



Appeal Decision

Site visit made on 9 October 2019

by Neil Smith BA Hons BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 November 2019

Appeal Ref: APP/R3650/W/19/3233379

**Land to the rear of Pinecroft House, Churt Road, Hindhead, Surrey
GU26 6PD**

- 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 S Waters against the decision of Waverley Borough Council.
 - The application Ref WA/2019/0181, dated 17 January 2019, was refused by notice dated 13 March 2019.
 - The development proposed is a one bedroom dwelling.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The appellant has provided a transport statement which includes plans that show a different parking arrangement than those considered by the Council at application stage. I have had regard to Annex M of the Procedural Guide - planning appeals England, and it would be inappropriate to accept this, as the information has not been subject to formal consultation and may prejudice other interested parties.

Main Issues

3. The main issues are the effect of the proposal on (i) the character and appearance of the area; (ii) the living standards of future occupiers with regard to outlook, access to daylight and private amenity space and the living conditions of the adjoining residential property, Homelea, with particular regard to overlooking; and (iii) highway safety and cycle provision.

Reasons

Character and appearance

4. The appeal site is a long, narrow strip of land to the rear of Pinecroft House and Pinecroft Cottage, which are a pair of semi-detached properties. It is used for car parking for the dwellings. To the rear of the site is a car parking area which serves a church hall. To the west is a further strip of car parking with a single storey outbuilding and to the east is the rear garden of Homelea, a two-storey dwelling. There is a mix of dwelling styles in the vicinity, which sit within large plots with generous garden space.
5. The appeal proposal seeks to erect a two-storey dwelling house with a pitched roof that would accommodate a side dormer. The dwelling would occupy

virtually the entire site. The side and rear elevations would be near the site boundaries and there would only be a small amount of outdoor amenity space to the front. For these reasons it would appear as a cramped form of development by reason of its excessive size and site coverage that would be out of character with the prevailing pattern of development.

6. The appellant states that the proposed dwelling is of a scale which is compatible with the various garage/storage buildings that exist behind the development fronting the main road. Whilst this may be the case there are no similar residential properties of the same form in the vicinity. The appellant also argues that there would be limited views, nevertheless, it would be visible from the first-floor rear windows of the adjacent properties and from the shared access road. I note that the proposal would also be built with similar materials to the adjacent buildings. These factors do not alter my view that the proposal would be harmful to the character and appearance of the area.
7. The proposal would therefore conflict with Policy TD1 of the Local Plan (2018) (the LP) and retained Policies D1 and D4 of the Waverley Borough Local Plan (2002) (the retained LP) which requires development to be of high-quality design and to be well related in size, scale and character to its surroundings.

Living standards of future occupiers and the living conditions of the adjoining residential property, Homelea

8. The ground floor accommodation would have windows on three elevations. The one on the rear elevation would look directly at a dense hedgerow, the one on the side elevation would face onto a close boarded fence and the one on the front elevation would look onto the car parking area. The appellant states that the dwelling would meet the nationally described space standards (2015) for a one-person unit. However, the minimum standard for a two-storey dwelling are not achieved leading to a cramped and claustrophobic environment with poor outlook and access to light. Furthermore, the private garden amenity area would also be small and its location adjacent to the car parking space is likely to be of minimal useable value. The appellant argues that there is adequate amenity space provided nearby to compensate the shortfall. However, the locations of this space have not been identified and, in any event, the space is unlikely to be private. For these reasons, the proposal would be detrimental to the living standards of future occupiers.
9. The appeal proposal would have a dormer window at first floor with windows serving a bedroom and a bathroom. The bedroom window would be in close proximity and would have direct views to the garden of the adjacent residential property, Homelea. The appellant argues that this garden area is not entirely private as there are views into the garden from adjacent properties. Whilst this is apparent, the dormer window is significantly closer and would directly overlook the rear part of the garden where, due to the distance away from other windows, has the greatest level of privacy. Consequently, the appeal proposal would result in an unacceptable degree of overlooking and loss of privacy to that currently enjoyed by the occupiers of Homelea.
10. I conclude that the proposal would have a harmful effect on the living standards of the future occupiers and the living conditions of the adjacent dwelling, Homelea, by reason of overlooking and loss of privacy. The proposal therefore conflicts with Policy TD1 of the LP.

Highway safety and sustainable transport

11. The single lane access road serves several dwellings and a church hall, which has a car parking area that can accommodate several vehicles. Whilst the highways authority have raised concerns that the proposal would lead to an intensification of the use of the access road, the associated additional vehicular movements are likely to be minimal. Consequently, I find that the appeal proposal would not unacceptably intensify the use of the access road.
12. The appellant has provided a transport statement, which demonstrates that an unobstructed visibility splay of 2.4m x 104m is achievable looking east. This is marginally below the required splay of 2.4m x 120m due to a small hedgerow on the opposite side of Churt Road which partially obscures drivers' vision. However, I observed at my site visit that oncoming traffic is visible beyond the hedgerow as the road bends and drivers would be aware of any traffic approaching beyond this point. I also understand from the transport statement that no recorded incidents have taken place close to the site access in the last five years. Therefore, I find that adequate visibility would be achievable for vehicles entering onto Churt Road in forward gear to serve the appeal property.
13. The plans show the provision of a single car parking space to the front of the proposed dwelling, which is adjacent to the other car parking spaces. I am also mindful that a planning permission has been granted which alters the current layout of these spaces. The orientation of the car parking space on the site is such that it is significantly below the highway authority's turning space standards. I have no evidence before me to demonstrate that vehicles would be able to safely leave the site in forward gear with the parking space orientated in the position shown on the application plans. For this reason, the proposal would be harmful to highway safety.
14. Policy M5 of the retained LP states that cycle storage should have a minimum size of 2m x 0.5m. Whilst no information has been provided to show the exact location where bicycles would be securely parked, there is enough space within the appeal site to accommodate this requirement. Accordingly, an appropriately worded planning condition could be used to result in the proposal being acceptable in this regard. This element of the proposal would therefore accord with Policy M5 of the LP which will seeks to improve conditions for cyclists.
15. I have found that the proposal would not unacceptably intensify the use of the access road and that there is adequate visibility for vehicles entering Churt Road. I have also found that appropriate cycle parking provision could be achieved. However, this does not outweigh the harm that would result in the inability of vehicles to safely egress the site in forward gear.
16. For this reason, I conclude that the proposal would be unacceptably harmful to highway safety. Consequently, the proposal conflicts with Policy ST1 of the LP which seeks, amongst other things, to ensure safe and suitable accesses are achieved.

Other matters

17. I am mindful that the proposal could incorporate various sustainability and biodiversity measures such as an electric charging point and low water usage appliances. I also acknowledge that the site is in an accessible location.

18. I note that there is no disagreement between the parties regarding the existence of a five-year housing land supply within the Borough. The appellant states that the proposed development would seek to boost the supply of housing in the area and would also provide an affordably priced dwelling in an area with high house prices. However, the contribution to supply from only one dwelling would be a limited benefit in the overall planning balance. These matters do not alter or outweigh my conclusions on the main issues.
19. Local residents have expressed a range of other concerns over the environmental impact of the proposal, including inadequate access for fire tenders; rights of way for the occupier of a new residence and the impact of foundations on trees. As I have found the development unacceptable for other reasons, it is not necessary to explore those matters any further.
20. Equally, as the development is unacceptable for other reasons, it is not necessary to explore the effect of the development on the East Hants, Wealden Heaths I and the Wealden Heaths II, Special Protection Areas.

Conclusion

21. For the reasons above the appeal is dismissed.

Neil Smith

INSPECTOR