at no.1 Green Way, which does not adjoin the appeal site. Therefore, I have dealt with the appeal on the basis of the site address on the decision notice, appeal form and plans.
3. The description of development as stated on the application form is set out above. It is described on the decision notice and appeal form as erection of detached industrial style dwelling with green roof and new vehicular access. This more accurately describes the development and I have dealt with the appeal on this basis.
4. The site has been the subject of three dismissed appeal decisions presenting residential proposals (APP/H1705/A/07/2058617, APP/H1705/A/10/2124713, and APP/H1705/A/12/2180509). These are material considerations to be apportioned appropriate weight. It is appreciated that the appellant has sought to respond to the concerns raised by the three Inspectors in the previous decisions, and that the current proposal differs from these predecessors in several respects. These matters have been taken full account of in the reasoning set out below.

Main Issues

5. The main issues are:

- Impact on the character and appearance of the area; and
- Impact on highway safety, having particular regard to the adequacy of the proposed parking and vehicular access.

Reasons

Character and appearance

6. The appeal site lies at the northern end of Green Way which is a no-through road. The surrounding residential area is characterised by a mix of detached, semi-detached and terraced, two-storey dwellings with pitched and hipped roofs. The predominant external material is brick, with elements of timber cladding and tile hanging also evident within the site vicinity.
7. North of the appeal site is a two-storey terrace of houses in West Ham Close, whose rear gardens are separated from the appeal site by a private rear access footpath, serving those properties. South of the site on the east side of Green Way are two pairs of semi-detached pitched and hipped roof houses. Opposite the site, nos. 3 and 4 Green Close comprise detached two-storey houses, and south of no.3 is a two-storey block of flats at Cannock Court. Property frontages in Green Way are generally open, or bounded by low walling and hedging.
8. The appeal site comprises a vacant, L-shaped parcel of land, which wraps around an electricity substation sited adjacent to its southwest corner. The substation is surrounded by wire chain link fencing. It is set back from the road frontage and sits comfortably within the street scene without being unduly visually prominent. Although presently overgrown, the appeal site could be more actively managed in the absence of any planning permission, and I do not find that it currently has a harmful impact on the visual amenities of the area.
9. I acknowledge that the appellant has designed the appeal proposal with regard to minimising its impact on the street scene and upon the amenity of the occupants of neighbouring properties, having regard to the previous appeal decisions. Hence, a substantial part of the living accommodation would be sited below ground level, and the building would comprise a single storey flat-roofed structure above the ground. I also note that the proposed industrial style design is intended to reflect the site context immediately adjacent to the substation.
10. I find that the proposed dwelling would relate poorly to the street scene, as a result of its low height, and its position wrapped around the substation, with the forwardmost part of the new building set around 4.5 m behind the front fencing line of the substation enclosure, and directly facing onto the Public Right of Way footpath in front of the appeal site rather than the highway. A large part of its front elevation would be obscured by the substation and associated fencing. The remainder of the front elevation would be largely obscured by the proposed 1.8 m high front boundary iron sliding gate and railings, which are out of keeping with the more open street frontages

characteristic of Green Way. Accordingly, as a result of its small scale and set back and largely obscured position, the new dwelling would have a minimal presence within the street scene. This would be incongruous within Green Way, where neighbouring properties have a strong presence within the street scene and open frontages.

11. In addition to wrapping around the substation within approximately 1 m from the substation fencing, the new dwelling would also be sited about 1 m from the north and south site boundaries, and within around 5 m of the rear site boundary. This would result in a congested, contrived layout of development, designed to fit around the substation. This would not respect the more spacious character of the surrounding area and would result in the development appearing cramped in relation to, and visually competing with, the substation, when viewed from Green Way and the public footpath and cycle way to the north of the road. This would be discordant within the street scene and would result in material harm to the character and appearance of the area.
12. I acknowledge that the proposed industrial style design is deliberately different from that of the surrounding residential properties, and that the Framework advises that appropriate innovation or change should not be prevented. However, the low height building would be finished in olive coloured rendered lime plaster with steel cladding around the edges under a flat green roof. The materials, roof form and scale of the new building would be in marked contrast to those of the surrounding dwellings. Furthermore, the building would have a box-like appearance. The proposed front elevation fenestration would not be demonstrative of the main building entrance and there would be large areas of blank wall space lacking in fenestration and visual interest. Accordingly, I find that the building would not accord with the Framework which requires new development to be visually attractive as a result of good architecture and to be sympathetic to local character.
13. There are biodiversity and sustainability merits associated with the proposed design, in particular the green roof and solar panels. However, these benefits would not outweigh the harm to the character of the area that I have identified above.
14. For the above reasons, I conclude that the proposed development would comprise poor design and layout, which would unacceptably harm the character and appearance of the area. This would be contrary to Policy EM10 of the Basingstoke and Deane Local Plan and Sections 8 and 9 of the Design and Sustainability Supplementary Planning Document, which seek to ensure that new development is of a high quality and design and that it responds positively to the local context. The proposal would contravene a core planning principle of the Framework which seeks to secure high quality design in respect to new development.

Highway safety

15. Green Way is a short, no-through road. Bollards sited at the northern end of the road separate the vehicular highway from the cycleway and footpath that provides access to West Ham Gardens to the north. There are no parking restrictions along the road, and any on-street parking would impede vehicular access along it due to its narrow width. A grassed verge runs along the west side of the highway and there is a pedestrian footpath adjacent to the east

side, which extends beyond the vehicular highway to adjoin the cycleway to the north of the road.

16. There is a grassed area of land directly in front of the appeal site separating the site from the pedestrian footpath. The Council has confirmed that this strip of land is within Council ownership and that the footpath in front of it forms part of the Public Right of Way (PROW) known as Basingstoke Footpath 502/1, which is maintained by the Council. The proposed vehicular access gates would be located directly in front of the Council-owned land and PROW, so that the proposed vehicular access to the development appears to necessitate driving over Council-owned land and the PROW. The red line boundary shown on the location plan excludes this land. I have not been provided with substantial evidence to confirm that the appellant either owns the land over which the PROW runs or has the permission of the landowner to drive over it. Vehicular access over the footpath would therefore potentially endanger pedestrian safety. Furthermore, an inability to access on-site parking to serve the proposal could result in on-street parking in Green Way, which could impede upon the free flow of traffic within the road and/or vehicular access to 3 and 4 Green Close, or parking directly in front of the site, which could obstruct pedestrian/cyclist access to the footpath/cycleway.
17. Therefore, I conclude that, in the absence of satisfactory proposals for vehicular access and on-site parking provision, the proposal would conflict with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan which seek to ensure that new development does not comprise highway safety and that it provides safe, suitable and convenient access for all users and appropriate parking.

Other matters

18. I recognise that the appeal site is in a sustainable location and that the appellant seeks to make effective use of the brownfield land to provide an additional dwelling. In addition, the Council has confirmed that it is unable to demonstrate a five-year supply of deliverable housing sites. As such, relevant policies for the supply of housing should not be considered up-to-date and paragraph 11 of the Framework should therefore be applied.
19. There is no information about the scale of the shortfall in housing supply. Whilst the Framework refers to boosting significantly the supply of housing, the provision of one additional unit would make very little meaningful difference. When judged against some of the core planning principles, the proposal would perform well in that it would be in an urban area where access to facilities is likely to be greatest. However, good design and highway safety are also key aspects of sustainable development.
20. In terms of its component dimensions, there would be a small social benefit in providing an extra housing unit. Economic advantages would also arise from the construction and occupation of a new house. However, the harm to the character and appearance of the area and highway safety identified would be significant, and as a result, the environmental role of sustainable development would not be achieved. When assessed against the policies in the Framework taken as a whole, the adverse impacts would significantly and demonstrably outweigh the benefits. Therefore, the proposal would not be a sustainable form of development. The conflict with the development plan is not outweighed by other considerations including the Framework.

Conclusion

21. For the reasons given above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

S Leonard

INSPECTOR