



Appeal Decision

Site visit made on 21 October 2019

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 01 November 2019

Appeal Ref: APP/N1730/W/19/3232731 141-145 Clarence Road, Fleet GU51 3RR

- 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 Ms K Patel of K9 Capital Ltd against the decision of Hart District Council.
 - The application Ref 19/00840/FUL, dated 9 April 2019, was refused by notice dated 5 July 2019.
 - The development proposed is the demolition of existing former red cross building and garage and erection of 2 detached buildings housing between them 8 self-contained flats with 6 parking spaces, cycles and bin provision.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site is located on Clarence Road, a predominantly residential road, close to the town centre of Fleet. I concur with the findings of previous Inspectors¹ that the design, scale and mass of buildings along the full length of the road varies, with those closer to Kings Road in the north generally taking on a greater mass. In contrast, buildings in the vicinity of the appeal site, which is south of Upper Street and closer to Reading Road South, are more modest in scale.
4. The buildings on the appeal site are not excessively conspicuous in the street-scene because they are closely related in scale and height to the properties either side of them. This section of Clarence Road is characterised by detached, semi-detached and terraced properties, a mix of single-storey, one-and-a-half storey and two-storey dwellings, of varying architectural styles. A predominant characteristic of dwellings in the vicinity of the site is that they are generally set on narrow plots and positioned relatively close to the road.
5. The proposed development would comprise the same number of residential units as in the previous dismissed appeals. The appellant says the proposal, which seeks to overcome the concerns previously raised, would comprise two

¹ Previously dismissed appeals, references: APP/N1730/W/18/3198351, APP/N1730/W/18/3209899 and APP/N1730/W/19/3224506

separate buildings with a generous gap between them, and as such the development would have the appearance of two detached houses and not two apartment buildings when viewed within the street-scene. Moreover, he says the design of the buildings is reflective of the local material and shallow roof forms.

6. I acknowledge the design, which incorporates a largely brick finish with traditional detailing and variation in roof heights, would result in the appearance of the development being more akin to some other buildings in the area. However, the proposal would result in two buildings which would collectively take up much of the width of the plot and have significant individual footprints larger than most others near to the site. They would be positioned further back into the site behind the established building line of neighbouring properties and have a greater height than the adjacent buildings. Therefore, notwithstanding the proposed aforementioned design characteristics, the layout, scale and height of the proposal would, nonetheless, relate poorly to adjacent properties. Thus, the development would be conspicuous and fail to integrate well into the street-scene. Moreover, the mass of the two buildings would be out of keeping with other buildings in the immediate area and the bulk of the development would be over dominant and disrupt the more modest scale of built form in this part of Clarence Road.
7. The Council's refusal notice refers to the provision of bin storage facilities in front of the proposed residential blocks having an adverse visual impact on the street-scene. However, the submitted landscape plan indicates the bin storage area would be between the flank walls of the proposed two buildings behind a communal gate. Taking into account the position of the proposed bin storage facility I do not consider it would have a harmful visual effect upon the street-scene.
8. Whilst there is no dispute between the main parties that the site is suitable for residential development, for the reasons outlined above, the proposal would be out of keeping with the built form in this part of Clarence Road. Consequently, it would be harmful to the character and appearance of the area.
9. Accordingly, the proposed development would conflict with Saved Policies GEN1(i), GEN4 and URB12 of the Hart District Local Plan (Replacement) 1996-2006 (2009) and the aims of the National Planning Policy Framework. Together these policies, amongst other things, seek to ensure that proposals are in keeping with the local character by virtue of their scale, layout, massing, height and prominence; and seek to ensure that they sustain or improve the urban design qualities of the town. The Council has referred to the Submission Hart Local Plan Strategy and Sites 2016-2032 and the Submission Fleet Neighbourhood Plan 2018-2032; however, has not referred to any policies in either of these two submissions.

Other Matters

10. The site is located within the 5 km buffer zone of the Thames Basin Heaths Special Protection Area. Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 indicates the requirement for an Appropriate Assessment is only necessary where the competent authority is minded to give consent for the proposal. Thus, given my overall conclusion on the main issue it is not necessary for me to consider this matter in any further detail.

11. The proposed development would not be unacceptable as regards the impact on the living conditions of occupiers of neighbouring properties, parking and cycling provision, highway safety and flood risk, although these attract neutral weight. The appellant points out that the development would be acceptable as regards to internal living standards, however this did not feature in the reasons for refusal.
12. Reference has been made to the density of development, stating that it is considered to be at the upper end of a suburban location but not out of context with the wider developments found along this edge of town centre location and across the full length of Clarence Road. However, in this instance, this matter is not in itself determinative to the outcome of the appeal.
13. The appellant points out that the site is in an accessible and sustainable location and the proposal seeks the more efficient use of existing brownfield land. I have taken these points into account; however, they do not outweigh the harm I have found in respect of character and appearance.
14. I appreciate that the appellant has attempted to overcome the concerns previously raised but the design amendments would still result in a proposal that would harm the character and appearance of the area for the reasons I have outlined. In any event, I have come to my decision based on the appeal proposal alone and not by way of comparison as to whether it is preferred to the earlier proposals.
15. I have considered this appeal proposal on its individual planning merits and none of the other matters raised alter or outweigh my conclusion on the main issue.

Conclusion

16. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Andrew Bremford

INSPECTOR