
Appeal Decision

Site visit made on 7 October 2020

by Jan Hebblethwaite MA Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 05 November 2020

Appeal Ref: APP/R3650/W/20/3246449

61 Arthur Road, Farnham, Surrey GU9 8PD

- 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 Roland and Mrs Diane Hawes against the decision of Waverley Borough Council.
 - The application Ref WA/2019/1261 dated 3 July 2019, was refused by notice dated 5 November 2019.
 - The development proposed is a new two-bedroom dwelling (two storey) with on-site parking
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application form describes the proposed development as set out in the banner heading above. The decision notice describes the proposed development as:

Erection of a dwelling and vehicle crossover (revision of WA/2019/0112)

I consider that the two descriptions cover the same development, and this decision letter is written on that basis.

3. The application form is dated 3 July 2019 although the decision notice records that the application was deposited on 29 July 2019. I do not consider that anything turns on the difference.

Main Issues

4. The main issues in this appeal are (a) the effect of the proposed development on the character and appearance of the surrounding area, and (b) the outside amenity space available to future occupiers of both the existing and the new dwellings.

Reasons

Character and Appearance

5. The appeal site (No 61) is a corner plot within a suburban residential area. The immediately surrounding properties have a strong linear pattern of development with clearly defined building lines facing the street and a uniform

appearance comprising pairs of semi-detached houses with rendered walls and generally regular spaces between pairs of houses. Arthur Road has a number of branches, and as No 61 is on the corner, its plot is larger than others in the street. There is currently a mature hedge to the two sides of the plot which face the street.

6. The wider area is identified as Firgrove in the Farnham Design Statement (FDS), which the Farnham Neighbourhood Plan states has been adopted by the Borough Council. Although the Appellant seeks to differentiate between the character of Arthur Road and the named streets within Firgrove as set out in the FDS, it is apparent from the block plan at page 2 of the FDS that Arthur Road does fall within the settlement and the design guidance in the FDS applies. The Firgrove area includes a wide range of residential properties and styles, from large, detached houses in generous plots to terraces of more modest houses.
7. The proposed development is the construction of a two bedroomed detached house with a design which the Appellant considers to be in-keeping with the style of the properties around it. The Council does not disagree in relation to design.
8. The proposed dwelling would front onto the street on the same elevation and building line as No 61. Due to the corner plot location, the side elevation to the south would also have a relationship to No 59. That elevation would project forward of the building line of Nos 57 and 59. In an area where the building lines are such a strong feature, even a small projection would be immediately apparent.
9. The proposed dwelling would sit close to the rear boundary of the plot, although the rear elevation would have a single storey element to reduce the impact on the neighbour at No 59. The north elevation of the new dwelling would be separated from the flank wall of No 61 by a "dual access path". Off-street parking for two vehicles would be sited in front of the new dwelling, with the remaining land to the south forming the private amenity space for the new dwelling. The existing dwelling would retain the garden in front of the house, and the private garden to the rear, to the width of the existing house and the dual access path.
10. The size of the corner plot is mirrored on the opposite side of the street at No 27. Although the design of the proposed dwelling would be acceptable to the Council, the new dwelling would interrupt the regular and linear arrangement of the houses in this part of Arthur Road.
11. The Borough Council has a five-year housing land supply, and the proposed development should be tested against Local Plan policies which accord with the sustainable development principles in the NPPF¹, including Policy SP1 of the WBLP 2018². Paragraph 127 of the NPPF requires that developments be sympathetic to local character. Local Plan policies seek to protect the visual character, quality and distinctiveness of a locality (saved policies D1 and D4 WBLP³ and Policy TD1 of the WBLP 2018). The Farnham Neighbourhood Plan 2017 (FNP) contains policies relating to new development including Policy

¹ National Planning Policy Framework

² Waverley Borough Local Plan (Part 1) 2018

³ Waverley Borough Local Plan 2002

FMP1(b) which states that development will be allowed where it follows guidance in the FDS.

12. The FDS contains design guidelines for Firgrove, which states that new development should reflect the distinctiveness of individual roads. In-filling which harms the character of the area should be avoided, in order to retain mature gardens and when new development is proposed, more imaginative solutions should be found to achieve higher density without undermining the character of the existing area.
13. I consider that whilst the policies do allow for in-filling, it should cause no harm to the character and appearance of the local area. The development site is in an area with a distinctive linear appearance which influences the character and "feel" of the area. Whilst it might be physically possible to site a detached house on the plot, it would undermine the strong character. By reason of its cramped nature and the unbalancing of the building lines on both sides of the street, the proposed development would cause harm to the character and appearance of the area, contrary to the local plan policies.

Amenity areas

14. The amenity area to the rear of No 61 would be limited and considerably smaller than that serving houses around it. The amenity space available to the new dwelling would also be comparatively small and entirely to the side of the dwelling.
15. The Appellant has referred me to other developments in the vicinity as examples of houses with relatively small amenity spaces. In relation to the new dwellings at 17A Arthur Road, the spacing between the buildings in the frontage is such that the impact of smaller amenity areas was reduced. In the case of No 61, there would be very little space between the existing dwellings and the new dwelling. The overall appearance would be cramped, which would emphasise the small size of the amenity areas.
16. In relation to 77 Arthur Road, the development carried out was an extension to the existing end of terrace property and I do not consider this to be comparable to the proposal to create a new dwelling in the garden of an existing dwelling, with a need for two separate amenity areas.
17. The Appellant has also referred me to an appeal decision⁴ in which the Inspector acknowledged that gardens to the side of a dwelling, whilst not following convention, would not be harmful to the character and appearance of the area. However, the Inspector also notes that the dwellings are set back at varying distances from the highway and have varying plot sizes and shapes. This is not comparable to the appeal site which, as I have found, has a strong linear pattern and regular plots.
18. For these reasons, I consider that the proposed development would appear cramped and out of character with the immediate locality and that the amenity areas serving the existing and new dwellings would be inadequate. As such the proposed development would conflict with the development plan and there are no material considerations which would overcome that conflict.

⁴ APP/R3650/W/19/3226723

Other Matters

19. The Council has expressed concern that the development could interfere with the root protection area (RPA) of the pollarded lime tree on the corner outside the development site. The lime trees in the street are an important feature of the street scene. The Appellant has submitted a tree report which indicates that construction can be managed to avoid damage to the tree roots, but the officer's report includes comments from the tree officer which question the measurement of the RPA in the Appellants report and the impact of development upon it. As I have concluded that the appeal should be dismissed on other grounds, I do not need to reach a conclusion on this issue.

Conclusion

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

Jan Hebblethwaite

INSPECTOR